Town of Oakland, Burnett County, Wisconsin
February 10, 2022

The regular monthly meeting was called to order by Chairman Wayne Larrabee following the public hearing held to solicit input to the proposed subdivision ordinance. All members (Chairman Wayne Larrabee, Supervisor Harm Weber, Supervisor Tim McIntyre, Clerk Sherril Anderson and Treasurer Melinda Lippert) were present. Several members of the public were also present. The Pledge of Allegiance was recited during the Public Hearing.

The minutes from the January 2022 meeting were reviewed. Tim McIntyre made a motion to approve the minutes as presented; Harm Weber seconded the motion. The motion to approve the minutes carried.

Melinda Lippert provided copies of the January 2022 Treasurer's report. Harm Weber made a motion to accept the report as presented; Tim McIntyre seconded and the motion carried.

Sherril Anderson presented the January 2022 invoices for payment. She mentioned that she had noticed that we are being charged a fuel surcharge by Hopkins. There was discussion as to whether or not a fuel surcharge was included in the contracts signed at the beginning of the season. Sherril was asked to send a note to Hopkins asking about the surcharge. Harm Weber made a motion to approve the monthly invoices as presented; Tim McIntyre seconded and the motion carried. Sherril also informed the Board that February Settlements would need to be paid prior to the next Board meeting but that she had not yet received information regarding the amounts due from the County; she requested permission to pay the Settlements once the information was available. A motion to approve payment of the February Settlements when the information is received was made by Tim McIntyre and seconded by Harm Weber; the motion passed.

In an update regarding the town constable position, Wayne Larrabee reported that he had spoken with Jim Pearson, Siren Village Trustee, and was told the effort is moving forward. The Benson Law Firm continues to review the Siren ordinance that may not apple or need to be modified for use in Oakland Township. It is expected a contract will be provided for signature in March.

At Wayne's request, Supervisors Harm Weber and Tim McIntyre offered their opinions regarding the proposed Subdivision Ordinance:

Harm expressed concern that much effort was put into developing the Comprehensive Land Use Plan (CLUP) and that we are now ignoring the portion of the Plan promoting the use of cluster development. He feels that willfully ignoring the wording of the Plan is reason not to adopt this Subdivision Ordinance. He further stated that the Plan calls for preserving open acreage and that he felt that cluster development better promotes

open acreage.

Tim expressed that the Plan calls for one residence per 20 acres including all homes across all acreage which equates to 1000 residences across the entire township. Harm expressed that the subdivision ordinance does not change the density. Tim's concern is that either approach – a ten acre minimum or density development – defeats the density proposed. He feels we may already be at the limit proposed. He further stated that in asking folks coming in his store, 17 individuals indicated they were in favor of adopting a ten-acre minimum, 9 were not in favor. He feels if there were no restrictions 30-40 years ago, we'd have many smaller lots. He feels it is our responsibility to be stewards of the land.

A motion to approve the proposed Subdivision Ordinance with an expiration date of August 31, 2024, at which time the ordinance would need to be extended or it would go away was made by Tim McIntyre and seconded by Harm Weber. Wayne asked that we add that in his discussions with one of the attorneys at the Wisconsin Towns Association (WTA), Wisconsin Statute 60.80 stated that as long as there is no fine associated, the ordinance does not have to be published in the newspaper only posted in the normal posting locations and on the website. The ordinance would take effect the day after posted. A roll call vote was taken: Harm Weber -- No, Tim McIntyre -- Yes, Wayne Larrabee -- Yes. Wayne also wanted it noted that a currently pending sale involving Dave Rybak and his property on Connors Lake would not be impacted by the adoption of this ordinance. Mr. Rybak had reached out earlier in the week to make sure this would be the case.

In an update regarding the Temporary Dwelling Ordinance, Wayne reported that the portion related to the Infrastructure Fees will be sent back to the Land Use Planning Committee to allow time to gather information regarding current fees for fire, ambulance and constable services and use that to calculate the infrastructure fees accordingly. Based on discussion at the meeting earlier this week, the Committee anticipates holding two additional meetings and having a revised recommendation for the Town Board at their meeting in March. A motion to send the ordinance back to the Committee for further review was made by Tim McIntyre, seconded by Harm Weber and passed.

Oakland resident, Arnold Holcomb, had requested to address the Board regarding the notification mobile home park residents had recently received informing then that they would no longer be given Oakland Collection Center (OCC) cards. Mr. Holcomb has been a resident at Wildwood Mobile Home Park for 17 years and was accompanied by a number of other Wildwood residents. He questioned why the residents are being treated as a commercial operation; they are not making a profit and pay personal property taxes. He stated that he had used the OCC once in the 17 years he's lived in

the park. He further stated that the park owner has provided garbage removal for at least 20 years and the residents use it. Wayne noted that he's had numerous calls on this issue. He further pointed out that the information sheet indicates that all residents of the County can use the recycling portion of the OCC for paper, bottles, plastic and the like. Those not having a card cannot utilize the garbage disposal or disposal of appliances and other similar items; large item disposal can still be done at the Midtown Transfer Station.

There was additional discussion regarding the lack of communication to the residents of the mobile/manufactured home parks. Wayne pointed out that meeting minutes and other town communication is available on the website. Sherril further stated that, upon request, she could mail copies of the minutes

Sherril reported that all of the mobile home park owners had submitted applications and paid the associated fees to renew their annual park licenses. She requested approval to issue licenses for the following parks: Wildwood, Yellow Lake, Gull Lake Waters, Pinehurst (DuFour's) and Devils Lake Resort. Harm Weber made a motion to approve licenses for all the parks for the calendar year 2022; Tim McIntyre seconded and the motion passed.

The Town has received notice that funding may be available due to the recent passage of the Infrastructure Bill in Congress. Wayne indicated that he had approached Bob Morehouse about helping the Town explore its options; the Town would pay Bob the standard $15.00 per hour. Discussion of funding opportunities will be on the March agenda.

Wayne further stated that he had also asked Bob about assuming the responsibility for ordering street and/or fire signs; these efforts are currently completed by Tim McIntyre who is looking to hand off that responsibility as well as the responsibility for installing these signs. Tim reported that he had spoken to Dylan Lippert about taking over that part of Tim's efforts and proposed that Bob and Dylan work together. A motion to hire Bob Morehouse and Dylan Lippert was made by Tim McIntyre and seconded by Harm Weber. The motion passed. The current plan is to hire both gentlemen as contractors at the current town rate of $15.00 per hour.

Tim shared that LaFollette Township worked with someone in their township who was able to help them get a $100,000. grant for their Fire Department. Additionally, Wayne learned that the Town of Webster utilizes a grant writer and we could look at options for using that person. No further action was taken at this time.

Don Hamilton had called Sherril to say that he would not be attending the meeting tonight but offered that the most recent minutes of the Land Use Planning Committee

had been posted to the website today and reflect recent activities of that committee. He further reported that the Committee expects to present a revised recommendation for the fee structure associated with the proposed Temporary Dwelling Ordinance as requested by the Town Board.

Melinda mentioned that she is planning to do some research on the potential benefits of purchasing a postage meter and/or scale for use in sending out next year's tax statements.

Sherril informed the Board that she will be on vacation during the April election; she requested approval to appoint former Union Town Clerk, Kim Johnson, has her Deputy Clerk to provide oversight and support for the election and as back-up in the event it is needed for any reason in the future. Kim would be paid on an hourly basis for support provided. Harm Weber made a motion to hire Kim Johnson as Deputy Clerk on an "as needed" basis; the motion was seconded by Tim McIntyre and passed.

Sherril questioned whether the minutes from the two public hearings soliciting input on the Subdivision Ordinance should be posted. After a short discussion, it was agreed that those minutes would be attached as an Appendix to these minutes.

Tim reported that the chassis for the Webster Fire Department's new truck should be delivered mid-March with the truck itself to be delivered later this fall. The chassis will be purchased outright; the anticipated balance for which the Town will procure a loan is just over $347,000. As discussed previously, this will be a pass-through loan with the fire department providing the funds need to make annual payments on the loan.

Tim further reported that the first responders completed 369 runs last year; approximately 60% of those calls were to provide lift assistance (support for residents who have fallen). He informed the Board that truck maintenance for the Department is performed by the County Highway Department.

North Memorial Ambulance looking to establish new contracts and is exploring opportunities to bring additional townships into their service which could provide combined services and efficiencies for Burnett County. The Ambulance Committee had asked the ambulance provider to complete a cost-plus analysis; that report indicated that our current contract with a flat rate was more cost effective three out of five years. North Memorial is also looking at adding a "power truck" that would help with transporting non-emergency patients; transporting patients would actually subsidize our current costs as that service is normally paid by the patient's insurance company.

Tim reported that according to their contract, North Memorial must provide a 15-minute response time; their average for 2021 was 11 minutes 8 seconds. People were

actually transported for 70% of the calls placed. Like so many others, staffing is an issue; they are currently running with about 2/3 of their desired staff but working creatively to assure the appropriate number of people are duty at any given time.

Tim shared that the Regional Town's Association indicated that virtually any services that are government related can be paid utilizing ARPA funding. There will be a conference in Appleton later this year on the use of ARPA funds; Wayne has asked Sherril to attend.

Wayne indicated that he is planning to attend an in-person session of the Board of Review training (Friday, April 8, at Cumberland) but that webinar options are also available if someone else wishes to utilize that option. Only one member of the Board is required to attend the training each year.

The next regular meeting of the Town Board will take place on March 10, 2022, at 7:00 p.m. at the Webster Fire Hall.

A motion to adjourn was made by Tim McIntyre, seconded by Harm Weber. The motion passed.

Appendix

Notice of Public Hearings to Discuss Proposed Subdivision Ordinance Town of Oakland

Notice is hereby given that Public Hearings for the Town of Oakland in Burnett County in the State of Wisconsin, for transaction of business as is by law required or permitted to be transacted at such meeting, will be held immediately preceding the Regular Town Board Meeting at:

Webster Fire Hall
7420 Main St W, Webster WI 54893
January 13, 2022 and February 10, 2022
6:00 – 7:00 p.m.

The following comments were made during the January 13th Public Hearing:

Tom Wallace, 27208 State Road 35, Webster, expressed concern regarding a 10-acre minimum. He stated that he recognizes the concern given current issues with campgrounds, etc., but is personally concerned that someone wanting to buy a home in Oakland will go elsewhere if 10 acres isn't affordable and/or that those with a lot less than 10 acres cannot sell. He is, in his words, concerned for the "little person". He also questioned what the requirement would be for lake lots.

Jason Towne, Burnett County Land Services Director, stated that an existing lot less than 10 acres could be built on; it would be "grandfathered" in.

Harm Weber, Town of Oakland Supervisor, clarified that folks wanting to buy an existing lot less than 10 acres would have no issues

Greg Peterson 27524 Reitz Road, Webster, stated that he understands the concerns regarding campgrounds; but is concerned that a 10-acre minimum will really stifle young buyers. He added the thought that, given the average age in the County, young people are needed to provide services. He moved here from Shoreview and had open spaces where he lived in the city; he feels the ordinance promotes open spaces at the expense of others. He also stated that

he feels the projections of mass moves from city to this area are blown out of proportion and that he feels we can maintain open spaces with cluster developments.

Steve Pearson, 28560 Jensen Road, Danbury, stated that he is a member of the Land Use Planning Committee (LUPC) and that he had abstained from the Committee vote on a 10-acre minimum lot size. He explained that he had questioned (at that time) whether it was a matter of subdividing or rezoning. Having served on the Town Board in the past, he is pleased to see that not much has changed in recent years as far as zoning goes. He added that, after some consideration, with his own land he determined that he didn't want to subdivide into lots smaller than 10 acres and that he favors a 10-acre minimum lot size in the Township.

Mike McLaughlin, 29065 State Road 35, Danbury, stated that he, too, is a member of the LUPC and favors a 10-acre minimum lot size. In response to earlier comments regarding concerns for younger homebuyers, he believes they can find available lots…among other places, in Voyager Village. He feels (in his experience) that residential development does not pay for itself; young homeowners bring children, children need schools—he doesn't feel the tax dollars generated will support the development needed to support such needs.

Mark Krause,27424 W. Connors Lake Road, Webster, stated that he agrees with Mr. Peterson; he is a professional in the development field and has lived here his entire life. He pointed out that the current zoning regulations are based on what has been in existence for the past 50 years and supports lots of varying sizes. He explained that over half the land in the Township is already zoned A2 which requires a 10-acre minimum. He feels lake lots were divided back in the 90's and before, that the rules are already in place and this ordinance is not necessary. He sees the zoning plan as a "plan", 10-acre subdivision is a "restriction". Regarding the concern that subdivisions would create more roads, Mark feels few developers would take on the requirement to build roads compatible with public road requirements.

Harm Weber, 6849 Sondrall Road, Danbury--speaking as a private taxpayer—stated that he is not in favor of the 10-acre minimum lot size requirement and does not feel it is needed, that current zoning supports 10 acre lots over much of the township. He stated that the Comprehensive Land Use Plan (CLUP) promotes cluster development as an option; he would rather have four one-acre lots with 36 acres left open. He feels the ordinance is not needed given current zoning restrictions and that the Town is impeding the right of individual landowners to do what they want with their lots. In talking with Jason Towne, he learned that there are actually fewer lots today than there were five years ago. He further pointed out that the CLUP indicates forest and agricultural land accounts for over 70% of the area of the Town; residential represents less than 3%.

Steve Pearson commented that he felt cluster development was a good thing but has seen problems arise when people live within close proximity of one another. ***Harm Weber*** responded that the CLUP addresses land use issues as opposed to people issues.

Mike McLaughlin expressed concern that if development comes, it will come faster than people think….he's seen it happen.

Wayne Larrabee pointed out that by state statute the Town can be more restrictive than the County but not less restrictive.

The Public Hearing closed at 7:00 p.m. An additional hearing will be held prior to the February 10th Town Board Meeting.

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The following comments were made during the February 10th Public Hearing:

The Hearing opened with discussion regarding density development and how it works; input from the Land Services Department were provided by Jason Towne, Director.

Tom Wallace questioned whether, if passed, the ordinance would be cast in stone forever. Wayne pointed out that the Comprehensive Land Use Plan calls for most of the elements of the Plan to be reviewed periodically.

Jonathan Mosher questioned why the change is needed now. He further expressed that he is not in favor of this change at this time.

When asked, Wayne commented that he feels the 10 acre minimum should be adopted at this time and looked at again in two years.

The Public Hearing closed at 7:01 p.m.