

Town of Oakland, Douglas County
Annual Town Meeting
Tuesday, April 16, 2019, at 7 p.m.
Country Peace Presbyterian Church

Present: Warren Dolsen, Current Town Chair; Laurie Dolsen, Town Clerk; and 28 Interested Citizens (see attached sign-in lists)

The meeting was called to order by Town Chair, Warren Dolsen, at 7 p.m. and the Pledge of Allegiance was recited. Clerk Laurie Dolsen administered the Oaths of Office to new Chair Jack Byrd, Supervisors Shelby Barnard and Jens Gregerson, and Treasurer Patricia Asbury, and Clerk Laurie Dolsen recited her Oath of Office as well—the chair will sign her Oath of Office. Outgoing Chair Warren Dolsen was thanked for his 4 years of service to the town with a round of applause. He then thanked the crowd for allowing him to serve the last 4 years and turned the Town meeting over to new Chair Jack Byrd. JB called for agenda items. Placed on the agenda by request from town residents were:

1. Road Conditions
2. Update on New Town Hall/Where are we Sitting?
3. Schweikert Lawsuit
4. Town Trailer Status
5. Equipment Conditions/Replacement
6. Funding Status/Loan
7. Garbage Collection/Fees/Number of Cans

JD called for agenda items three more times and none were heard. Agenda items to discuss stand as presented by the town residents.

Approval of Meeting Minutes: Meeting minutes from the April 17, 2018, Annual Town Meeting and the November 13, 2018, Budget Hearing and Special Town Meeting were reviewed. Brian Conley motioned to accept the minutes as presented; Greg Dolsen seconded; all were in favor via a voice vote; no nays were heard; motion carried.

Financial Report: The Financial Report was reviewed and Clerk Laurie Dolsen explained various items on the report that were larger than budgeted due to the extreme flooding event that occurred in June 2018 (i.e., culverts, gravel, additional labor, etc.) and she answered any questions that were asked regarding the report. Pat Asbury motioned to approve the 2018 Financial Report as presented; Lois Dolsen seconded; all were in favor via voice vote; no nays were heard; motion carried.

Road Conditions: Brianna Hagen shared she lives on Range Line Road and the condition of the road is pretty bad right now. When she calls the road is graded, but she didn't have to call in the past. Also the crown of the road was removed. She asked what the plan was to keep all the town roads in good condition. Liz Fredrick also stated the Neuman Road was currently in rough condition as well. JB shared that we are currently experiencing spring breakup and we anticipated roads would be in very rough shape this spring. He also explained that some roads are clay and some are more sandy which makes a difference in the condition of the road during breakup and for maintenance purposes. He stated the board would be monitoring the roads more closely and working with the road crew to anticipate, prioritize and address problem areas. Ed Jossund asked when we were going to crush gravel again and it is hoped that once the building is done, we can look at crushing. It was stated to look at Tri-Lakes as the material is good there.

Update on New Town Hall/Where Are We Sitting?: On-site project manager Sandee Pease provided a brief update on where we are at regarding the construction of the new town hall/fire storage garage. Currently, the

contractor is working on the heating and duct work, sheet rocking and mudding and taping are almost complete and once that is complete, painting will be done. The interior doors are on site and the exterior doors are on order. It is hoped the contractors will have their work done +/- June 1. The exterior concrete will be done once the frost comes out of the ground. Volunteer labor and town employees will complete some of the final work (i.e., epoxy the floor, external landscaping, etc.). The building will not be available for use until all work is finished and the landscaping (driveways, parking lot, etc.) are complete. Stack Brothers has been excellent to work and coordinate with. They have worked very well with the town since they took over the items in the contract that Schweikert Construction was responsible for and we will have a very high-quality product when it is complete. In addition, Sandee Pease has done an excellent job coordinating the construction and addressing any questions that have come up and was given a huge round of applause in appreciation of her work. She will be compensated for all of her work. Bob Beam shared progress pictures of the current construction with the board and those citizens involved in the design concept of the building and he gave permission to the Town Clerk to post them on the town website for an update for all to see. The question was asked about having an open house and we will definitely plan an open house when the building is completed and occupancy can take place.

Since we are discussing the town hall, it was decided to combine agenda item number 2 (Update on Town Hall) and agenda item number 6 (**Funding Status/Loan**). Clerk Laurie Dolsen reviewed a spreadsheet she prepared that outlined the costs that have been paid out to contractors to date, what costs are remaining, additional expenses incurred (not capital outlay for the actual building construction), and what costs have not been included yet (see attached). Current total cost of the building (bid contracts plus change orders) is \$972,915.66. Of that amount, \$680,756.46 has been paid to date, with an outstanding amount of \$292,159.20. Due to the extreme flooding that took place in our township last year and overpayment of and damages to the building being constructed that needed repair from the previous contractor Schweikert Construction, the previous loan amount of \$500,000, the building construction account, and the ATC account have been depleted and we are now pulling from the road and general account. While we are working to recover money from FEMA for the flooding and there is currently a lawsuit pending against Schweikert Construction, we are in need of additional funding to complete the construction of the building and continue to maintain our road and equipment in general until some of the money can be recovered. We are currently getting calls of interest for rental of the hall and a brief discussion followed regarding fees to charge for the building's use—Jack Byrd is currently getting information on fees from surrounding townships and statewide practice and this will be discussed at the regular board meetings coming up. Discussion then returned to loan amounts. LD reviewed all the information she received from the National Bank of Commerce regarding securing additional funding/loan to finish the project—it would not be a new loan but would be similar to a second mortgage against the first loan. Costs for both a \$300,000 or a \$400,000 amount were reviewed with the feeling that if we secured a loan for \$400,000, that would not only cover the remaining amount due to the contractors but also the additional expenses we will incur to finish the job (i.e., landscaping, epoxy, painting, kitchen and bathroom fixtures, etc.). Bonnie Byrd motioned to have the board take out an additional loan of \$400,000 in conjunction with our current loan; Jim Waletzko seconded. LD asked how the attendees would like to vote and Jim Waletzko motioned to have a voice vote on the loan, Bonnie Byrd seconded; all were in favor via voice vote; no nays were heard, motion carried—vote on the loan will be via voice vote. Discussion then followed on the loan motion that was still on the floor. Concerns from attendees were if a vote could actually be taken at this meeting because only 29 people were in attendance and if it was limited to a specific dollar amount. LD shared that a vote could be taken but asked that the next agenda items be discussed while she looked through the state statutes and the WTA Town Officer's Handbook to verify a vote could be taken.

Town Trailer Status: The question was asked what we would be doing with the old trailer once the new hall can be occupied and if we could get rid of it to save costs or if we needed to keep it for storage. It is not needed for storage as the new hall has a record storage area for the clerk and a table and chair storage area as well. No discussion has taken place at this time regarding what to do with the current town hall trailer after the new hall can be occupied. Some suggestions were to sell it and recoup some of our money. This item will be discussed further when the time comes that we no longer need the trailer.

Equipment Conditions/Replacement: Road Crew Foreman Brian Conley reviewed the current conditions of some of our pieces of equipment and some of them will need to be replaced in the future. Priority should be given to look at replacing the backhoe and a dump truck once the building has been completed. Budgeting will be clearer for replacement of equipment after the building is complete. We also need to look at crushing gravel for the town as well.

Update on New Town Hall (Continued): Discussion continued on the loan motion on the floor and LD shared that she could not find any language preventing a vote from taking place and limiting the amount of the loan. Language LD found talked about passing a resolution and she stated the town previously passed a continuing resolution authorizing the board to secure a loan for the building construction and since this is not a new loan but would be a second mortgage on the current loan, we could amend the current motion to reflect extending the loan resolution passed previously and LD would contact the WTA to verify if the vote was legal. Bonnie Byrd stated she would like to amend her previous motion to extend the previous town resolution about the building loan and if the vote she was requesting was not qualified after checking with the WTA, another vote would be taken at a special town meeting. JB restated the current motion on the floor was to authorize the town board to extend the current town resolution regarding the building loan to take out an additional \$400,000 to finish the town hall/fire storage garage building construction and if the WTA said the vote was not qualified, the town would reconvene at a special town meeting to vote accordingly; Jim Waletzko seconded; a majority were in favor via voice vote; 1 nay was heard, and 2 people abstained from voting. Motion carried. LD will contact WTA to verify the vote and will proceed with processing loan papers with NBC.

Schweikert Lawsuit: The Town Board is under a gag order due to the lawsuit and cannot discuss any specifics of this matter other than general public information. Joe Mihalik was hired to represent our township and Rick Gondik is representing Schweikert Construction. The trial is set for February 24, 2020, and evidence is currently being gathered. It is hoped that a settlement can be negotiated but it will most likely go to trial. The question was asked about going after their performance bond and Sandee Pease stated a performance bond was not part of the contract that was signed. No further information could be shared or was available at this time.

Garbage Collection/Fees/Number of Cans: For information purposes, LD shared that the Plan Commission will be looking at our current garbage ordinance that was last updated in 1989 to reflect any updates that are needed regarding the number of cans, charging for the number of cans, etc. She also shared that it has been over 5 years since a price increase occurred and costs have steadily risen per our contract with our current vendor and a price increase may be needed. There are either 2 or 3 more years with our current vendor and solicitation for bids will be done when our contract comes due.

The next Annual Town Meeting will be on Tuesday, April 21, 2020, at 7 p.m. at (hopefully) our new town hall—LD will include information in the tax bills of the location change as well as providing the appropriate notifications and publications of the location change. Pat Asbury motioned to adjourn the annual town meeting; Greg Dolsen seconded; all were in favor via voice vote; no nays were heard; motion carried. The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Laurie K. Dolsen, Town Clerk