

Town of Oakland, Douglas County
Annual Town Meeting
Tuesday, April 17, 2018, at 7 p.m.
Country Peace Presbyterian Church

Present: Warren Dolsen, Town Chair; Laurie Dolsen, Town Clerk; and 22 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. WD called for agenda items. Placed on the agenda by request from town residents were:

1. Town Hall/Fire Storage Garage Status Update
2. Future Ditching on Side Roads
3. Number of Town Employees

WD called for agenda items three more times and none were heard. Agenda stands as presented.

Approval of Meeting Minutes: Meeting minutes from the April 18, 2017, Annual Town Meeting and the November 14, 2017, Budget Hearing and Special Town Meeting were reviewed. One correction was made (correction to correctly spell Schweikert Construction's name as the low bidder—it was listed as Schweiger Construction in the draft minutes). The correction will be made. There was also a question asked about the status of the Enbridge grant for the fire department as noted in the 2017 minutes and it was stated that we inquired about it a few times but never heard back from anyone. Pat Asbury motioned to accept the minutes as presented with the name correction; Jack Byrd 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 answered any questions that were asked. Shelby Barnard motioned to approve the 2018 Financial Report as presented; Pat Asbury seconded; all were in favor via voice vote; no nays were heard; motion carried.

Town Hall Update: Project engineer Bill Kovaleski started to review his email update of the current status of the new Town Hall/Fire Storage Garage building construction (note—he called into this meeting via Laurie Dolsen's cell phone as he could not be present in person at this meeting). During the review, the question was asked as to why construction is not moving forward right now and who is accountable to get the contractor(s) to begin work. Before an answer could be given, owners Ryan and Sarah Schweikert from Schweikert Construction said the delay in construction was not their fault and that they were frustrated and holding off working because the Town was not paying them for their contract change order submitted recently. They (Ryan and Sarah) handed out a timeline of what they gave to their lawyer outlining their communications and event dates and provided a copy of the timeline to everyone in the audience—the chair and clerk had to ask to receive a copy so they could respond if needed. Ryan and Sarah Schweikert expressed their anger and frustrations vocally against the town and the engineer and then promptly left the meeting.

A question and answer session with Engineer Bill Kovaleski (WJK) and members of the Town Board followed. WD stated the estimated total cost for this project right now is about \$800,000 with the requested changes being added back in (i.e., floor drains in fire garage, grease trap in kitchen, bathroom facilities in the fire garage—shower, etc.) and other items such as the holding tank. When asked what caused the delay in securing the permits and approved plans, WJK explained they were delayed due to

scheduling review timelines with the State, etc. All the necessary permits have been received and the plans were approved so there is no reason for the delay at this time other than contractor Schweikert Construction refusing to work. LD explained the change order they submitted will be paid as soon as Schweikert Construction submits all of the requested required paperwork per a letter sent to them. They are refusing to provide documentation of their purchases and copies of certified payroll reports that have been requested. In addition, they are also asking for payment in this change order of work performed on the project that was not authorized or agreed to (the town was to plow the exterior work site as agreed to in a meeting but they plowed and are asking for payment). LD also explained that they have been paid for two full progress payments and about 2/3's of the third progress payment (substantially complete payment) after the roof was constructed and the site is nowhere near substantially complete—they have been overpaid at this point. Payment for a portion of the change order will be released once all the requested documentation is received from Schweikert Construction. Payment for the unauthorized work will not be made.

The question was asked of how do we move forward with construction and is there a performance bond with this contractor. There is not a performance bond included and the Town is acting as the general contractor and WJK will be coordinating the work between all the contractors. The question was also asked about why the floor drains were taken out—it was explained that the drains were taken out by a board member to save costs as they are not a requirement. However, after much input from others and the VFD, it was decided to add them back in—it is best to just have them installed while the floor is being poured.

The suggestion was made to get a mediator involved to resolve the issue with Schweikert Construction (who is refusing to work until the change order is paid) or possibly look at hiring a lawyer. After much discussion, Pat Asbury motioned to move on to the next agenda item, Jack Byrd seconded; all were in favor via voice vote; no nays were heard; motion carried.

Ditching Roads: The question was asked about when ditching will occur on Old Lyman Lake Road. Road crew foreman Brian Conley will be putting together a schedule for ditching as permit applications will need to be submitted and approved before ditching can begin. Stan Dzikonski has his CDL and has driven for us in the past and can assist with driving the truck if needed for any ditching projects.

Number of Town Employees: The question was asked about hiring a part-time employee as needed for various projects in the summer and it was explained that filling a part-time operator position for only the summer on a project by project basis is very difficult. The Board has authorized Stan to provide assistance to the road crew if needed and as directed by the Town Board representative or the Road Crew Foreman.

The next Annual Town Meeting will be on Tuesday, April 16, 2019, at 7 p.m. at Country Peace Presbyterian Church. Lois Dolsen motioned to adjourn the annual town meeting; Pat Asbury seconded; all were in favor via voice vote; no nays were heard; motion carried. The meeting adjourned at 8:52 p.m.

Respectfully submitted,

Laurie K. Dolsen, Town Clerk