

**Town of Oakland, Douglas County**  
**Regular Town Board Meeting Minutes**  
**Tuesday, June 12, 2018, at 7 p.m.**  
**Oakland Town Garage**

Present: Warren Dolsen, Jack Byrd, Shelby Barnard, Pat Asbury, Laurie Dolsen, and 16 Interested Citizens

The meeting was called to order at 7:01 p.m. by chair Warren Dolsen; the Pledge of Allegiance was recited; a quorum was present; and the meeting was properly posted. Meeting minutes from the May 8, 2018, regular town board meeting had been previously reviewed and no changes were made. JB motioned to approve the May 8, 2018, regular town board meeting minutes as presented; SB seconded; all were in favor; motion carried.

**Reports:** Clerk Laurie Dolsen reported she was finishing up Clean-up Day paperwork; wrapping up Open Book and Board of Review paperwork; working on renewals for beer/liquor licenses and tobacco sale licenses. She also reported she has begun preparing for this fall's budget meetings and getting ready for the August 14<sup>th</sup> Partisan Primary—she will be attending training in July for the new election equipment that was recently purchased. Treasurer Pat Asbury did not have a report. Supervisors Jack Byrd and Shelby Barnard did not have a report. Chair Warren Dolsen did not have a report. No one from the fire department was present to give a report but LD mentioned that the Be Somebody campaign was recently held in Brule. The road crew foreman, Brian Conley, reported that it was a rough spring but things are finally settling down and they are out grading, replacing culverts, hauling gravel and pulling shoulders. They hope to be cutting grass in about 2 weeks. Douglas County Supervisor Joe Moen was not present—no report.

**Bills:** SB motioned to pay the bills as presented; JB seconded; all were in favor; motion carried.

**Plan Commission:** A request was received from Jayme Christine and Mark Staves for receiving a letter from the township indicating we would be able to provide emergency services to 5767 E Neuman Road and the Plan Commission reviewed the situation and recommends a letter be sent. A letter will be prepared and sent.

Correspondence has been received from a resident on Dowling Lake indicating stairs, a boardwalk, and a dock had been illegally constructed at the town's public access and a boat was being moored there illegally as well. The lake access constructed consisted of removal of vegetation, installation of steps and a boardwalk, and construction of a dock. This was done without the Town's knowledge or approval/permission. Sandy Waletzko provided a timeline of events and correspondence with the Plan Commission that have occurred previously regarding this issue and the persons who constructed this did not follow any of the instructions that were specifically given to them by the PC previously (i.e., get permission from the neighbors, provide copies of the plans, etc.). Dan Corbin also provided information that a boat cannot legally be permanently moored there as well. This is a liability issue for the town since this was built on the 10-foot public access land that the town owns. The Plan Commission recommends the Town Board send a letter to the individuals who constructed this to remove the boat immediately and to remove the stairs, boardwalk, and dock within 45 days of receipt of the letter and to restore the vegetation at the site to prevent erosion. If they do not remove it within 45 days, the Town will remove it and charge them for the cost of the removal. A public access cannot be used for private purposes or gain.

PC Chair Brian Conley reviewed the Conditional Use Permit received from Schorr/Soyring regarding the construction of a Peat Mine on the Craig Road. Neighboring residents who were present at this meeting voiced their concerns regarding safety of the previous mine constructed on Craig Road and the current proposed construction of another mine (2.5 acres) across the road. In addition, there were concerns raised about water quality as well. Discussion followed. BLC shared that technically, the town cannot turn down the request without clear evidence or reasons for the denial of the permit. The Plan Commission recommends approval of the CUP with the addition that the applicant follow the conditions of the Town's non-metallic mining permit and that they add safety measures like installing a gate and appropriate signage. They should also get DNR approval as well. WD motioned to approve the CUP application for Schorr/Soyring with the conditions they follow our non-metallic mine ordinance, erect safe guards (i.e., gate) to protect the site and to obtain and receive DNR approval; JB seconded; all were in favor; motion carried.

Regarding the public access issue discussed previously; SB motioned that the Town send a letter to the individuals who removed the vegetation, constructed stairs and a boardwalk, and installed a dock with a moored boat to remove the boat immediately and to remove everything else within 45 days of receipt of the letter and return vegetation to the site to prevent erosion—if not, then the Town would remove the items at their cost; JB seconded; all were in favor; motion carried. The letter will be sent certified/return receipt for proof of receipt to know when the 45 days start.

**Discussion/Action on Proposed 4 x 4 Route:** Amanda Cooksey reviewed the proposed application to add and/or open up a 4 x 4 route in our township (starting at the Oakland Road in the Towns of Oakland/Superior to CTH B in the Town of Superior and Half Mile Road to Tri-Lakes Road in the Town of Summit and ending at the Eastman Road (see attached application for reference). The Township needs to agree and a signature from the township is needed on the application to confirm this approval so it can be forwarded to the County for their review and approval. Discussion followed and Amanda shared that they do have support available to pay for any additional signage needed. JB motioned to approve the application as presented; SB seconded; all were in favor; motion carried.

**Dust Control Measures:** Resident Andy James inquired if the Town would consider allowing dust control measures to be placed on our roads similar to those occurring in the Towns of Summit and Superior. The owner is responsible for the cost (approximately \$.65 per foot) and consists of magnesium chloride. The company placing the dust control material needs a total of 3,000 feet before they will commit to coming (all townships combined). After discussion, this item was tabled until July's meeting in order to get additional information.

**Liquor/Beer License Approval:** Kopper Kettle has met all requirements and paid all fees for renewal of their Class B Beer/Liquor License renewal application and their Tobacco Sales license renewal application and clerk LD recommends approval. SB motioned to approve the Class B Beer/Liquor renewal application and the tobacco sales license renewal application as presented; JB seconded; all were in favor; motion carried. LD will issue and deliver their licenses.

**New Town Hall/Fire Storage Garage Status/Update:** It was reported that Fabcon was in and removed their supports, completed an acid wash, and performed some minor patching where the supports were located. The town has leveled the sand and the grade has been set. Stack Brothers will be on site next week. The progress email received from project engineer Bill Kovaleski was reviewed. We are still waiting to hear from Schweikert Construction regarding their timeline for completion of their work.

Discussion followed about moving toward taking legal action if they refuse to complete their construction work on site. Schweikert Construction is refusing to work until the change order they submitted is paid and we are still waiting for them to submit the requested documentation, including certified payrolls and supporting documents as well as invoices, etc. We have not received anything requested in the letter from Schweikert Construction to date. In addition, we do not agree with all the charges in the change order and discussion followed on options to pursue about paying all or a portion of the change order invoice. They have been paid approximately 66% of their contract and the only items they have completed are the footings and a partially completed roof. Resident Amanda Cooksey suggested we place the money in escrow until they meet the conditions of the letter if the Town decides to pay all or part of the invoice. There was also concern that we have paid them for materials (second installment payment) and we have heard that the windows and doors still have not been purchased. We had offered to store them last year if they had purchased them but no response was ever received. After further discussion, SB motioned to put the money in escrow to pay the February 18, 2018, change order invoice as submitted until the conditions in our March 14 letter are met and proof of purchase of the windows and doors is received as was requested previously; JB seconded; all were in favor; motion carried. A response to Bill's email update will be prepared so he can notify Schweikert Construction that the invoice will be paid as submitted even though we disagree but it will be held until the conditions of the March 14 letter are met. Mary Brill needs the town's DUNNS number for her grant applications—LD will provide that to her.

**Public Comment:** A notice was received from Tammy Baldwin's office about grants available for building construction and WD gave Mary Brill permission to look into applying to see if we qualify. We most likely do not qualify for money from the USDA.

LD mentioned that we have received the quote from Young Plumbing for adding the bathroom in the fire garage and she wanted to know if a partial payment should be made. After a brief discussion, JB motioned to approve paying half of the additional bathroom quote received from Young Plumbing; SB seconded; all were in favor; motion carried.

The next regular town board meeting will be held on Tuesday, July 10, 2018, at 7 p.m. at the Oakland Town Garage. SB motioned to adjourn; JB seconded; all were in favor; motion carried. The meeting adjourned at 8:44 p.m.

Respectfully submitted,

Laurie K. Dolsen, Town Clerk