

TOWN OF GREENVILLE ANNUAL TOWN MEETING MINUTES

DATE: Tuesday, April 18, 2017

TIME: 6:30 PM

LOCATION: Greenville Town Hall, W6860 Parkview Drive, Greenville, WI 54942

Agenda

1. CALL TO ORDER

The meeting was called to order at 6:30 pm by Vice-Chairman, Andy Peters.

PRESENT: Andy Peters, Dean Culbertson, Mike Woods, Mark Strobel

EXCUSED: Jack Anderson

2. PLEDGE OF ALLEGIANCE

3. POSTING OF AGENDA/APPROVAL OF AGENDA/ADDITIONAL AGENDA ITEMS

Motion by Tom Becher, second by Rick Erck to approve the agenda. Motion carried.

4. REVIEW AND APPROVE THE 2016 ANNUAL MEETING MINUTES

Motion by Jerry Ehm, second by James Ziegert Sr. to approve the minutes. Motion carried.

5. REVIEW AND APPROVE THE ABOLISHMENT OF THE TOWN CONSTABLE POSITION AT THE END OF THE TERM, APRIL 2019.

The Town Board has discussed how the position of Town Constable has changed as the Town has grown. The Town Constable needs to have skill, expertise and training.

Constable would become an appointed position at the end of the term in 2019. Motion by James Ziegert Sr., second by Tom Becher to approve the abolishment of the Town

Constable position at the end of the current term. Motion carried.

6. SPECIAL AWARD PRESENTATIONS

a. Town of Greenville Local Government Volunteer Award.

Town Administrator Dave Tebo presented Larry Bentle with the 2017 Greenville Local Government Volunteer Award for his work with the Agricultural Enterprise Area. Larry brings an educated and common sense value to his work for the Town.

7. TOWN CHAIRMAN

a. Year in review and a look to the future.

Dave Tebo recognized Town staff for the work that they do on a daily basis.

Andy Peters read aloud a statement provided by Chairman Anderson who was unable to attend tonight's meeting. Building Inspection permits continue to come in on a steady basis and keep the department extremely busy; the Town Constable responded to 1661 calls in 2016; Fire Department and First Responders were recognized for the work they do and their professionalism; the First Responders received the Heart Saver Award on May 5th for their efforts to save lives through CPR and AED's, they are the first volunteer First Responder group to be given the award; Parks, Recreation and Urban Forestry worked on the archery shooting platform, event lighting at Lions Park, tennis courts and baseball fields; Public Works received a large grant for Julius Drive; GIS Department brought tracking/reporting Erosion Control Permits in house eliminating a third party software; the Sanitary District #1 (water and sewer) upgraded well 3 with a generator, completed the Neighborhood Sewer Interceptor, upgraded filters at well 2, will begin painting on the water tower at the airport and completed planning and building of town hall offices; Stormwater dredged 5,650 linear feet of the right of way ditches surrounding Everglade Swamp; The first Tax Incremental Financing District was created;

voting expanded to Shepherd of the Hills' gymnasium; the Town received a TAP grant for construction of the CB Trail; work is near completion for a new Town website.

b. Brief review of annual report.

Dave Tebo provided the review of the annual report. Greenville continues to have a low tax rate as well as low sewer and water rates.

8. PUBLIC COMMENT FORUM

Attorney Carlson provided a statement regarding the ditch located East of Hwy 76 and South of School Rd. The karst feature has been discussed with Outagamie County and the Town for several years. He explained that the Towering Pines Subdivision on the East side of Hwy. 76 was approved because it met all of the Town subdivision and stormwater requirements. Outagamie County has jurisdiction over subdivision rules, but does not have Stormwater jurisdiction over us. The County did not approve the Towering Pines plat because they believed that the stormwater would put at risk what was believed to be a karst feature on the Lin property. They demanded the Town do a study of any possible affects. The Town concluded that there was no reasonable basis that the karst feature was at risk and the subdivision did not pose any probable risk. We approved the plat, the county did not. The dispute was then between the County and the owner of the plat. The Town passed a resolution to pay special attention and required special precautions for the karst feature when the Lin Property was developed. The interceptor sewer was installed across the Lin Property along the water course. The Lin Family donated an easement provided the Town restore the area when the construction was completed. The contractor that built the interceptor had some notable problems including significant sedimentation in the watercourse. After that project, Supervisor Mike Woods, who farms the land, presented a plan under the Natural Resource Conservation Service to reduce erosion in connection with farming activities. He obtained a permit from the NRCS. Mr. Woods contracted the work with Immel Excavating. The Town was not part of the project and was not part of the contract. The Town agreed to pay for part of the bill to remediate the sedimentation issue from the sewer interceptor project at the site. They believed Mr. Woods had all of the permits required. They found out it had been dredged and that all permits had not been obtained. They felt they restored the property as had been agreed to in the easement agreement from the sewer interceptor. We have been included as a party to the violations and have been included in an enforcement process with the DNR. A temporary stabilization mat has been implemented and a remediation plan with the DNR and the County has been submitted.

Wally Richter – N1077 Pebble Ridge Rd. – asked if whether or not there is a karst. Attorney Carlson said there is a professor at UWGB that has concluded there is a karst; it may take further study.

James Ziegert Sr. – W7047 Hillview Rd - What is a karst? It is a geological feature made out of limestone, the water underground erodes limestone and hollows it out, like an underground cave.

Dennis Luebke N1672 Julius Dr. – Does the DNR believe it's a karst? The DNR referred to the UWGB professor's study.

Andrew Sanderfoot – N817 Island Rd. – Questioned why the Town knew enough about the project to pay, but now says they didn't know. Attorney Carlson stated that the Town agreed to pay for removal of the sediment left due to the sewer interceptor project in obligation to the Lin family.

Jim Ecker – N2044 Manley Road – Questioned why the Town did not demand the contractor come to fix the sediment problem from the sewer interceptor project and why

the Town paid the bill. Rich Carlson stated that the contractor had many citations for erosion control sedimentation issues; they did remedy some, but not all. Immel presented an invoice to the Town of Greenville for the entire bill; who owed what was to be sorted at a later date.

Jean Goffard – N853 Julius Drive – Said it sounds like a bit of protecting one of our own and doesn't think this should happen in our Town. She thinks we need to look into the karst feature. Attorney Carlson stated that we are not protecting anyone, we are getting the job done. We are under enforcement order with the DNR.

John Julius – W7770 Wisconsin Avenue – does not appreciate that we are still in denial of the karst feature and has concerns with development. Attorney Carlson doesn't believe the Town could have denied the Towering Pines Plat based on potential negative impact on the karst.

Becky Ecker N2044 Manley Road – How much has the Town paid and how much did Mr. Woods? Dave Tebo stated that the invoice was paid by the Town, with the understanding that there would be negotiations with Mr. Woods based on correcting the issues with the interceptor. Becky wanted to know if Mr. Woods has come forward to offer to pay and what are the consequences to those involved. Attorney Carlson said there will be. Attorney Carlson also stated that the karst is on private property; we don't own it nor do we have a regulation on karsts.

Rick Erck – W6844 Appletree Court – is it in fact a karst? Rick believes we should do what the law says and let the Town Board and the DNR do their job.

Joe Ryan - W6622 Cobblestone Court – At the Outagamie County Board meeting on March 28th, Mr. Tebo commented that the farmer will cover the cost. Now it sounds like a shared expense. Dave Tebo answered that the majority of the cost should go to the farmer who initiated the project. Joe said the concern is that the costs will balloon and how much the Town will have to cover.

Gary Bekx – N1670 Prairie View Drive – Since the original contractor did not make good on their deal, should we go after them? Attorney Carlson said it could only be for the sedimentation.

Larry Bente – N349 Julius Drive - the amount it costs to restore the intereceptor project must be quite a bit different than the amount of the ditch.

Jim Ecker wanted to hear from Mr. Woods, but his attorneys advised him not to speak.

Dennis Luebke – N1672 Julius Drive – He doesn't know with all certainty who did what and who is responsible, expenditures, but who better to take the lead than the Town. He added that there are questions that cannot be answered here today and thinks an investigation should be done by a third party so that the citizens can have faith in the process.

Jerold Julius – N675 Julius Drive - wanted to know who will be responsible for paying the bills up front; the Town.

Ted Neuman read aloud the letter from Steve Nagy on behalf of Ethics First; the letter was part of the agenda packet.

Supervisor Mark Strobel stated that Mr. Woods is excused from the closed session meetings when the topic is discuss and the initial bill was inadvertently paid by the Town.

Supervisor Dean Culbertson said the Town Board takes pride in how the town is run, was apologetic for the situation and stated they never would have approved that project. He added that Attorney Carlson is not here to represent the Town Board, he is representing the Town.

Supervisor Andy Peters shared that he was upset too; no one wants this to happen, the Town Board did not know about it and will investigate to get to the bottom and will make it right.

Larry Bentle wanted to remind everyone that perception rules and that it doesn't always mean fact, search out facts to solve problems.

Jim Ecker wanted to know who is coming in into the TIF. Dave Tebo shared that Cintas to build in the TIF District, creating a number of new jobs.

Jean Goffard – N853 Julius Dr. – wanted to know if the Community and Economic Development Director's job was externally posted. Dave indicated that it had not. She also stated concerns regarding Mr. Wood's judgement in the past. She believes that all Town Board members should be required to attend training offered by the Town's Association and referenced Town Law Forms: 17.01, resignation of Town Officer, Removal of Town Officer by Chairperson, and by Town Board and hopes they make use of one of these forms.

John Julius – as a neighbor to the karst feature believes it was a massive failure of local control.

9. SET DATE AND TIME FOR 2018 ANNUAL MEETING

Motion by Tom Becher, second by Jerry Ehm to have the 2018 Annual Town meeting be held April 17, 2018 at 6:30 pm. Motion carried

10. ADJOURNMENT OF ANNUAL TOWN MEETING

Motion by Jim Ziegert Sr., second by Jerry Ehm to adjourn. Motion carried. Meeting adjourned at 8:25 pm.

Wendy Helgeson, Town Clerk