

REGULAR TOWN BOARD MEETING, January 16, 2019

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman Frank Behning at 6:00 p.m. on Wednesday, January 16, 2019, at the Town Hall. Proper notice was given as the agenda was posted at the town hall and on the town's website on January 11, 2019, and the amended agenda was posted at the town hall and on the town's website on January 12, 2019. The Pledge of Allegiance was said. Present by roll call were Chairman Frank Behning, supervisors Katie Appel, Mike Dorsey, Sharon Kelly and Gary Koecher. Also present were town treasurer Maxine Spiess, town clerk Janet Krueger, zoning administrator Jim Alt, public works employee Steve Jacobs and legal counsel Adam Jarchow. Others in attendance were Mark Adams and Joyce McKenzie. Kelly/Koecher **moved** to approve the amended agenda; **motion carried**. Koecher/Appel **moved** to approve the minutes as printed for the December 19, 2018, town board meeting; **motion carried**.

No public comment was had.

Committee, Commission and Employee Reports: Ms. Spiess gave the treasurer's report. Receipts for the period ending December 31, 2018, amounted to \$641,748.91, cash balance on December 31, 2018, was \$899,272.55. Dorsey/Appel **moved** to receive the treasurer's report; **motion carried**. Mr. Jacobs gave the highway report. Mr. Jacobs stated he has been de-icing town roads; repaired the mower lift hydraulic cylinder connecting eye; completed ditch mowing as far as tractor can reach from road and will be mowing back slopes where accessible; and tree cutting in the road right-of-way will continue when the part-time helper becomes available. The board directed Mr. Jacobs to purchase two additional tires for the dump truck and save the tires being replaced. Ms. Krueger presented the clerk's report. Dorsey/Kelly **moved** to approve payment of vouchers 18-320 through 18-329 amounting to \$9,919.87; **motion carried** on a unanimous roll-call vote, 5-0. Dorsey/Appel **moved** to approve payment of vouchers 19-001 through 19-024 amounting to \$599,039.28; **motion carried** on a unanimous roll-call vote, 5-0. The 2018 and 2019 year to date budget summaries were reviewed. No building inspections have taken place for 2019 and the building permit log was reviewed. Mr. Alt gave the zoning administration report. Mr. Alt stated the sixty day deadline for property owners to remove abandon signs is about up and the town board will need to determine the removal process for the abandoned signs not removed; the planning commission continues to work on a large number of zoning ordinance amendments with a potential hearing on the amendments at the February plan commission meeting; and a potential special exception application is expected to come in tomorrow for February's plan commission meeting. There were no supervisor or chairman reports.

New Business: Chairman Behning presented a site plan for 1984 US Highway 8. The town board reviewed for compliance with the Town's Commercial Design Guidelines and considered the plan commission's recommendations. Dorsey/Kelly **moved** to amend Resolution 19-01 by setting the deadline for ground sign conformity to the zoning ordinance be the same date set for the completion of the site plan sketched proposals and additions; **motion carried** on a unanimous roll-call vote, 5-0. Kelly/Koecher **moved** to adopt the amended Resolution 19-01 approving the commercial design site plan for 1984 US Highway8; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 19-01

A RESOLUTION APPROVING COMMERCIAL DESIGN SITE PLAN FOR 1984 US HIGHWAY 8, TAX PARCEL #044-00978-0000, SEC. 35

WHEREAS Mark Adams submitted a commercial design site plan for his property located at 1984 US Highway 8, located in the NW ¼ of NW ¼ of Section 35, T34N, R18W, and identified as Tax Parcel No. 044-00978-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, a. All new commercial development and commercial development involving a structural alteration, addition, or repair to a structure that exceeds fifty (50%) percent of the equalized assessed value of the structure over the lifetime of the structure and those that include a significant change of use except when the change of use is in an existing structure, shall be subject to the Town Commercial Design Guidelines including site plan review and shall not be allowed unless approved by the Plan Commission and by the Town Board; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval of the site plan as sketched and proposed on January 9, 2019, with the following additions:

- 1) Construct a five (5) foot wide sidewalk of concrete or similar material from the handicap parking space abutting the parking area and going along the east side of the building;
 - 2) The trash container should be properly screened or placed more than fifty feet (50') from the building;
 - 3) All the applicants proposed work sketched on the site plan and these two additional items be completed no later than sixty (60) days after winter road restrictions are lifted.
- ; and

WHEREAS the Plan Commission recommended the existing ground sign should be removed or brought into conformity with the current zoning ordinance restrictions no later March 15, 2019.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby concur with the Town Plan Commission and approves the commercial design site plan with the following additions for the property located at 1984 US Highway 8, located in the NW ¼ of NW ¼ of Section 35, T34N, R18W, and identified as Tax Parcel No. 044-00978-0000:

- 1) Construct a five (5) foot wide sidewalk of concrete or similar material from the handicap parking space abutting the parking area and going along the east side of the building;
 - 2) The trash container should be properly screened or placed more than fifty feet (50') from the building;
 - 3) All the applicants proposed work sketched on the site plan and these two additional items be completed no later than sixty (60) days after winter road restrictions are lifted.
- ; and

BE IT FURTHER RESOLVED that the existing ground sign should be removed or brought into conformity with the current zoning ordinance restrictions no later than sixty (60) days after winter road restrictions are lifted.

The second reading of Ordinance 19-01 amending the Town's zoning ordinance was had. Appel/Dorsey **moved** to approve Resolution 19-02 adopting Ordinance 19-01 amending the Town Zoning Ordinance No. 1; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 19-02

A RESOLUTION ADOPTING ORDINANCE 19-01 AMENDING ZONING ORDINANCE No. 1

WHEREAS the Town Board of the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirety on May 12, 1994 and subsequent amendments including the amendments on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; March 15, 2017; June 20, 2018; October 17, 2018; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section E, 1. To be consistent with the Town's Building Code Ordinance; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendment on January 9, 2019, the first reading of the proposed amendment was had on December 19, 2018, and a second reading was held on January 16, 2019.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 19-01 amending Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

BE IT FURTHER RESOLVED that Ordinance 19-01 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 19-01

Section 1: Purpose

The purpose of this ordinance is to amend Chapter I - Administration and Enforcement, Section E – Zoning and Sanitary Permits, 1. – When a Permit is Required, a. – The Erection, Addition or Alteration of any Building, Structure or Portion Therefore be amended to read as follows:

Construction of any new structure or any addition to an existing structure shall require a Land Use Permit from the Town, except ~~construction or alterations not needing a building permit per the Town building inspector~~ **accessory structures under 144 square feet** do not need to obtain a land use permit. The project still must meet all the applicable requirements for obtaining a land use permit including, but not limited to, setbacks, height, and number of structures per parcel. In addition, only one (1) structure per parcel may be constructed with this exemption.

Section 2: Effective Date

This ordinance shall take effect from and after its passage, Polk County Board of Supervisors approval and legal publication.

A proposal from Yunker Land Surveying for the surveying project of the portion of town property lying in the SW corner of 160th Avenue/200th Street was reviewed. Kelly/Dorsey **moved** to set a purchase price of fifteen hundred dollars (\$1,500.00) for the town property lying west of 200th Street; **motion carried** on a unanimous roll-call vote, 5-0. Appel/Dorsey **moved** to approve the Yunker Land Surveying proposal contingent upon the acceptance of the purchase price; **motion carried** on a unanimous roll-call vote, 5-0.

Kelly/Appel **moved** to recess the town board meeting for the 2019 Town Caucus; **motion carried** and the meeting recessed at 7:00 p.m.

The Town Board reconvened at 7:09 p.m. A proposed Election Contingency Plan was reviewed. Kelly/Koecher **moved** to approve Resolution 19-03 adopting the Election Contingency Plan for the Town of St. Croix Falls; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 19-03

A RESOLUTION ADOPTING AN

ELECTION CONTINGENCY PLAN FOR THE TOWN OF ST. CROIX FALLS

WHEREAS there are many scenarios, both natural and human-caused, that warrant taking precautions and making preparations to prevent, mitigate, and recover from an emergency situation that may disrupt an election; and

WHEREAS the Town Board wished to establish a contingency plan for elections held in the Town.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, hereby adopts the "Election Contingency Plan" for the Town of St. Croix Falls.

Election Contingency Plan for Town of St. Croix Falls

Purpose

The purpose of the Election-Related Contingency Plan is to ensure that effective preparations are made by the local election officials and Town Board of the Town of St. Croix Falls in order to maintain the integrity of the election process. This plan addresses how to prepare for, manage and mitigate, and recover from a sudden unexpected event that may disrupt the continuity of Election Day.

General Election Procedures

On Election Day, all polling places open at 7:00 a.m. and close at 8:00 p.m. in the State of Wisconsin.

The election inspectors with the aid of the town clerk hold the responsibility for running the election. This includes checking in voters, answering questions, maintaining an orderly procession of the election process, keeping accurate records of Election Day proceedings, and securing machines and ballots.

Election inspectors are to be familiar with the voting equipment and be able to troubleshoot tasks such as turning the machines on; printing zero tapes; changing printer paper; and casting a ballot.

All activities should be recorded on form EL 104 entitled "Inspectors' Statement".

Following the close of the polls the election inspectors convene to publicly count the ballots cast. Upon completion of the tally, the municipal clerk or an assigned inspector will report the results to the County Clerk.

All forms are to be filled out in the entirety and accurately. Election materials are to be delivered to the County Clerk by 4:00 p.m. on the day after the election.

Complete Election Day responsibilities and procedures can be reviewed in the Election Day Manual or on the Wisconsin Elections Commission (WEC) website.

Emergency Procedures

Prior to the time the polls are to be opened:

Should a natural or other disaster occur prior to Election Day that would not allow for an election to be conducted safely in the time or place for which the election is scheduled to be held, the municipal clerk shall notify the Wisconsin Elections Commission. The Wisconsin Elections Commission would then notify the Governor who may, upon verification of the clerk's assessment, declare a state of emergency. If a state of emergency is declared, the Wisconsin Elections Commission will provide modification to be made to the method of conduction of the election which may include relocation of the polling place, postponement of the hour of opening the poll, postponement of the date of election if candidates for

federal offices are on the ballot, or other reasonable and prudent modifications that will permit the election to be conducted while protecting the integrity of the electoral process.

During Polling Hours:

Should an emergency situation develop after the opening of the polls on Election Day, the most important consideration must be the safety of the persons at the polling location. If the immediate danger to persons at the polling location can be mitigated, the concern should be placed on the security of the ballots, voting equipment/ballot box (es), poll lists, and registration records.

Change of Polling Location: When it has been determined by the Clerk, Chief Inspector or emergency personnel that a polling place needs to be moved to effectively respond to a disaster of any kind, the following process should be followed:

- The election inspectors will assist in packing up all voting equipment, ballots, poll lists, registration materials and all election forms and information that needs to be relocated, such as notices and signs.
- The Clerk, with Police escort, will report to the polling location to facilitate the move.
- All inspectors will assist the Clerk in moving the election materials to the transport vehicle(s).
- The voting equipment/ballot box (es) will remain locked at all times.
- The voting equipment/ballot box (es) will be escorted to a municipal vehicle for moving. A police officer will remain in view of the voting equipment/ballot box (es) at all times and take it to the Alternate Location. At this location, the polling place will be set up as normal.
- All unvoted ballots should remain in the presence of the Chief Inspector and at least one other inspector during the change of location.
- A sign should be posted on the front entry doors at the original location designating the new polling place. If possible, a notice should be placed on Public Access Channel, or the local radio for directing voters to the new location.
- Inspectors should note the change of location on the Inspectors' Statement.

In case of need for relocation of polling place the Town of St. Croix Falls will conduct all polling at:

To Be Determined by Town Clerk/Town Chairman at time of Emergency

Possible Emergency Scenarios

Power

Outage

Voting equipment contains power supply backups that will continue to operate in the event of a power outage for approximately 3 – 4 hours. Turn off the voting equipment and have voters vote using paper ballots. Note the time of the power outage on the Inspectors' Statement and contact the clerk immediately. Maintenance personnel should deliver flashlights and any other supplies needed. When the power is restored, turn the voting equipment back on and continue the voting process. If power is not restored before the end of the Election Day, secure all of the voted ballots in a ballot bag and bring all of the election supplies to the Alternate Location. Ballots will be processed at the Alternate Location.

In the event of a long-term power outage, a change of venue will be required. If there is a municipality-wide power outage, ballots should be secured with the Inspectors at the polling location until 8:00 pm. If power outage should occur:

- Remain calm.
- Provide assistance to visitors and staff in your immediate area.
- If you are in an area that does not have windows, proceed with caution to an area with emergency lighting.
- The voting equipment will retain all data in its memory and can be restarted after power outage.

Tornado/Severe

Weather

During inclement weather, the Fire Department and Police Department will be kept apprised of the severity to alert the clerk of possible situations that require action.

- If a natural disaster such as a tornado warning occurs, which requires inspectors and voter to take cover, all unvoted ballots and poll lists will be secured by the Chief Inspector. The voting equipment/ballot box (es) can remain unplugged and locked. No ballots will be issued. When regular business resumes, the Chief Inspector should note the time from the beginning to end on the Inspectors' Statement.
- If a tornado is reported or seen in the immediate area, seek shelter immediately in a secure location. This location should be designated ahead of time and be known to all inspectors. If time does not allow you to evacuate to a safe location, find shelter under a heavy object such as a table and protect your head.
- Do not stop for personal belongings, ballots or election equipment.
- Take a head count. Try to remain calm and quiet during the waiting period.
- If the building is struck by a tornado, remain in your location until it is safe to evacuate.
- Stay away from sources of power, power lines, phone lines, gas lines and windows.
- Once you are clear of the area, do not re-enter the building without clearance from emergency personnel.

Fire

or

Fire

Alarms

A fire in or near the polling place on an Election Day can severely hamper the operations and procedures

necessary to carry out the election process. It is expected that fire department personnel will respond to fire calls as needed without interrupting the activities of the election; unless the polling place is the location of the fire or is near enough to another structure to make the evacuation a necessity. In the event that a fire or fire alarm has disturbed the activities of the polling place, the following steps can help to effectively continue election processes.

- Stay Calm and Dial 9-1-1.
- The evacuation and safety of human life is the first concern. Inform any voters at your location of the safety evacuation route.
- Secure ballots and voting equipment/ballot box (es).
- Proceed to the designated assembly location.
- Take a head count and note any missing people. Report any missing people to emergency personnel.
- Stay in the designated area until you are directed to do otherwise.
- Do not attempt to re-enter the building until advised by emergency personnel.
- Do not speak to the media – refer them to emergency personnel.
- Receive all of your information from emergency personnel.

Medical

Emergencies

If you observe a staff member or visitor who appears to be seriously ill or injured:

- Dial 9-1-1 immediately. Give the operator the location and type of emergency.
- Unless it is a life-threatening emergency, do not render first aid until a qualified individual arrives.
- Do not offer to move a person who has fallen.
- Try to obtain from the injured person his/her name, phone number, address, date of birth and a brief description of what happened.
- Avoid unnecessary conversation with, or about, the ill or injured person.
- Report any employee injury to the clerk.

Threatening

Phone

Call/Bomb

Threat/Suspicious

Objects

If you have received a written threat, suspicious parcel, or if you find a suspicious object on the premises:

- Keep anyone from handling it or going near it. The object may be dangerous. In addition, preservation of evidence is important for law enforcement.
- Stay calm and dial 9-1-1.
- Promptly write down everything you can remember about receiving the verbal or written threat, parcel, or suspicious object.

Active

Shooter

Active shooter situations are unpredictable and evolve quickly. Because active shooter situations are often over within 10 – 15 minutes, before law enforcement arrives on the scene, individuals must be prepared both mentally and physically to deal with an active shooter situation. U.S. Homeland Security recommends these best practices coping with an active shooter situation:

- Be aware of your environment and any possible dangers.
- Take note of the two nearest exits in any facility you visit.
- If you are in an office, stay there and secure the door.
- If you are in a hallway, get into a room and secure the door.
- As a last resort, attempt to take the active shooter down. When the shooter is in close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.
- DIAL 9-1-1 WHEN IT IS SAFE TO DO SO!

Workplace

Violence

Be aware of the possibility of an incident occurring at your voting location:

- All threats of violence must be taken seriously.
- Report any threats to the Chief Inspector to make a determination as to the next course of action.
- For any situation that involves an immediate threat of violence, an Election Inspector should notify local law enforcement. Dial 9-1-1.
- In the event of a confrontation, do not panic.
- Do exactly what you are told – no more and no less. Do not do anything to surprise the individual.

Hazardous

Leaks

or

Spills

Many polling locations are located near railroad crossings or major roads. Hazardous substances are transported daily. A leak or a spill is a possibility and a concern.

- If you are the first person to identify a hazardous leak or spill, dial 9-1-1 to report the situation.
- The Fire Department and County Emergency Government will be the emergency personnel to assess the situation.
- Remain at the polling place unless otherwise notified by emergency personnel. Close the doors and windows if the hazardous leak or spill is outside of your facility.
- Secure ballots and voting equipment/ballot box (es), if necessary.

Notification

Arrangements will be made to update websites, post signs on polling place doors, and contact media outlets such as newspapers and television in order to notify electors of potential changes or alteration on Election Day.

Proposed dates for the annual open book and board of review were considered. Appel/Dorsey **moved** to approve Resolution 19-04 setting the date, time and location of the Open Book and Board of Review for the Town of St. Croix Falls; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 19-04

A RESOLUTION TO SET DATE, TIME, AND LOCATION OF OPEN BOOK AND BOARD OF REVIEW FOR THE TOWN OF ST. CROIX FALLS

WHEREAS Wisconsin Statute 70.45 requires the Town to have the assessment roll open for examination by the public; and that the assessor shall be present for at least two (2) hours while the assessment roll is open for inspection; and

WHEREAS Wisconsin Statute 70.47 requires that the Board of Review meet annually during 45-day period starting the 4th Monday of April and no sooner than seven days after the last day of which the assessment roll is open for examination.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, pursuant to Wisconsin Statute 70.45 hold the Open Book in the Town of St. Croix Falls, Polk County to be held on the 9th day of April, 2019, commencing at 4:30 to 6:30 p.m. at the Town Hall; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, pursuant to Wisconsin Statute 70.47 sets the date of the Board of Review for the Town of St. Croix Falls, Polk County, to be held on the 24th day of April, 2019, commencing at 6:00 to 8:00 p.m. at the Town Hall; and

BE IT FURTHER RESOLVED that the clerk will provide notice to the public as required by Wisconsin Statutes 70.45(2).

Proposed language for an ordinance condemning or deeming a structure unlivable or inhabitable was reviewed. Legal counsel and supervisor Dorsey will contact Brian Hobbs with Polk County to discuss potential enforcement if the town proceeds with an ordinance regulating unlivable or inhabitable structures. Status of the town's sanitary district was discussed. Chairman Behning will contact the City regarding interest in working with the town on a water source. There is upcoming Wisconsin Town Association workshops and MSHA training. Appel/Dorsey **moved** to approve training for those interested in attending the workshops and/or MSHA training; **motion carried**.

Closing public comment: Joyce McKenzie shared how her late husband Neil McKenzie regularly attended town board meetings and how he would cook a big breakfast for the highway crew after snow events had kept them out all night plowing snow. Ms. McKenzie thanked the board members for their continued commitment to the Town.

Next town board meeting is scheduled for February 20, 2019. Future agenda items: Consider process for removing abandoned signs; consider ordinance language and enforcement on condemning or deeming a structure unlivable/inhabitable; and approve the 2018 Financial Statement.

There being no further business, Kelly/Dorsey **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 7:38 p.m.

Minutes prepared by Janet Krueger, town clerk.