

Monthly Town Board Meeting – December 15, 2008 – 6:00 p.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport 10 in attendance – 6 non-residents.

Chairman Heise called the meeting to order at 6:00 p.m. Notification of this meeting was given to the Press on December 7, 2008 and the final agenda was posted in the three designated places on December 10, 2008.

The Pledge of Allegiance was recited.

Roll call of Officers: Walter Heise, Chairman – Present; Michael Wundrock, Supervisor 1 – Present; Neil Freeman, Supervisor 2 – Present; Brenda Grove, Treasurer – Present; Jeannette Zielinski, Clerk – Present.

All Meetings/Hearings will Adhere to Robert's Rules of Order Pursuant to Town of Mukwa Ordinance 10-05.

Town Board Adopt 2008 Town Tax Levy to be Paid in 2009 Pursuant to Sec. 60.10(1)(a) of Wisconsin Statutes: Motion was made by Sup. Wundrock that the Mukwa Town Board Adopt the 2008 Town Tax Levy of \$191,416 to be Paid in 2009 Pursuant to Section 60.10(1)(a) of the Wisconsin Statutes. Sup. Freeman seconded the motion. Motion carried.

Approve Monthly Town Board Meeting Minutes: Motion was made by Sup. Freeman to accept the November 17th Monthly Town Board Minutes as printed. A second to the motion was made by Sup. Wundrock. Motion carried.

Approve November 24, 2008 Public Budget Hearing and Special Meeting of the Electors, Minutes: Motion was made by Sup. Wundrock/Sup. Freeman to approve the minutes from the November 24, 2008, Public Budget Hearing. Motion carried. Motion was made by Sup. Freeman/Sup. Wundrock to approve the minutes from the November 24, 2008 Special Meeting of the Electors. Motion carried.

Treasurer: Approve Monthly Treasurer's Report: Motion was made by Sup. Wundrock/Sup. Freeman to approve the November 30, 2008 Treasurer's Report as read. Motion carried. .

Budget/Vouchers: (a)Move Funds to the Town Share of Social Security/Medicare Account: Motion was made by Sup. Wundrock and seconded by Sup. Freeman to approve moving the necessary funds of \$859.12 from the Contingency Fund to the Town Share of Social Security/Medicare Account. Motion carried. (b)Place Funds Received from Waupaca County for Road Work on Big Eddy Road into the Road Construction Budget: Motion was made by Sup. Wundrock/Sup. Freeman to approve placing the \$7,000.00 received from Waupaca County for work done on Big Eddy Road into the Road Maintenance/Construction Account. Motion carried. (c)Approval & Payment of Vouchers: Motion was made by Sup. Wundrock/Sup. Freeman to approve payment of Vouchers 21868 through 21910, dated November 18, 2008 through December 15, 2008, and Direct Withdrawal of Social Security, Medicare and Federal Taxes of \$1,427.56, for a total of \$28,293.08. Motion carried.

Public Forum - Town of Mukwa Residents: (1)Attorney Charles Sweeney Representing MCC (land owner): Mr. Sweeney was present to oppose the Board adopting Ordinance 1-09 Nonmetallic Mining Operations Regulations. Mr. Sweeney explained the law regarding the diminishing asset rule regarding existing sand/gravel operations, if grandfathered in, any Town Ordinance would be contrary to State law regarding existing operations. Mr. Sweeney continued that MCC is not opposed to the ordinance/permits in regards to future operations. Mr. Sweeney stated that if Ordinance 1-09 was adopted, MCC will be challenging it in Circuit Court and invalidating the way it is written. Mr. Sweeney asked that 0109.10(B)-Existing Nonmetallic Mining Operations, of Ordinance 1-09 be eliminated from said ordinance. (2)Mike Popke-Ferry Street: Mr. Popke had some questions about his property along the river on Driftwood Road. Mr. Popke's property runs along an unimproved road (Lagoon) and he was wondering if the Town would abandon it, or if there were any other options available. Mr. Popke presented the Board with maps/survey of said property. Motion was made by Sup. Freeman/Sup. Wundrock to place this on the January Agenda. Motion carried. (3)Tom Handschke-Bean City Road: Mr. Handschke and his neighbor on Cty Trk X also asked the Board about abandonment of the road that runs in front of their property as they (property owners) are maintaining the road. Motion was made by Sup. Wundrock/Sup. Freeman to include this issue on the next Special Town Board Meeting. Motion carried.

County Supervisor: Not Present.

Weyauwega Road Extension-Invoice/Payment for John Kraske: Measurement needs to be done before final approval. Will be added to December 22nd Special Town Board Meeting Agenda.

Approve/Sign Recycling Contract: Motion was made by Sup. Wundrock/Sup. Freeman to approve the 2009-2011 Recycling Contract with Graichen Sanitation at a rate of \$3.10 per residence/per month. Motion carried.

Building Inspector Report for December: Wolf River Campground-Cty Trk X: Kitchen Installation/Alteration; Gary Wegener-School St: Storage Shed; Dale & Susan Gough-Broadway St: Window/Siding Replacement; Michael Wittig-Ostrander Rd: Addition to Dwelling. Monthly Total-\$139,500; Year-to-Date Totals-\$2,866,744. Motion was made by Sup. Freeman/Sup. Wundrock to accept the Building Inspector's Report as read. Motion carried.

Animal Control Officer: (a)Animal Report Forms/Veterinary Invoice/s: Motion was made by Sup. Wundrock/Sup. Freeman to accept and approve the Animal Control Officer's Report. Motion carried. (b)Citation Letter/s: None issued. (c)Wolf River Veterinary Clinic-Approve & Sign 2009 Stray Animal Boarding Contract: Motion was made by Sup. Wundrock/Sup. Freeman to approve the 2009 Stray Animal Boarding Contract with Wolf River Veterinary Clinic with the following fee schedule: Daily Boarding of \$11.00 per day for a dog and \$6.00 per day for a cat for the duration of the mandatory seven-day holding period. Euthanasia & Cremation Fee Schedule: 0-35 lbs-\$45.00; 36-74 lbs-\$60.00; 75-100 lbs-\$75.00 and 101-151 lbs-\$80.00. Motion carried.

Plan Commission: (a)Update/Monthly Report: Plan Commission Chairman, Lee Shaw reported that he along with Sup. Freeman attended the November 19th WIDNR/FEMA Flood Risk Open House in Manawa. There was no December Plan Commission Meeting. Mr. Shaw emphasized that the Plan Commission members want the Town Board to prioritize duties/possible ordinances that they should be working on. Motion was made by Sup. Wundrock/Sup. Freeman to direct the Town Plan Commission to begin work on drafting a landfill ordinance. Motion carried. Mr. Shaw will check with Wisconsin Town's Association to see if they have sample ordinances that could be used as a guideline.

(b)Adopt Ordinance 1-09 Nonmetallic Mining Operations Regulations: Board stated personal comments as reasoning and importance of this ordinance, before adoption (will be placed in minutes when Ordinance is adopted). Motion was made by Sup. Wundrock/Sup. Freeman to adopt Ordinance 1-09 Nonmetallic Mining Operations Regulations to be

effective as of January 1, 2009. Motion carried. There was further discussion regarding concerns by Mr. Sweeney/MCC. Additional questions were asked by the Board of Mr. Sweeney and Mr. Murphy. Plan Commission Chairman Lee Shaw also asked additional questions. Motion was made by Sup. Wundrock/Sup. Freeman to rescind their motion to adopt Ordinance 1-09 until clarification can be made to Section 0109.10(B) of said Ordinance. Motion carried. Special Meeting will be held with Town Attorney, Board and Plan Commission to address these issues. Ordinance to be adopted at a future date. (c)Rescind: Ordinance 5-05 Interim Control on Land Divisions, Subdivisions, Conditional Use Permits & Rezoning Requests-to be Effective as of January 1, 2009: As Ordinance 1-09 was not adopted at this time, this motion will be made when said Ordinance is adopted. (d)Adopt: Amended Ordinance 1-06 Establishing Town Plan Commission: Complete Ordinance was read by Sup. Wundrock. Motion was made by Sup. Wundrock/Sup. Freeman to waive doing three readings of said Ordinance as the only change made was to reimbursement of members (from \$25.00 per meeting to \$40.00 per meeting) and to Adopt Amended Ordinance 1-06 Establishing Town Plan Commission. Motion carried. (Copy available in Clerk's Office). (e)Rescind: Ordinance 1-06 Establishing Town Plan Commission: Motion was made by Sup. Wundrock/Sup. Freeman to rescind Original Ordinance 1-06 Establishing Town Plan Commission-to be replaced with Amended Ordinance 1-06. Motion carried.

Roads: (a)Monthly Report: Town Board met with Snow Plow Operators-1 driver turned in equipment; Discussion about sign/sticker for back of snow removal trucks to warn motorists of the state law to stay back 200 feet-Clerk Zielinski will order; Sup. Wundrock will draft a newspaper notice reminding residents about the Town's Winter Maintenance Policy-copies available in the Clerk's office. (b)Road Equipment-Report/Repairs/ Purchases Needed: Transmission/oil pan/water pump were replaced in the snowplow truck; Sup. Wundrock questioned options for availability of a front-end loader for loading sand/salt on trucks as MCC is only open on Tues/Thurs-discussion and alternatives; (c)Approve/Hire Grader/Snow Removal Operator-Joe Handschke: Motion was made by Sup. Freeman/Sup.Wundrock to approve the hiring of Joe Handschke as a snowplow operator/driver. Motion carried.

Waupaca County Zoning/Other Meetings: **Attended:** (a)Sup. Freeman along with Plan Commission Chairman, Lee Shaw attended the November 19th WIDNR/FEMA Flood Risk Open House in Manawa; (b)The Board, Clerk and Treasurer attended the November 24th Town of Mukwa Public Budget Hearing/Special Town Meeting of the Electors. **Upcoming:** (a)December 22nd Special Town Board Meeting.

Correspondence: Brief Discussion about information received from Wisconsin Town's Association regarding joining Urban Towns. Felt that there was no additional benefit to justify the cost.

Motion to adjourn was made by Supervisor Wundrock. Seconded by Supervisor Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk

Special Town Board Meeting – December 22, 2008 – 9:00 a.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport 4 in attendance – Including Town Attorney Robert Sorenson. Chairman Heise called the meeting to order at 9:30 a.m. Notification of this meeting was posted in the three designated places on December 19, 2008.

Roll call of Officers: Walter Heise, Chairman – Present; Michael Wundrock, Supervisor 1 – Present; Neil Freeman, Supervisor 2 – Present; Brenda Grove, Treasurer – Excused; Jeannette Zielinski, Clerk – Excused.

All Meetings/Hearings will Adhere to Robert's Rules of Order Pursuant to Town of Mukwa Ordinance 10-05.

Board & Mike Popke meet at Town Hall. Board & Mr. Popke adjourned to Mr. Popke's property at 9:30 a.m. on Driftwood Road for discussion of his concerns. Motion was made by Sup. Freeman/Sup. Wundrock that the Board will contact adjoining property owners and add this to a future agenda. Motion carried.

Town Board meet at the Weyauwega Road Extension (Kraske's) to do measurements: Board took measurements of the Town portion of the road to reimburse John & Irene Kraske for aggregate. Calculated at 147.8 feet for a total of \$407.00. Motion was made by Sup. Wundrock to accept Town's measurement of 147.8 feet and to reimburse the Kraske's in the amount of \$407.00 for the Town's portion of Weyauwega Road. Motion seconded by Sup. Freeman. Motion carried.

Board meet with Town Attorney Robert Sorenson at 10:30 a.m. to discuss questions regarding Ordinance 1-09 Nonmetallic Mining Operations Regulations: Motion was made by Sup.Wundrock/Sup. Freeman to move to closed session as authorized under Wisconsin State Statute 19.85 Paragraph (1)(g) - "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." Motion carried. Plan Commission members Lee Shaw and Cathy Stern were also present.

Motion was made by Sup. Wundrock/Sup.Freeman to reconvene to open session at 11:20 a.m.. Motion carried.

No motions were made during this session. It was for discussion of questions/concerns regarding Ordinance 1-09 with our Town Attorney before final adoption.

Motion to adjourn was made by Supervisor Wundrock. Seconded by Supervisor Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk

Special Town Board Meeting – December 31, 2008 – 9:00 a.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport 1 in attendance.

Chairman Heise called the meeting to order at 9:00 a.m. Notification of this meeting was posted in the three designated places on December 19, 2008.

Roll call of Officers: Walter Heise, Chairman – Present; Michael Wundrock, Supervisor 1 – Present; Neil Freeman, Supervisor 2 – Present; Brenda Grove, Treasurer – Excused; Jeannette Zielinski, Clerk – Excused.

All Meetings/Hearings will Adhere to Robert's Rules of Order Pursuant to Town of Mukwa Ordinance 10-05.

Motion was made by Sup. Wundrock/Sup. Freeman to move to Closed Session as authorized under Wisconsin State Statute 19.85, Paragraph (1)(c) – “considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to return to open session. Motion carried.

No additional motions were made-this session was for discussion and information purposes. Following is a basic summary of specific prerequisites to be elaborated between the Town Board and snowplow operators:

Roads/Routes will be drafted for each specific vehicle-updated maps/charts will be provided

Operators will address questions/concerns to a Board member first and only

Operators must wait to be called by the Board's designee for snowplow duty

Motion to adjourn at 10:23 a.m. was made by Sup. Wundrock. Seconded by Sup. Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk

Special Town Board Meeting – January 9, 2009 – 9:30 a.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport

Chairman Heise called the meeting to order at 9:30 a.m. Notification of this meeting was posted in the three designated places on January 5, 2009.

Roll call of Officers: Walter Heise, Chairman – Present; Michael Wundrock, Supervisor 1 – Present; Neil Freeman, Supervisor 2 – Present; Brenda Grove, Treasurer – Present; Jeannette Zielinski, Clerk – Present.

All Meetings/Hearings will Adhere to Robert's Rules of Order Pursuant to Town of Mukwa Ordinance 10-05.

Snowplowing-Protocol & Charts: Will be added to January Agenda.

Tom Handschke-Discussion Regarding “Road” in Front of Property Owned of County Trunk X: Clerk Zielinski contacted Waupaca County and DNR regarding this issue. Waiting for more information – will be added to January 19th Agenda.

WTA District Meetings: Chairman Heise and Supervisor Freeman will attend the March 28th Session to be held in DePere. Clerk Zielinski will complete registration form and mail with payment.

Mukwa Payroll-Possibility of Bi-weekly Payroll-Discussion & Motion: Motion was made by Sup. Wundrock/Sup. Freeman to approve paying employees by a bi-weekly payroll with the understanding that employees must get appropriate information to the Clerk in a timely manner. Motion carried.

End-of-2008 Vouchers: (a)Move Funds to Street Lights Account: Motion was made by Sup. Wundrock/Sup. Freeman to approve moving \$144.68 from the Contingency Fund into the Street Lights Account. Motion carried. (b)Vouchers: Motion was made by Sup. Wundrock/Sup. Freeman to approve payment of Vouchers 21911 through 21935, dated December 16, 2008 through December 31, 2008, and Direct Withdrawal of Social Security, Medicare and Federal Taxes of \$1,351.14, for a total of \$12,727.39. Motion carried.

Motions to Designate Remainder Balances from 2008 Budget into 2009 Budget:

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$538.70 in the 2008 Recycling Expenditures Account into the 2009 Recycling Expenditures Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$50,422.01 in the 2008 Road Construction/Maintenance Account into the 2009 Road Construction/Maintenance Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$641.75 in the 2008 Building Inspector Account into the 2009 Street Lights Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$734.71 in the 2008 Elections Account into the 2009 Elections Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving \$7,410.50 of the remaining balance of \$8,296.54 in the 2008 General Accounts Fund into the 2009 Recycling Expenditures Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$886.04 in the 2008 General Accounts Fund into the 2009 Road Construction/Maintenance Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approving moving the remaining balance of \$2,209.57 in the 2008 Local Orders Account into the 2009 Road Construction/Maintenance Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$836.36 in the 2008 Town Hall/Garages Heat Account into the 2009 Town Hall/Garages Heat Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving \$500.00 of the remaining balance of \$1,282.35 in the 2008 Town Hall/Garages Lights Account into the 2009 Town Hall/Garages Lights Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$782.35 in the 2008 Town Hall/Garages Lights Account into the 2009 Road Construction/Maintenance Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$50.00 in the 2008 Weed Commissioner Account into the 2009 Designated Fire # Signs/Posts Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$5,996.20 in the 2008 Contingency Fund into the 2009 Designated Fire # Signs/Posts Account. Motion carried.

Motion was made by Sup. Wundrock/Sup. Freeman to approve moving the remaining balance of \$860.48 in the 2008 Misc. Town Expenses Account into the 2009 Designated Fire # Signs/Posts Account. Motion carried.

Motion to adjourn was made by Supervisor Wundrock. Seconded by Supervisor Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk