

TOWN OF HOLLAND BOARD OF SUPERVISORS
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
HOLLAND TOWN HALL, W3005 COUNTY ROAD G, CEDAR GROVE, WI 53013
Monday, September 14th, 2020 7:30pm

1. CALL TO ORDER:
Town Chair Donald Becker called to order the Board of Supervisors monthly meeting at 7:30pm.
2. Pledge of Allegiance:
Chair Donald Becker led the attendees in the Pledge of Allegiance.
3. CERTIFY WISCONSIN OPEN MEETING LAW HAS BEEN MET:
Clerk-Treasurer Janelle Kaiser certified that the requirements of the Wisconsin Open Meeting Law had been met. The agenda for this meeting was posted in three places within the Township and on the Town's website.
4. ROLL CALL:
 - a. Members Present: Town Chairman Donald Becker, Town Supervisors Stanley Lammers, Douglas Hamilton, Stephen Jones, and David Huenink
 - b. Members Absent: None
 - c. Others Present: Clerk-Treasurer Janelle Kaiser
 - d. Members of the public that signed in: Glenn Lemmenes, Al Harmeling, Rita Harmeling, Steve Meyer, Christy Meyer, Loren Western, Jane Hamilton
5. ADOPT AGENDA AS OFFICIAL ORDER OF BUSINESS:
Motion by Jones, seconded by Lammers, to adopt the agenda for the September 14th, 2020 board meeting as presented; the motion carried by unanimous voice vote.
6. DISCUSSION AND APPROVAL OF MINUTES:
Motion by Huenink, seconded by Joes, to approve the minutes from the August 10th, 2020 board meeting as presented; the motion carried by unanimous voice vote.
7. RECORD RETENTION CERTIFICATION:
Clerk-Treasurer Janelle Kaiser certified that everything is up to date.
8. PUBLIC INPUT:
 - a. Property owner Glenn Lemmenes of N1399 Cottage Drive was present to discuss drainage problems on Lower Smies Road. Glenn reported that large rainstorm events in recent years, including one particularly damaging storm on August 9th, 2020, have contributed to water and other debris washing over Lower Smies Road due to a culvert on that road running at full capacity. Glenn discussed property damage that occurred as result of the August 9th storm and also mentioned that runoff from the bluff and a nearby field likely contributed to the property damage. Glenn reported that Lower Smies Road is wet even when it has not rained and requested that the project to manage these drainage problems be moved up on the Town's schedule.
 - b. Steve Meyers of N1437 Cottage Drive seconded Glenn Lemmenes' comments and inquired about whether the Township has adopted a stormwater management plan. The Town Board

- informed him that the Sheboygan County Planning and Conservation Department governs the Shoreland Zoning Ordinance, which includes stormwater management plans that apply to Sheboygan County municipalities.
- c. Jane Hamilton of N1483 Apple Tree Lane stated that the aforementioned drainage issues on Lower Smies Road have been present for the past 3 years and requested that the Town Board act on the matter. She requested that some funds be planned in the 2021 budget to address the issue and stated that she would like to see someone get hired to complete the work required to correct it. Jane expressed dissatisfaction and feels that a lack of action has taken place, stating that there shouldn't be any water flowing down to the properties on Cottage Drive because the water should drain to the south as it had in the past. Jane inquired about the next budget planning meeting; Chair Becker provided Jane with information about the September budget planning meeting and explained that a notice would be available on the Town's website and posting places.
 - d. Chrissy Meyers of N1437 Cottage Drive spoke to say that the August 9th rainstorm was not the only unique weather event that has affected property owners. She stated that Sheboygan County has had three 100-year flood events in 2020 that caused extensive bluff damage.
 - e. Supervisor Steve Jones of N1837 Tree Haven stated that he experienced unprecedented damage to his property due to the August 9th, 2020 rainstorm. He reported that he has not seen that type of damage to his property from any other weather events in the past, and that the water simply had nowhere to go due to the water levels on Lake Michigan.
 - f. Glenn Lemmenes commented that the aforementioned bluff is 15 feet or greater in height, and that the water causing drainage issues is a result of the bluff runoff as opposed to the groundwater runoff due to lake levels. He stated that the water should be flowing down properly to the culvert on Lower Smies Road as opposed to flooding other properties.
 - g. Jane Hamilton requested that the Town Board determine who the property owner of the property on the aforementioned bluff is in order to gain approval to perform the necessary work to correct the drainage issues, or at least to investigate the source of the issue. Supervisor Lammers stated that the efforts to contact the property owner have already begun. Supervisor Lammers stated that he would be in contact with Jane Hamilton in regard to any response received from the property owner.

9. FINANCIAL/TREASURER'S REPORT:

Motion by Huenink, seconded by Lammers, to approve the August 2020 financial/treasurer's report as presented; the motion carried by unanimous voice vote.

10. APPROVAL OF VOUCHERS:

Janelle Kaiser added 5 invoices to the September voucher list. Motion by Lammers, seconded by Jones, to approve the September voucher list as modified; the motion carried by unanimous voice vote. A modified September vouchers list will be included in the October board meeting packet.

11. ACCOUNTS RECEIVABLE:

No new information to report.

12. PLAN COMMISSION RECOMMENDATIONS:

- a. Request by Michael and Pamela Deppiesse for a rezoning:
Motion by Becker, seconded by Lammers, to accept the recommendation of the Town of Holland Plan Commission to approve the rezoning of parcel 59006069561 from M-1 to B-1 as

requested by Michael and Pamela Deppiesse; the motion carried by unanimous roll call vote. Douglas Hamilton: Y; David Huenink: Y; Stephen Jones: Y; Stanley Lammers: Y; Donald Becker: Y.

13. ORDINANCE AMENDING TOWN CODE §318-1 SETTING SPEED LIMITS:

Motion by Huenink, seconded by Lammers, to adopt Town of Holland Ordinance 2020-11 Amending §318-1 of the Code of the Town of Holland, Sheboygan County, Wisconsin; the motion carried by unanimous roll call vote.

14. STOP SIGNS AT AMSTERDAM RD, MARINE DR, AMSTERDAM PARK EXIT:

Motion by Lammers, seconded by Jones, to move the stop sign on Amsterdam Road near the entrance to the park approximately 40 feet west of its current location; the motion carried by unanimous voice vote. It was noted that the Park Commission will need to act on the proposed stop sign at the exit from the park. It was stated during discussion of the motion that the stop sign will be moved by the Town of Holland's Department of Public Works and Property and that the new stop sign, when approved by the Park Commission will be installed by the Department of Public Works and Property.

15. SECOND RESIDENCE ON A PARCEL AS DEFINED BY THE HOLLAND TOWN CODE:

The Holland Town Board discussed three properties that may have constructed a second dwelling unit as defined by the Holland Town Code on one parcel, which violates the Town of Holland's zoning ordinances unless construction occurred prior to the zoning ordinance update. The board determined that a special meeting to discuss these properties should be held on September 21st, 2020, immediately following the budget planning meeting of the Holland Board Administrative Committee. Chair Becker will contact Town Attorney Gerry Antoine to ask that he join the call to provide his counsel. Clerk-Treasurer Janelle Kaiser will contact assessor Luke Mack to obtain property records for the three properties in question; these records and any other pertinent information will be provided to Gerry prior to Monday's meeting.

16. REVIEW SHORT-TERM RENTAL SOFTWARE SERVICES CONTRACT WITH HOST COMPLIANCE:

Clerk Janelle Kaiser included the current agreement and proposed 2020 agreement between the Town of Holland and Host Compliance (owned by Granicus) in the September board meeting packet. Chair Becker highlighted some areas of the agreement that should be changed or removed and requested that Clerk-Treasurer Janelle Kaiser send those to Host Compliance (Granicus) for their review. Clerk-Treasurer Janelle Kaiser mentioned that some areas of the contract, such as a 24/7 hotline as well as the application portal, may be able to be eliminated from Granicus' current offering based on the needs of the Town of Holland. She also noted that if Granicus could not meet the needs of the Town, the Town may consider selecting a new vendor to provide address identification and lodging marketplace monitoring software.

17. SHORT-TERM RENTAL ORDINANCE ENFORCEMENT:

Clerk-Treasurer Janelle Kaiser has made numerous contact attempts to reach the property owner at N2211 N Pine Beach Road in regard to short-term rental activity practiced on the property without proper licensure. The Holland Town Board determined that enforcement action as it relates to the property owner's compliance with the Town's short-term rental ordinance should be discussed during the aforementioned special meeting of the Town Board on September 21st, 2020, so that Gerry Antoine's legal counsel can be provided as it pertains to the course of enforcement action.

18. ONGOING ISSUES:

- a. **MANAGING SHORT-TERM RENTAL LICENSES WITH HOST COMPLIANCE:**
Clerk-Treasurer Janelle Kaiser provided an update regarding the status of short-term rental license application management between the Town of Holland and Host Compliance. A report detailing the license status of each known short-term rental property in the Township was drafted by Janelle and included in the September meeting packet.
The Holland Town Board authorized Janelle Kaiser to send short-term rental ordinance enforcement letters to 2 property owners based on information provided on the report and by Host Compliance (Granicus) software.
- b. **SOLAR ELECTRICAL UTILITY:**
Chair Becker stated that the JDA is still in negotiations, although it is anticipated that the JDA will be in near-final form during the last week of September or the first week of October. The document will not be finalized until all parties have signed onto the agreement, which is not expected to be complete until November or December. It is anticipated the Town Board will be taking up the formal approval of the draft JDA during the October town board meeting.
- c. **IMPROVE FIRE BILLING FOR CEDAR GROVE FIRE DEPARTMENT:**
No new information to report. This matter will remain on the agenda to be discussed at a future board meeting.
- d. **BUILDING INSPECTOR RECORDS MANAGEMENT:**
Janelle Kaiser provided a report to the Holland Town Board regarding the records management processes practiced by Building Inspector Tom Huenink at the September board meeting.
- e. **OUTDOOR STORAGE CASE FOR BLANK FORMS AND PERMIT APPLICATIONS AT TOWN HALL:**
No new information to report. This matter will remain on the agenda to be discussed at a future board meeting.
- f. **PLAN COMMISSION PROCEDURES AND OPPORTUNITIES FOR IMPROVEMENT:**
No new information to report. This matter will remain on the agenda to be discussed at a future board meeting.
- g. **STOP SIGNS AT WALVOORD ROAD AND SMIES ROAD INTERSECTION:**
Results of the traffic study performed at the Walvoord Road and Smies Road intersection was provided in the September board meeting packet. Based on the results of the study, the Holland Town Board determined that speeding could be better managed by enforcement at the intersection as opposed to installation of a stop sign.

19. COMMITTEE REPORTS:

- a. **ADMINISTRATION AND FINANCE:**
None.
- b. **PARKS AND PROPERTY:**
Supervisor Hamilton reported he submitted two grants to the Wisconsin Public Service Commission for broadband enhancement projects on Idlewood Court and County Road G (Town Hall), respectively. The applications received were combined by the commission and

will be reviewed as one project; the commission will analyze cost and other factors to determine priority of the projects. The prioritized projects will be submitted to the State of Wisconsin to be evaluated and from there the state will award grants. Supervisor Hamilton stated that the Town of Holland could gather information about how many property owners would take advantage of the service on Idlewood Court; it is still being determined how the cost would be distributed amongst the Town of Holland and/or the property owners receiving the service installation. A special assessment for the properties affected is another option of funding the Town's portion of the project on Idlewood Court.

c. ROADS:

Supervisor Lammers stated that the monthly report provided by Director of Public Works and Property Nate Voskuil was an adequate update regarding current road project progress. The report was included in the September board meeting packet. He reported that due to the road damage caused throughout the Township as a result of the most recent rainstorms, some of the designated reserve set aside for transportation should be used in 2020 to cover some of the year's expenses.

d. Public Safety:

Supervisor Huenink reported 25 contract hours performed by the Sheboygan County Sheriff's Department in August 2020.

Supervisor Huenink reported that the Cedar Grove Fire House is up for re-appraisal, which is done every 10 years; the Holland Town Board authorized Supervisor Huenink to recommend to the Village of Cedar Grove Board that Ted Scharl perform the appraisal services for the fire house.

In light of the recent decisions made by the Holland Town Board and the Village of Cedar Grove regarding billing for incidents on I-43 which involve Township or Village residents, Chair Becker recommended that an addendum to the intergovernmental agreement be drafted memorializing the process to be followed for residents of the village or township involved in motor vehicle incidents and signed by each party.

20. PUBLIC INPUT:

None.

21. CLOSED SESSION:

Motion by Jones, seconded by Lammers, to convene in closed session at 9:45pm pursuant to §19.85(1)(c), Wis. Stats., for the purpose of reviewing employee compensation for all non-elected employees for 2021. Let the minutes show that Clerk-Treasurer Janelle Kaiser left the meeting at 9:45pm.

22. RECONVENE INTO OPEN SESSION:

Motion by Hamilton, seconded by Lammers, to reconvene in open session at 10:13 PM; the motion carried by unanimous roll call vote. Motion by Huenink, seconded by Jones, to adopt the employee compensation plan determined in closed session to be effective January 1, 2021; the motion carried by unanimous roll call vote. Supervisor Huenink will provide the employee compensation plan to the Town Clerk-Treasurer.

At this point, Supervisor Lammers recused himself from the remaining board agenda items and left the building at 10:15 PM.

23. Motion by Huenink, seconded by Jones, to convene in closed session at 10:16pm pursuant to §

19.85(1)(e), Wis. Stats., for the purpose of deliberating or negotiating the sale of public property or conducting other specified public business, where competitive or bargaining reasons require a closed session, to-wit: to discuss the status of, approaches to, devise negotiating strategies for, and discuss the terms and conditions of, an agreement with Onion River Solar LLC, an affiliate of Ranger Power, LLC, regarding development, construction and operation of a solar photovoltaic electrical generating facility; the motion carried by unanimous roll call vote. David Huenink: Y; Douglas Hamilton: Y; Donald Becker: Y; Stephen Jones: Y.

24. RECONVENE IN OPEN SESSION:

Motion by Huenink, seconded by Hamilton, to reconvene in open session at 10:45pm; the motion carried by unanimous roll call vote.

25. PUBLIC INPUT:

None.

26. CORRESPONDENCE: All relevant correspondence was included in the September board meeting packet.

27. ADJOURN – Motion by Jones, seconded by Hamilton, to adjourn the September board meeting at 10:46pm. The motion carried by unanimous voice vote.