

TOWN OF HOLLAND BOARD OF SUPERVISORS  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
HOLLAND TOWN HALL, W3005 COUNTY ROAD G, CEDAR GROVE, WI 53013  
Monday, April 11<sup>th</sup>, 2022 7:30pm

1. CALL TO ORDER:  
Town Chair David Huenink called to order the Board of Supervisors monthly meeting at 7:30pm.
2. Pledge of Allegiance:  
Chair Huenink led 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 David Huenink, Town Supervisors Stanley Lammers, Douglas Hamilton, Kelly Caswell, and Brody Stapel
  - b. Members Absent: None
  - c. Others Present: Clerk-Treasurer Janelle Kaiser and Director of Public Works and Property Nate Voskuil
  - d. Members of the public that signed in: Tom Birenbaum, Tim Rohrer, Ryan Birenbaum, Christine Myers, Leigh Hoftiezer, Jane Hamilton, and Jason Hernandez
5. ADOPT AGENDA AS OFFICIAL ORDER OF BUSINESS:  
Chair Huenink proposed that the agenda items 16 be discussed following agenda item 11 as shown on the agenda presented at the April 11<sup>th</sup>, 2022 board meeting. Motion by Stapel, seconded by Lammers, to adopt the agenda for the April 11<sup>th</sup>, 2022 board meeting as presented; the motion carried by unanimous voice vote.
6. DISCUSSION AND APPROVAL OF MINUTES:  
Motion by Lammers, seconded by Stapel, to approve the minutes from the March 14<sup>th</sup>, 2022 board meeting as modified during the April 11<sup>th</sup>, 2022 board meeting as follows:
  - a. Page 6, item 24b, line 1: remove "a broadband study of"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. Jane Hamilton of N1483 Apple Tree Lane was present to address the Town Board. Jane Hamilton sent a letter to the Holland Town Board via email on April 11<sup>th</sup>, 2022 that described her observations of dog owners that are unable to control unleashed dogs within the Township, stating that this behavior is a nuisance and disturbance for property owners. She requested that the Town Board reexamine Holland Town Code Sections 140-2A. and 140-2B. She also requested that short-term rental managers and Town of Holland residents be notified of any revisions to the ordinance. Jane inquired about the Town Constable's role

- in dog/owner trespass. Difficulty of enforcement due to potential response time of the Town Constable and/or Sheboygan County Sheriff compared to the amount of time it would take a dog/owner to leave an area where ordinance is not being followed was also discussed. Jane requested that documentation of the Town's ordinance as it pertains to dog waste be provided to all dog license holders when renewing dog licenses. In addition, she suggested that signs reflecting Town ordinances that address animals running at large and pet waste be placed at all Lake Michigan public access points in the Town of Holland.
- b. Leigh Hoftiezer of N1399 Cottage Drive spoke in support of Jane Hamilton's comments during public input. She also requested that notification of revisions to the aforementioned ordinance sections in 8a. of these minutes be mailed with tax bills. The Holland Town Board informed Leigh that Town of Holland tax bills are currently mailed by Sheboygan County.
  - c. Jason Hernandez of N2211 N Pine Beach Rd was present to discuss current pending litigation between the Town of Holland and Jason and Natasha Hernandez. He formally asked the Township to acknowledge his compliance with Chapter 280 of the Holland Town Code, which addresses Short-Term Rentals, and expressed a desire for the currently pending litigation matters to be resolved. He commented on the costs incurred as a result of the litigation for both parties. He also talked about a recent open records request he submitted to the Town Clerk-Treasurer which asked for detailed revenue and expenses related to the Town's short-term rental ordinance and attorney's fees and expenses relating to the current pending litigation.  
Chair Huenink stated that the Holland Town Board was unable to provide comment about this matter due to current pending litigation.
  - d. Tim Rohrer of the Kettle Moraine ATV Association and Tom and Ryan Birenbaum of the Lakeshore ATV/UTV Club were present to provide an ATV/UTV route proposal to the Holland Town Board. They asked the Town Board to review the proposal and informed them that they would be present at a future board meeting to answer any questions the Town Board may have for them.

9. FINANCIAL/TREASURER'S REPORT:

Motion by Stapel, seconded by Lammers, to approve the March 2022 financial/treasurer's report as presented; the motion carried by unanimous voice vote.

10. APPROVAL OF VOUCHERS:

Motion by Lammers, seconded by Hamilton, to approve the April 11<sup>th</sup>, 2022 voucher listing as modified during the April 11<sup>th</sup>, 2022 board meeting to include authorization for Clerk-Treasurer Janelle Kaiser to pay Waste Management for March 2022 disposal services following Supervisor Hamilton's review and approval; the motion carried by unanimous voice vote.

11. ACCOUNTS RECEIVABLE:

None.

12. PLAN COMMISSION RECOMMENDATIONS:

- a. Parcel 59006061768 at County Road CC and 59006061769 at N2377 Mill Road for a rezoning:

Motion by Lammers, seconded by Stapel, to accept the recommendation of the Holland Plan Commission and approve the proposal to rezone 1.84 acres of parcel 59006061769 from A-1-S to A-PR, 0.82 acres of parcel 59006061769 from A-1-D to A-PR, and 11.86 acres of parcel 59006061768 from A-1-D to A-PR.

The motion carried by unanimous roll call vote. Kelly Caswell: Y; Douglas Hamilton: Y; David Huenink: Y; Stanley Lammers: Y; Brody Stapel: Y.

13. APPOINT BOARD MEMBER TO PLAN COMMISSION FOR ONE-YEAR TERM:

Chair Huenink recommended appointing Supervisor Brody Stapel as a member of the Town of Holland Plan Commission for a 1-year term commencing April 12<sup>th</sup>, 2022 and ending on April 11<sup>th</sup>, 2023.

Motion by Lammers, seconded by Hamilton, to accept Chair Huenink's recommendation and appoint Supervisor Brody Stapel as a member of the Town of Holland Plan Commission for a 1-year term commencing April 12<sup>th</sup>, 2022 and ending on April 11<sup>th</sup>, 2023; the motion carried by unanimous voice vote.

14. APPOINT BOARD COMMITTEES FOR ONE YEAR:

Chair Huenink asked the Holland Town Board Supervisors for any comments or suggested changes to committee appointments for 2022-2023 at the April 11th, 2022 board meeting. There were no comments or suggested changes, so he recommended that there be no changes made to committee appointments from the prior year (2021-2022).

Motion by Caswell, seconded by Hamilton, that the board committee appointments for 2022-2023 beginning on April 12th, 2022 and ending on April 11th, 2023 will be as follows:

David Huenink –Plan Commission Chair, 2nd on Public Safety; Stanley Lammers – Roads Chair, 2nd on Administration and Finance; Douglas Hamilton – Sanitation/Parks & Property Chair, 2nd on Roads; Kelly Caswell – Public Safety Chair, 2nd on Sanitation/Parks and Property; Brody Stapel – Administration and Finance Chair, 2nd on Plan Commission.

The motion carried by unanimous voice vote.

15. REQUEST BY SALVATION ARMY HALL RENTAL FEE WAIVER:

Motion by Lammers, seconded by Hamilton, to approve a hall rental fee waiver for the Salvation Army Salvation Bike Ride on July 7th, 2022; the fee waiver includes a requirement for the Salvation Army representatives to post signage at the Town Hall requiring riders to remove bike shoes prior to entering the Town Hall. The motion carried by unanimous voice vote.

16. PROPOSED DRIVEWAY LOCATIONS FOR ONION RIVER SOLAR PROJECT AND ASSOCIATED DRIVEWAY PERMIT APPLICATIONS:

Nate Voskuil and Supervisor Lammers provided comments and suggestions concerning proposed driveway locations and associated driveway permit applications for the Onion River Solar Project. Supervisor Lammers stated that there should be a meeting between representatives of Alliant Energy, Sheboygan County, and the Town of Holland to discuss driveway placements. Chair Huenink will contact Randy Bermke of Alliant Energy and Greg Schnell and Aaron Brault of Sheboygan County to propose an in-person meeting.

17. DESIGNATE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS (STANDARD ALLOWANCE FOR REVENUE LOSS) FOR APRIL 2022 REPORTING CYCLE REQUIRED FOR NON-ENTITLEMENT UNITS OF GOVERNMENT:

Motion by Lammers, seconded by Caswell, to elect to claim the standard allowance for calculating revenue loss, equal to the full amount of ARPA funds expected to be received by the Town of Holland, as the designated use of ARPA funds; the motion carried by unanimous roll call vote.

This information will be reported by Clerk-Treasurer Janelle Kaiser within the Township's ARPA Project and Expenditure Report due to the United States Department of the Treasury on April 30<sup>th</sup>,

2022.

18. ONGOING ISSUES:

a. MANAGING SHORT-TERM RENTAL (STR) LICENSES:

Clerk-Treasurer Janelle Kaiser provided an update regarding the status of short-term rental license and application management between the Town of Holland and Granicus. A report detailing the license and ordinance compliance status of each known short-term rental property in the Township was drafted by Janelle and included in the April meeting packet.

b. CEDAR GROVE FIREHOUSE APPRAISAL AND CEDAR GROVE FIRE DEPARTMENT AGREEMENT:  
No new information to report. This topic will be discussed at a future board meeting.

c. SOLAR ELECTRICAL UTILITY:

No new information to report. This topic will be discussed at a future board meeting.

d. ZONING ADMINISTRATOR COMPENSATION AND RECRUITMENT:

No new information to report. This topic will be discussed at a future board meeting.

e. EMERGENCY RESPONSE PLAN FOR THE TOWN OF HOLLAND:

The Town of Holland Public Safety Committee and Clerk-Treasurer Janelle Kaiser met with Sheboygan County Emergency Management Director Steve Steinhardt on March 22<sup>nd</sup>, 2022 to continue work on the Town's draft emergency response plan. The latest revision of the plan has been reviewed by both Steve Steinhardt and Chair Huenink. Clerk-Treasurer Janelle Kaiser will add maps to the plan once they are received from Brett Zemba of Sheboygan County Planning. Supervisor Lammers suggested adding a few more local contacts to the contact list within the plan; Janelle requested that Supervisor Lammers provide any contact information that he is willing to share prior to the May board meeting.

f. DATABASE FOR AGRICULTURAL DRAINAGE TILE AND IRRIGATION LOCATION WITHIN ROAD RIGHT-OF-WAY OR UNDERNEATH TOWN ROADS:

No new information to report. This topic will be discussed at a future board meeting.

g. DILAPIDATED STRUCTURES AT N1970 STATE ROAD 32:

Clerk-Treasurer Janelle Kaiser sent a certified letter to a family member of the owner at N1970 State Road 32 on March 11<sup>th</sup>, 2022 in an effort to make progress on this agenda item. At the time of the April 11<sup>th</sup>, 2022 board meeting, no response was received, but the letter was confirmed as delivered by the United States Postal Service. More information about this can be found at [www.townofholland.com](http://www.townofholland.com) within the November 8<sup>th</sup>, 2021 and December 14<sup>th</sup>, 2021 board meeting minutes.

The Holland Town Board requested that Clerk-Treasurer Janelle Kaiser inform Building Inspector Tom Huenink that an inspection of the property should be conducted to determine whether the buildings at N1970 State Road 32 is old, dilapidated or out of repair, and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair or if the buildings could be made safe by reasonable repairs. Let the minutes show that repairs are presumed to be unreasonable if the cost of repairs to the building would exceed 50% of the buildings value, based on the calculation described in Wis Stats. 60.0413(1)(c).

- h. TEMPORARY USE WITHIN RIGHT-OF-WAY:  
No new information to report. This topic will be discussed at a future board meeting.
- i. DRAINAGE DITCH SOUTH OF OOSTBURG:  
No new information to report. Chair Huenink will follow up with the Village of Oostburg to inquire about drone footage and an engineering report related to the drainage ditch that Village President Allen Wrubbel stated he would provide to the Town of Holland.

19. COMMITTEE REPORTS:

- a. ADMINISTRATION AND FINANCE:  
None.
- b. PARKS AND PROPERTY:  
None.
- c. ROADS:  
A monthly roads report was provided in the April 11<sup>th</sup>, 2022 board meeting packet for Town Board review.
- d. PUBLIC SAFETY:  
None.

20. PUBLIC INPUT:

- a. The Holland Town Board requested that Clerk-Treasurer Janelle Kaiser add information referencing Holland Town Code Section 140A. and 140.B., following any subsequent revisions to these sections, to short-term rental license certificates.

21. MOTION TO CONVENE IN CLOSED SESSION PURSUANT TO §19.85(1)(g), WIS. STATS., FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL FOR THE TOWN BOARD WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE TOWN BOARD WITH RESPECT TO LITIGATION IN WHICH THE TOWN BOARD IS OR IS LIKELY TO BECOME INVOLVED, TO WIT: SUMMONS AND COMPLAINT THE TOWN OF HOLLAND HAS FILED IN SHEBOYGAN COUNTY CIRCUIT COURT AGAINST A PROPERTY OWNER TO ENFORCE CH. 280 OF THE HOLLAND TOWN CODE: Motion by Lammers, seconded by Hamilton, to enter into closed session at 9:30pm; the motion carried by unanimous roll call vote.

22. RECONVENE IN OPEN SESSION TO TAKE ACTION RELATING TO CLOSED SESSION DELIBERATIONS, IF ANY:

Motion by Lammers, seconded by Hamilton, to go back into open session at 9:45pm; the motion carried by unanimous roll call vote. No action was taken relating to closed session deliberations.

23. PUBLIC INPUT:

None.

24. CORRESPONDENCE:

All relevant correspondence was included in the April board meeting packet or was previously sent to Town Board Supervisors by email.

25. ADJOURN:

Motion by Hamilton, seconded by Caswell, to adjourn the April board meeting at 9:50pm. The motion carried by unanimous voice vote.