

TOWN OF HOLLAND BOARD OF SUPERVISORS
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
HOLLAND TOWN HALL, W3005 COUNTY ROAD G, CEDAR GROVE, WI 53013
Monday, May 8th, 2023 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, Brody Stapel and Kelly Caswell
 - b. Members Absent: None
 - c. Others Present: Clerk-Treasurer Janelle Kaiser and Director of Public Works and Property Nathan Voskuil
 - d. Members of the public that signed in: Jared Stensby of Alliant Energy, Tom Birenbaum, Tim Rohrer, Ryan Birenbaum, Rick Christiansen, Bob Neeb, Marjorie Rauwerdink Hamann, Michael Thun of Harter's Lakeside Disposal, and Michael Czych
5. ADOPT AGENDA AS OFFICIAL ORDER OF BUSINESS:
Chair Huenink recommended that agenda item 13, 14, 15, 16, and 21c be discussed following agenda item 11 and that agenda items 24, 25, 26, 27, 28, and 29 not be addressed as shown on the agenda presented at the May 8th, 2023 board meeting. Motion by Stapel, seconded by Lammers, to accept Chair Huenink's recommendation and adopt the agenda for the May 8th, 2023 board meeting as presented; the motion carried by unanimous voice vote.
6. DISCUSSION AND APPROVAL OF MINUTES:
Motion by Lammers, seconded by Caswell, to approve the minutes from the April 10th, 2023 and April 27th, 2023 board meetings as presented during the May 8th, 2023 board meeting; 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. Supervisor Hamilton stated a correction should be made to the draft minutes of the May 1st, 2023 Plan Commission meeting as provided in the May 8th board meeting packet. Within item 16d, N1901 Smies Road should be corrected to W1901 Smies Road.
- b. Bob Neeb was present to address the Town Board about his concerns related to several topics, some of which included the Onion River Solar Project with regard to its impact to his property and the construction team's compliance with guidelines set by the Joint Development Agreement (JDA), security incidents within the community, communications that he has had with several government officials regarding his opinions about current issues, and conversations he has had with local farmers who wish to rent some of his farmland.
- c. Michael Czysh was present to address the Town Board about his concerns related to the Onion River Solar Project and other green energy. He expressed his frustration about the proximity of the solar panels to his property, the view of the panels from his property, and that no one from the Town visited his property to inform him about the project. He mentioned that the Lakeshore Weekly would not publish an op-ed about the project. Michael asked whether there were any provisions in the JDA that required Alliant to shield the view of the panels from neighboring properties.
- d. Chair Huenink provided that the JDA does require a vegetative buffer. Per the JDA: "For non-participating landowners whose primary residence abuts the Project Site and have a direct view of solar arrays, and for all direct view areas from public roads, Onion River Solar will fund a vegetative buffer that provides a natural visual transition. This will consist of a prairie-style aesthetic made up of native grasses and flowering plants. This planting shall be made in that area between the property line and the fence line of the Project. These plantings are expected to reach a height of at least three feet."

9. FINANCIAL/TREASURER'S REPORT:

Motion by Lammers, seconded by Stapel, to approve the April 2023 financial/treasurer's report as presented; the motion carried by unanimous voice vote.

10. APPROVAL OF VOUCHERS:

Motion by Caswell, seconded by Lammers, to approve the May 8th, 2023 voucher listing as modified during the May 8th, 2023 board meeting; the motion carried by unanimous voice vote. A revised voucher listing will be provided in the next board meeting packet.

11. ACCOUNTS RECEIVABLE:

None.

12. PLAN COMMISSION RECOMMENDATIONS:

- a. REVIEW BEEKEEPING AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS WITHIN HOLLAND TOWN CODE:
The Town Board would welcome a proposal in the form of a Plan Commission recommendation to the Town Board to amend the Town's zoning ordinance as it

- relates to beekeeping as a conditional or permitted use in certain zoning districts within the Holland Town Code. A recommendation that greatly reduces the permitting requirements as it relates to beekeeping in order to lower the barriers to entry to conducting beekeeping activities for property owners would seem appropriate.
- b. **BUILDING PERMIT FOLLOW-UP AT N1406 PALMER ROAD:**
At the May 1st, 2023 Plan Commission meeting, Building Inspector Tom Huenink reported that he followed up on an after-the-fact building permit at N1406 Palmer Road for siding and roofing replacement on a barn. Tom placed a note in the property owner's mailbox in April and received a call from the property owner, who did not agree to pay the after-the-fact fee amount for the building permit. Tom provided an inspection report and notice of non-compliance to the Clerk-Treasurer Janelle Kaiser on May 2nd, 2023, who reported that the notice was mailed to the property owner on May 3rd, 2023. This topic may be discussed at a future board meeting.
13. **INFORMATION EXCHANGE WITH THE SHEBOYGAN COUNTY SHERIFF'S DEPARTMENT:**
A representative of the Sheboygan County Sheriff's Department was not present at the meeting. This topic may be discussed at a future board meeting.
14. **ONION RIVER ELECTRICAL UTILITY UPDATE, SIGNAGE FOR UTILITY, AND POSSIBLE SIGN PERMITTING REQUIREMENTS:**
Jared Stensby of Alliant Energy was present to provide a progress update about the Onion River Solar Project. He provided information about current, upcoming, and completed work on the project, including a plan for reseeding certain land areas with pollinator plants. The construction team is currently working 6 days per week and project completion is currently anticipated in September or early October.
15. **WASTE AND RECYCLING DISPOSAL CONTRACT AND POTENTIAL SERVICE PROVIDERS:**
The Town Board reviewed a spreadsheet prepared by Nate Voskuil which provided proposed contract and billing comparisons between three waste disposal companies, including the Town's current provider. Michael Thun of Harter's Lakeside Disposal, one of the three companies, was present to answer questions. The Town Board requested that Janelle Kaiser send draft contracts from two of the companies by email prior to the next board meeting for Town Board review. This topic may be discussed at a future board meeting.
16. **FIREWORKS PERMIT APPLICATION FOR WINDMILL BEACH ASSOCIATION (RICK SCHLERETH, JOHN SWART) AT N936 WINDMILL BEACH ROAD:**
Motion by Stapel, seconded by Lammers, to approve a fireworks permit for Rick Schlereth and John Swart of the Windmill Beach Association to display Class C fireworks at N936 Windmill Beach Road on July 2nd, 2023 or on the weather-permitting alternate dates as provided to the Town Board; the motion carried by unanimous voice vote. Clerk-Treasurer Janelle Kaiser will send letters notifying the first responding fire department and the

Sheboygan County Sheriff's department of the permit issuance.

17. HALL RENTAL FEE WAIVERS FOR SALVATION ARMY AND OOSTBURG MIDDLE SCHOOL:

Motion by Caswell, seconded by Stapel, to waive the hall rental fee for the Salvation Army Salvation Bike Ride on July 8th, 2023; 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.

Motion by Lammers, seconded by Stapel, to waive the hall rental fee for a group of individuals appointed by Oostburg Middle School to host an Oostburg Middle School affiliated dance; the motion carried by voice vote. Kelly Caswell: Y; Douglas Hamilton: N; David Huenink: Y; Stanley Lammers: Y; Brody Stapel: Y.

18. REQUESTS FOR LIQUOR LICENSES AND TOBACCO LICENSES (SO CORRECTIONS CAN BE MADE BY JUNE IF NECESSARY):

No information to report. Requests for liquor licenses were not received in time to be included in the May 8th, 2023 board meeting packet for review.

19. REVIEW/UPDATE THE FEE SCHEDULE:

Motion by Lammers, seconded by Stapel, to adopt Town of Holland Resolution 2023-02, Resolution Setting Fees; the motion carried by unanimous roll call vote. Kelly Caswell: Y; Douglas Hamilton: Y; David Huenink: Y; Stanley Lammers: Y; Brody Stapel: Y.

20. PROPERTY OWNER PETITION FOR ANNEXATION OF PARCELS 59006066832, 59006066840, 59006066820, AND 59006066870:

The Town Board reviewed a petition for annexation of parcels 59006066832, 59006066840, 59006066820, and 59006066870 from the Town of Holland to the Village of Cedar Grove that is currently under review by the Wisconsin Department of Administration Municipal Boundary Review Department.

21. ONGOING ISSUES:

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

A report detailing the license and ordinance compliance status of each known short-term rental property in the Township was included in the May meeting packet. Chair Huenink reported that the Sheboygan County Health and Human Services Department may be struggling to complete required inspections for tourist rooming houses (TRH) prior to June 30th, 2023, the date which Town short-term rental licenses expire. A TRH inspection report dated within 1 year of the STR license application to the Town is a required component of Town STR license applications. Motion by Huenink, seconded by Hamilton, to authorize Clerk-Treasurer Janelle Kaiser to approve 2023-2024 STR license applications without a TRH inspection report dated within 1 year of the STR license application to the Town, contingent upon receipt of all other required components of the STR license by June 30th, 2023, and contingent upon receipt of a TRH inspection report dated within 1 year of the STR license application to the Town by December 31st, 2023; the motion carried by

unanimous voice vote.

- b. UPDATE ABOUT PARTNERSHIP BETWEEN THE TOWN OF HOLLAND AND BERTRAM COMMUNICATIONS LLC TO IMPROVE BROADBAND SERVICES IN THE TOWN OF HOLLAND:

No new information to report. The status of the proposed project and associated grant application can be found in the October 10th, 2022 board meeting minutes at www.townofholland.com. The township expects to hear a decision about a previously submitted grant application sometime during the 2023 calendar year. The Town may consider applying for future grant opportunities for this project, such as the USDA Community Connect Grant. Chair Huenink will contact Bertram for an update and report back to the Town Board at a future meeting.

- c. ATV/UTV ROUTES AND SIGNAGE:

Chair Huenink and Nate Voskuil recently met to discuss signage quantity needs and location. They hope to finalize signage decisions during the week of May 8th, 2023. Nate Voskuil stated that he would provide the list of signs that the Town plans to order to Tim Rohrer.

- d. BIPARTISAN INFRASTRUCTURE LAW FUNDING OPPORTUNITIES FOR TOWNS:

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

- e. CEDAR GROVE FIRE DEPARTMENT AGREEMENT:

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

- f. SIGNAGE AND BARRICADES AT WALK-IN ACCESS TO LAKE MICHIGAN LOCATIONS:

Chair Huenink reported that the Town will hire a surveyor to confirm property boundary lines for the easements at the 4 walk-in access to Lake Michigan locations.

- g. DEWITT ROAD PUBLIC EASEMENT TO LAKE MICHIGAN:

The Town Board previously received a letter from a town resident concerning the nature and scope of the public's right of access to Lake Michigan from the east ends of De Witt Road, Foster Road, Stokdyk-Ingelse Road, and Van Ess Road in the Town. The Town Board has reviewed the Judgment entered by the Sheboygan County Circuit Court in August 1985, regarding those four road accesses, and consulted with the Town Attorney. As a result, the Board reiterates the court's prior determinations that the public acquired a prescriptive right to use the extensions of those town roads, three rods (49.50 feet) in width, running to Lake Michigan because of public use of those accesses in excess of 50 years; the public has walk-in access over and use of the traveled portions of each of Van Ess, Stokdyk-Ingelse, De Witt and Foster roadways extended to Lake Michigan; and the four town roads, running easterly to Lake Michigan, are public roads by common law dedication and acceptance. Therefore, the Board believes the public is entitled to the use of those narrow strips

of land running easterly to Lake Michigan but may only access those areas via walk-in means.

In mid-2022, the Town began a project to improve the consistency and signage at these four access areas to help the public better understand the easement boundaries and uses. While each area presents a slightly different situation, the Town wants to standardize these areas to the extent reasonably possible.

22. COMMITTEE, CLERK-TREASURER AND CHAIRMAN REPORTS:

a. ADMINISTRATION AND FINANCE:

None.

b. PARKS AND PROPERTY:

Supervisor Hamilton reported that he performed 60 identification checks at the Town of Holland Recycling Center on May 6th, 2023. He also provided a copy of a warning letter to be sent to a Town resident to inform them that disposal of construction debris is not allowed at the Town Recycling Center. Janelle Kaiser will send the letter to the resident by certified mail.

c. ROADS:

The monthly roads report was included in the May 2023 board meeting packet.

d. PUBLIC SAFETY:

None.

e. CLERK-TREASURER:

- i. Associated Appraisal accepted the changes that the Town proposed to the 2024-2028 Contract for Assessment Services. A signed copy of the agreement has been filed on BOX.
- ii. Janelle provided the board with some preliminary information about the State of Wisconsin Local Government Investment Pool as a possible additional depository for the Town of Holland. Additional information will be sent by email following this meeting. This topic may be discussed at a future board meeting.
- iii. Janelle reported that she is unable to attend the July 10th, 2023 board meeting. The board concurred that the July board meeting will be rescheduled to July 17th, 2023.

f. CHAIRMAN:

- i. Chair Huenink reported that he and Supervisor Lammers have both completed Board of Review training this year.

23. PUBLIC INPUT:

None.

24. through 29.:

See item 5 in these minutes. The Town Board did not address these topics at the May 8th board meeting.

30. CORRESPONDENCE:

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

31. ADJOURN:

Motion by Hamilton, seconded by Stapel, to adjourn the meeting at 10:25pm; the motion carried by unanimous voice vote.