

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 9<sup>th</sup>, 2024 6:30pm

1. CALL TO ORDER:  
Town Chair David Huenink called to order the Board of Supervisors monthly meeting at 6:30pm.
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 at the Holland Town Hall and on the Town's website.
4. ROLL CALL:
  - a. Members Present: Town Chairman David Huenink, Town Supervisors Kelly Caswell, Douglas Hamilton, Stanley Lammers, and Brody Stapel.
  - b. Members Absent: None.
  - c. Others Present: Clerk-Treasurer Janelle Kaiser.
  - d. Members of the public that signed in: Walter Ellis, John Dickmann, Ann Bachrach, Diane Holstrom-Meisser, Ann Rauwerdink, Bill Rauwerdink, Christy Smith, Todd Jonson, and Amy Scott.
5. ADOPT AGENDA AS OFFICIAL ORDER OF BUSINESS:  
Motion by Lammers, seconded by Hamilton, to adopt the agenda for the September 9, 2024 board meeting as presented; the motion carried by unanimous voice vote.
6. DISCUSSION AND APPROVAL OF MINUTES:  
Motion by Hamilton, seconded by Lammers, to approve the minutes from the August 12, 2024 board meeting as modified during the September 9, 2024 board meeting as follows:
  - a. Page 12, item 25b.iii: It is expected that the 2025 shred event will ~~make use of work with~~ Oostburg State Bank's ~~paper shredding firm. shredder, rather than hiring a third-party company to provide paper shredding services.~~ ~~paper shredding firm. shredder, rather than hiring a third-party company to provide paper shredding services.~~

The motion carried by unanimous voice vote.
7. RECORD RETENTION CERTIFICATION:  
Clerk-Treasurer Janelle Kaiser certified that everything is up to date.
8. NEW CONSTRUCTION ON PINE BEACH ROAD SOUTH:

- a. Chair Huenink acknowledged that an inquiry was made by a member of the public at the August 12, 2024 Town Board meeting about whether a hotel could be built in the R-1 zoning district and offer free nights as long as customers only redeem points. This question was in reference to the proposed future use of the dwelling at N2047 Pine Beach Road South owned by American Orthodontics (AO). Chair Huenink reported that redeeming points would be considered a form of payment at a hotel, also noting that a hotel is not a permitted use in the R-1 zoning district. The proposed future use of the dwelling at N2047 Pine Beach Road South is not to collect payments for staying on the property or require points be redeemed, nor is it available to the public – only employees, customers of AO, or potential customers of AO. American Orthodontics' website for destination properties outside Wisconsin clearly state how any 'reward points', presumably from prior product purchases, are required per night, however, the properties in Wisconsin do not list any point requirements.
- b. Also, in response to an inquiry made by a member of the public at the August 12, 2024 Town Board meeting, Chair Huenink reported that Town Building Inspector Tom Huenink confirmed that a building permit was posted in the window of the dwelling at N2047 Pine Beach Road South on his last visit to the property. Tom will follow up with the onsite construction crew to ensure that the permit remains posted as required.
- c. Chair Huenink reported that the Town Board will meet in closed session on September 16, 2024 to confer with Town Attorney Eric Eberhardt who is rendering oral or written advice regarding the proposed future use of the property at N2047 Pine Beach Road South. A summary of a legal opinion from the Town Attorney addressing the proposed future use of the property may be provided during the October 14, 2024 Town Board meeting.
- d. Chair Huenink also stated that the Town Board is not “for” or “against” anyone with regards to this topic. The Town Board is responsible for following the letter of the law prior to considering the intent of the law.

9. PUBLIC INPUT:

- a. John Dickmann said that the Town Board and Plan Commission missed the boat when they allowed the dwelling at N2047 Pine Beach Road South to be constructed because it's not owned by a family. Strangers will stay there for numerous nights, and this does not go well with Pine Beach Road South. John said that it's time for the Town Board to have American Orthodontics move or sell all 4 buildings they own in the Town of Holland and get on the west side of Interstate 43 where they belong.
- b. Ann Bachrach requested a full written response to the questions the public has asked about the proposed future use of the property at N2047 Pine Beach Road South rather than a summary of the legal description. She requested that the response include information about what American Orthodontics has or has not told the Town as well as anything that would have led up to the contents of the legal opinion. Ann asked for the full legal opinion mentioned by Chair Huenink under agenda item 8c.

- c. John Dickmann asked for the dates that Tom Huenink was on site during the construction of the new dwelling at N2047 Pine Beach Road South. He certainly hopes that an occupancy permit has not been issued. John commented that the Town will be hearing from other people, as some people that have been at recent Town Board meetings regarding N2047 Pine Beach Road South are currently on vacation. John stated that the exterior of the dwelling at N2047 Pine Beach Road South is not complete and the inside has no drywall. It is taking them forever, and there's only been one person there for the last 3 working days. There are 2 doors missing on the place.
- d. Bill Rauwerdink observed that a permit was issued when there was a requirement to take a factory tour, however, now that the requirement has been removed, this is no longer an issue. Bill asked Chair Huenink to repeat the timeline discussed under agenda item 8c.
- e. Diane Holstrom-Meisser commented:
  - i. About the impact of the dwelling at N2047 Pine Beach Road South on the surrounding neighborhood. She expressed concerns about increased traffic, the size of the dwelling, and the proposed future use of the dwelling. The dwelling doesn't fit in a residential neighborhood.
  - ii. That rental properties on Foster Road South have changed the face of the surrounding neighborhood.
  - iii. To inquire about whether the planned expansion of Stokdyk-Ingelse Road is related to the timing of construction of the dwelling at N2047 Pine Beach Road South.
  - iv. That times have changed and the neighborhood has a resort-type feeling. She would like to see changes, such as an ordinance limiting size of dwellings and perhaps an indicated use of a proposed structure on a permit application. She expressed that just because someone has money to do something for a tax boost, doesn't mean it is okay to do.
  - v. That she takes issue with golf carts on the road in her neighborhood.
- f. Chair Huenink provided that the planned expansion of Stokdyk-Ingelse Road is part of a 10-year plan for road construction and is not related to construction of the dwelling at N2047 Pine Beach Road South.
- g. John Dickmann spoke about a campground that was proposed in the 1950s on Prospekt Boulevard. At that time, it was not allowed to be developed.
- h. Ann Bachrach asked what the Town can do for the neighbors of the property at N2047 Pine Beach Road South since the proposed use of the dwelling does not apply to the Town's short-term rental ordinance. She expressed that calling law enforcement about issues with the property will only lead to fines that American Orthodontics can write a check for. She asked that the Town Board consider lack of recourse for the neighbors.
- i. Amy Scott inquired about whether the Town Board reviewed the building plans for N2047 Pine Beach Road South or whether members of the Town Board have visited the property. She inquired about whether the dwelling complies with the Town's zoning ordinance and asked whether the Town Board could enter the dwelling prior to an occupancy permit being issued. Amy opined that the dwelling is clearly not a

- single-family residence, and that electors of the Town elect board members to prevent a situation like this. She inquired about how the Town Board plans to prevent situations like this from happening in the future. Amy does not want large corporations inciting brand fidelity on the lake, and asked whether the board members would want something like this next door to them; Amy feels that this issue would have ended a little differently if the dwelling at N2047 Pine Beach Road South was proposed to be constructed next door to any of the board members that live on the lake.
- j. Chair Huenink reported that the building plans for N2047 Pine Beach Road South were submitted directly to the Town Building Inspector, who reviewed and approved them, then issued a building permit for a single-family dwelling at N2047 Pine Beach Road South as he has authority to do. The Town Building Inspector determined, at the time of permit issuance, that the dwelling can be used as a single-family home. The Town Building Inspector is the only Town employee allowed to enter private property without permission.
  - k. Walter Ellis commented that regardless of the Town Attorney's legal opinion about the proposed future use of the dwelling at N2047 Pine Beach Road South, it sounds like the Town Board would like to avoid another instance like this in the future. He asked what direction the Town Board would go to avoid this going forward.
  - l. Chair Huenink said that a legal opinion from the Town Attorney about whether the proposed future use of the dwelling at N2047 Pine Beach Road South is or is not consistent with Town ordinances must be reviewed by the Town Board before determining what next steps are.
  - m. Diane Holstrom-Meisser said that the future can be thought about regardless of a legal decision. She again asked whether size of dwellings could be limited in the future, as the dwelling at N2047 Pine Beach Road South is clearly over the top and AO is not hiding how they are going to use it. She opined that the use is not residential and that since AO charges no fee, they got out of short-term rental ordinances. Diane said space constraints are what is pertinent when construction is proposed on the beach.
  - n. Ann Bachrach commented that she found it disrespectful that one of the Town Board members was on their phone during the meeting.

#### 10. FINANCIAL/TREASURER'S REPORT:

Motion by Caswell, seconded by Lammers, to approve the August 2024 financial/treasurer's report as presented during the September 9, 2024 board meeting; the motion carried by unanimous voice vote.

#### 11. APPROVAL OF VOUCHERS:

Motion by Lammers, seconded by Hamilton, to approve the September 9, 2024 voucher listing as modified during the September 9, 2024 board meeting as follows:

- a. Invoice amount modification for a payment to Stemper Equipment Services in the amount of \$115.71.
- b. Town Board member meeting per diems reported.

The motion carried by unanimous voice vote. A revised voucher listing will be included in the October 14, 2024 board meeting packet.

12. ACCOUNTS RECEIVABLE:

None.

13. PLAN COMMISSION RECOMMENDATIONS:

None.

14. ONION RIVER ELECTRICAL UTILITY UPDATE:

The Town Weed Commissioner, Michael Kuffel, recently issued a notice to destroy noxious weeds to Alliant Energy for certain parcels and locations that are part of the Onion River Solar Utility. Representatives of Alliant Energy have been working with Mike Kuffel to regain compliance with the Town's noxious weed ordinance, however, progress has been slow. The situation will continue to be monitored by Mike Kuffel and any relevant correspondence will be provided to the Town Board.

The Town was recently provided with a post-construction noise study for the utility, which Chair Huenink reviewed. The study showed that the utility's noise levels were within the allowed thresholds, though some areas reported noise levels higher than what they should be. This was questioned by the Wisconsin Public Service Commission. Alliant's position is that the noise levels that exceeded the threshold were found to be ambient noise not generated from the utility itself.

Supervisor Lammers would like to see a committee formed for the purpose of ensuring that Alliant Energy, a subsidiary of Wisconsin Power and Light Company, is following requirements of the Joint Development Agreement for the Onion River Solar Utility.

15. ORDINANCE 2024-08 TO AMEND CHAPTER 263 OF THE HOLLAND TOWN CODE:

Motion by Lammers, seconded by Caswell, to adopt Ordinance 2024-08, An Amending Provisions of Chapter 263 of the Code of the Town of Holland, Sheboygan County, Wisconsin; the motion carried by unanimous roll call vote. Kelly Caswell: Y; Douglas Hamilton: Y; David Huenink: Y; Stanley Lammers: Y; Brody Stapel: Y.

16. CHANGE MEETING START TIME FOR FUTURE REGULAR MONTHLY MEETINGS OF THE TOWN BOARD:

The Town Board reached consensus that the meeting start time for future regular monthly meetings of the Town Board should be changed to 6:30pm on the second Monday of each month effective December 1<sup>st</sup>, 2024.

17. OOSTBURG FIRE DEPARTMENT TOWN HALL RENTAL FEE WAIVER REQUEST:

Motion by Lammers, seconded by Hamilton, to waive the Holland Town Hall rental fee for the Oostburg Fire Department's annual banquet on January 11, 2025; the motion carried by unanimous voice vote.

18. EXTENDED WARRANTY FOR TOWN HALL GENERATOR:

Motion by Lammers, seconded by Caswell, to approve the purchase of a 5-year comprehensive extended warranty package for the Holland Town Hall generator at a price of \$562.00; the motion includes authorization for Clerk-Treasurer Janelle Kaiser to sign the required warranty documentation and submit a payment to Total Energy Systems LLC in the amount of \$562.00. The motion carried by unanimous voice vote.

19. SIGNAGE, BARRICADES, AND CONDUCT AT WALK-IN ACCESS TO LAKE MICHIGAN LOCATIONS:

Sheboygan County's surveyor recently visited the public walk-in access area to Lake Michigan at Dewitt Road and installed survey stakes, marking the boundaries of the easement.

Clerk-Treasurer Janelle Kaiser received a complaint about a jet ski parked on the public walk-in access area to Lake Michigan at Stokdyk-Ingelse Road for a couple of weeks by the property owner to the north, whose land is included in the access area. The property owner agreed to move the jet ski after lake waves subsided, whereas they reported that the jet ski was parked in an area where it could not easily be transported without entering the water. However, the property owner posed a question about whether they must follow the Town ordinance about conduct in the easement, as they own the land included in the easement. The Town Board acknowledged that the Town's ordinance states the following, in part: "No person shall do any of the following upon the public walk-in access area...A. Park any vehicle upon such public area..."

This topic may be discussed at a future board meeting.

20. ONGOING ISSUES:

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

A report detailing short-term rental licenses and certain short-term rental activity was provided to the Town Board in the September 9, 2024 board meeting packet. Letters were recently sent to the property owners of N1099 Cole Road and W1356 Stokdyk-Ingelse Road to inform them of the Town's short-term rental ordinance, whereas the third-party lodging marketplace listing monitoring software showed 1 documented stay at each of these unlicensed properties in the month of July 2024. Since the last board meeting, the software shows an additional documented short-term rental stay at N1099 Cole Road in August 2024; therefore, the property owners should be required to obtain a short-term rental license for the property. The Town Board agreed to allow 30 days for the property owners of N1099 Cole Road to respond to the letter sent in early September.

b. POSSIBLE UPDATES TO TOWN ATV-UTV ROUTE TO INCLUDE REQUEST FOR ADDITIONAL COUNTY ROAD LINKS:

Chair Huenink recently contacted the Sheboygan County Highway Department to begin the process of requesting that all county roads be added to the Town's route, whereas there are very few roads that are not already part of the route.

- c. PROPOSED DRAFT ORDINANCE 2024-09 TO AMEND CHAPTER 330 OF THE HOLLAND TOWN CODE:  
The Town Board reviewed a preliminary version of draft Ordinance 2024-09. This topic may be discussed at a future board meeting.
- d. POSSIBLE ORDINANCE VIOLATION AT W3070 HOITINK ROAD:  
Chair Huenink reported that the Plan Commission recently approved revocation of a conditional use permit for W3070 Hoitink Road to operate a business that offers concrete and general constructions services due to the permit holder's failure to comply with conditions of the permit. The permit holder failed to clear outdoor storage of concrete debris from the premises as required; since the permit has been revoked, the possibility of an ordinance violation due to the rubbish pile is in question. The Town Board concurred that the Town Attorney should be consulted about a possible ordinance violation at W3070 Hoitink Road.
- e. STATUS OF PROPERTY AND BUILDINGS AT W1645 SMIES ROAD:  
A draft letter to the property owners of W1645 Smies Road was included in the September 9, 2024 Town Board meeting packet. The letter provides follow-up to previous correspondence between the Town and the property owner. The Town Board reached consensus that Clerk-Treasurer Janelle Kaiser should mail the letter to the property owner as presented at the September 9, 2024 Town Board meeting.
- f. EXCHANGE OF TOWN OWNED ROAD RIGHT-OF-WAY:  
Chair Huenink reported that survey maps for the road right-of-way land swap between the Town of Holland and Brian Bruggink, which was approved by Town electors at the 2024 annual meeting, were received from surveyor John DuMez. The maps will be shared with property owner Brian Bruggink. Following his review, it is expected that quit claim deeds will be recorded to exchange ownership of the parcels.
- g. INTERGOVERNMENTAL ROAD AGREEMENTS WITH TOWN OF LIMA AND VILLAGE OF CEDAR GROVE:  
Chair Huenink reported that he drafted intergovernmental road agreements to be sent to the Town of Lima and the Village of Cedar Gove using the Town's current intergovernmental road agreement template. Clerk-Treasurer Janelle Kaiser will send the proposed agreements to Lima and Cedar Grove.
- h. DEED RESTRICTIONS ON OBJECTS WITHIN TOWN ROAD RIGHT-OF-WAY:  
No new information to report. This topic may be discussed at a future board meeting.

21. COMMITTEE, CLERK-TREASURER AND CHAIRMAN REPORTS:

- a. ADMINISTRATION AND FINANCE:  
None.
- b. PARKS AND PROPERTY:



- i. PHRAGMITES AND JAPANESE KNOTWEED MANAGEMENT AND CONTROL:  
Supervisor Hamilton reported that Glacierland Resource Conservation and Development will treat Japanese knotweed in the areas of the Town that they have permission to access on September 11, 2024. The Town recently learned that the owners of 2 properties where Japanese knotweed has been observed have refused Glacierland's treatment but have said that they plan to treat the invasive plant on their own. Supervisor Hamilton noted that the treatment of Japanese knotweed is a 3-to-5-year process and suggested that funds be included in the 2025 Town budget for this purpose.
  - ii. REQUEST TO DONATE BENCH TO AMSTERDAM PARK:  
No new information to report.
- c. PUBLIC SAFETY:
- i. RECOVERY OF EXTRAORDINARY EMERGENCY SERVICES COSTS INCURRED BY THE TOWN:  
No information to report.
  - ii. SHEBOYGAN COUNTY FIRE/EMS STUDY FINDINGS:  
A presentation detailing the findings of a study performed by McMahon Public Safety and Municipal Management Group for Sheboygan County to analyze the sustainability of fire and emergency medical service departments throughout the county was included in the September 9, 2024 Town Board meeting packet. The study considers consolidation of departments by county government and how to encourage cooperation between the departments.
  - iii. Supervisor Caswell reported that Oostburg First Responders, who provide emergency medical services to a portion of the Town of Holland, have proposed a helicopter pad in the Village of Oostburg. The pad would use portable lighting.
  - iv. Chair Huenink reported that delivery of the new fire truck ordered for the Cedar Grove Fire Department in January 2022 is expected in October 2024.
  - v. Chair Huenink reported that the Cedar Grove Fire Department previously submitted a grant application to replace Air Paks and masks. They did not receive the grant; however, a new grant application was submitted. In the event that the most recent grant application is rejected, Chair Huenink suggested that the Town's share of costs to replace the Air Paks be included in future Town budgets.

A report detailing contract time provided by the Sheboygan County Sheriff's Department in August 2024 was emailed to the Town Board.

- d. ROADS:  
Supervisor Lammers provided a brief report about the status of current road projects throughout the Town, stating that he would follow up with Sheboygan County about a possible hidden driveway sign on County Road KW near the Town Recycling Center. The Barr Creek culvert project will begin on September 23, 2024. A monthly roads report was included in the September 9, 2024 board meeting packet.



## e. CLERK-TREASURER:

## i. REVIEW OF TOWN PERSONAL PROPERTY INSURANCE:

An updated asset listing of scheduled Town personal property items and building contents was presented to and reviewed by the Town Board at the September 9, 2024 meeting. The Town Board concurred that Clerk-Treasurer Janelle Kaiser should submit the asset listing to the Town's insurance agent for consideration in preparing the Town's 2024-2025 property liability policy quote.

## ii. ORDINANCE CHANGE APPLICATION PER TOWN FEE SCHEDULE:

No new information to report.

## iii. LIQUOR LICENSE APPLICATIONS:

Janelle Kaiser reported that a liquor license application for a "Class A" license and a Class "A" license to sell fermented malt beverages and intoxicating liquor by Holland Companies LLC doing business as Holland Landscape and Supply Country and Garden Store located at W1901 Smies Road, Oostburg, WI 53070 has been received from Kevin Claerbaut of W1974 Smies Road. The liquor license application will be on the Town Board's special meeting agenda for September 16, 2024 at 7:00pm.

## iv. ACCESSIBILITY COMPLIANCE:

A recent Wisconsin Towns Association monthly magazine article provided information about how Towns can increase compliance with accessibility laws and ensure that Town government activities and events are accessible to those with disabilities. Janelle will post an accessibility notice at the Holland Town Hall and on the Town's website. An email has been sent to the Town's website developer to learn about any updates required for the Town's website to meet accessibility requirements. A list of resources for sign language interpreters and brail transcription services was included in the September 9, 2024 Town Board meeting packet.

## v. Janelle also reported the following information:

1. Administration of the August 13, 2024 Partisan Primary election went well.
2. Attendance at the 2024 Wisconsin Municipal Clerk's Association conference in Middleton, WI.
3. The Town's residential building permit application and Plan Commission application has been updated as part of a continuous effort to convert most Town forms to fillable PDFs that can be downloaded, filled out electronically, and returned by email if desired by the applicant.
4. Town Board committee chairs should submit 2025 budget information for their committee prior to the special Town Board meeting on September 16, 2024.
5. Change of Clerk-Treasurer Office Hours:  
Proposed new regular office hours of the Clerk-Treasurer are as follows: Monday, Tuesday, and Wednesday from 9am until 12pm effective December 1, 2024. The Town Board reached consensus to

approve of the Clerk-Treasurer's proposed new regular office hours to take effect on December 1, 2024.

f. CHAIRMAN:

- i. The Sheboygan County Unit of the Wisconsin Towns Association will meet at the Holland Town Hall on October 3, 2024 at 6:30pm. The Town of Holland is responsible for providing a meal to feed approximately 40 people and will be partially reimbursed by the county unit for said meal. The Town Board concurred that a catered sandwich luncheon meal should be ordered from Mentink's Piggly Wiggly in Oostburg for the meeting.
- ii. The Town of Wilson has indicated that they may be interested in withdrawal from the Oostburg Fire Partners. The Wilson Town Board may schedule a special Town Board meeting sometime in the next couple of weeks; Chair Huenink will attend if he is able.
- iii. Town Building Inspector Tom Huenink will be on vacation for the next week or so.

22. PUBLIC INPUT:

None.

23. MOTION TO CONVENE IN CLOSED SESSION PURSUANT TO §19.85(1)(c), WIS. STATS., FOR THE PURPOSE OF REVIEWING EMPLOYEE COMPENSATION FOR ALL NON-ELECTED EMPLOYEES FOR 2025:

Motion by Hamilton, seconded by Lammers, to enter into closed session pursuant to §19.85(1)(c), Wis. Stats., for the purpose of reviewing employee compensation for all non-elected employees for 2025, at 9:40pm; the motion carried by unanimous roll call vote.

24. RECONVENE INTO OPEN SESSION TO TAKE ACTION RELATING TO CLOSED SESSION DELIBERATIONS, IF ANY:

Motion by Stapel, seconded by Hamilton, to reconvene in open session at 10:36pm; the motion carried by unanimous roll call vote. Motion by Lammers, seconded by Hamilton, to adopt the Employee Compensation Schedule as revised during the closed session, effective January 1, 2025; 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 or was previously sent to Town Board members by email.

27. ADJOURN:

Motion by Stapel, seconded by Caswell, to adjourn the meeting at 10:36pm; the motion carried by unanimous voice vote.