

TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, January 2, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Pete Geyer, Gary Kraus, Pat Zorn.

**Approval of Meeting Minutes:** Minutes from December 5, 2022, were read. Two corrections were made. Ausloos motioned to approve the minutes as amended. Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the December 2022 report. Discussion on having a breakdown on report if a payment is for more than one category. Schmahl motioned to approve the treasurer's report as read. Ausloos seconded the motion. Motion carried.

**Monthly Bills:** Clerk presented the bills for January 2023. Motion made by Ausloos to pay the bills as presented, seconded by Schmahl. Motion carried. Clerk handed out revised December transaction list showing 2 additional bills paid.

**Town Members/Special Topics:**

- New Town Hall Construction Update: Gary Kraus presented drawing of a 1344 square foot building (42 x 32) for a new town hall which includes a 40-chair seating area. Discussed process of construction of a municipal building. Schmahl motioned for Gary Kraus to prepare a rough estimate of the cost of this building with those he normally works with; motion seconded by Ausloos. Motion carried.
- Tom Mueller dba Rustic Retreat Deer Park Pending Conditional Use Permit: Board discussed moving forward with CUP application by scheduling zoning meeting. Willeford will check with attorney and inform zoning board chairman, Bill Kraus, and zoning administrator, Jerrod Henschel, to schedule a zoning meeting.
- Willeford spoke with attorney about "interactive sessions". Attorney will check with DNR on definition of "interactive sessions" before informing the court system about this.

**Monthly Correspondence and/or email:**

- Payment of \$10.00 received from NEW Title Service for title search.
- Paperwork received from DNR of resident transferring land to Managed Forest Land.

- Discussed preparations for upcoming WTA Sheboygan County Unit Meeting which will be hosted by Town on January 20<sup>th</sup> at the Marsh Educational Building.

**Building Permit:**

- No building permits for January.
- Discussed having a zoning staff report completed by Jerrod Henschel for a resident requesting a variance for a 30 x 40 foot shed.

**Liquor/Operator Licenses:** None.

**Recycling Center:** Pete Geyer indicated trash dumpster is full and requested having GFL pull trash dumpster this week, which is not on regular pick up schedule. Board agreed this can be done. Also the new shed at recycling center is awesome.

**Constable Report:** Nothing to report.

**Town Roads:**

- Holstein Road has many pot holes and fill is needed where culvert developed a dip in the road.
- Verified county has town's bump and dip signs; will contact them to have them returned.
- Ausloos indicated dead trees need to be cut along Holstein Road between Sheboygan Road and HH; he will close road on a Saturday to do this.

**Other Town Business:**

- Caucus is scheduled for January 16<sup>th</sup> at 7 p.m.
- 2022 Town Audit will be done at February meeting.
- Pat Zorn requested a sign for his shed on HH; Willeford will contact county to get this.
- Schmahl completed paperwork for Nick Brownson CUP. Discussed if this should be done same night as CUP for Tom Mueller dba Rustic Retreat Deer Park.
- Schmahl spoke with a member of Town Rhine town board and asked clerk to include on agenda "Public Comments" with a 3-minute time limit per person with the understanding issues will be addressed at another meeting.

**Adjourn:** Motion to adjourn made by Schmahl, seconded by Ausloos. Motion carried. Meeting adjourned 9:35 p.m.

Respectfully Submitted:

Lynette Mierzejewski

Town of Russell Clerk

**Tentative Upcoming Schedule**

Monthly Meeting Monday, March 6, 2023, 7:00 p.m.  
Monthly Meeting Monday, April 3, 2023, 7:00 p.m.  
Spring Election Tuesday, April 4, 2023  
Annual Meeting Tuesday, April 18, 2023, 7:00 p.m.  
Monthly Meeting Monday, May 1, 2023, 7:00 p.m.

If you have an item for the agenda, please contact Town Clerk

Meeting dates and time will be finalized the month prior.

## TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, February 6, 2023

Town of Russell Hall 6:30 p.m.

**Call to Order** at 6:40 p.m. by Supervisor Schmahl in Chairman Willeford's absence.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

### **Attendance:**

Board members present: Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Gary Kraus, Bill Kraus, Julie Kraus, Pete Geyer, Bethanie Gengler, Eilene Ribbens, Louise Hansen.

### **Public Comments:** (Three-minute time limit)

- Bethanie Gengler, Eilene Ribbens, Louise Hansen voiced concerns about Rustic Retreat Deer Park still having posts on Facebook with pictures of the public by the wolfdogs. Also in March Tom Mueller is offering photo shoots with the wolfdogs.
- Dan Schirmer dropped off the signed lease agreement between SSFSB, Inc. and Town of Russell.

**Approval of Meeting Minutes:** Minutes from January 2, 2023, were read. Ausloos motioned to approve the minutes as read. Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report from January 2023. Ausloos motioned to approve the treasurer's report as read, seconded by Schmahl. Motion carried.

**Monthly Bills:** Town Clerk presented the February bills. Clerk explained December check to SSFSB was voided in January and a new check issued to Dan Schirmer due to Dan's bank not accepting a check made out to SSFSB. Motion made by Ausloos to pay the bills as presented, seconded by Schmahl. Motion carried.

### **Town Members/Special Topics:**

- New Town Hall Construction Update: Gary Kraus presented board with additional information on the 1344 square foot building proposal. Would not need state approved plans due to it being under 25,000 cubic feet for a public building. No state approval needed for plumbing or electrical work. Heating would need to be state approved. Would need to follow bid process due to cost being over \$25,000. It is legal to have a private individual build a building and then lease it to the township with the option to buy.

Discussion held. Schmahl summarized options for new town hall received thus far:

1. County original offer.
2. Keller proposal.
3. Town Russell church.
4. Town counteroffer to county.
5. Gary Kraus proposal.

Discussed information obtained from others when attending WTA county meeting in January. Discussed possibility of board attending Sheboygan County Finance meeting to discuss rental of Marsh building for office space and meetings/elections.

- Tom Mueller dba Rustic Retreat Deer Park Pending Conditional Use Permit: Planning Board meeting scheduled for Tuesday, February 28, 2023, at 7:00 p.m. Bill Kraus, planning board chairperson, will contact committee members and give them a copy of the staff report. Clerk will send certified letter with return receipt to Tom Mueller informing him of date of zoning meeting, including a copy of the notice published in the newspaper. Supervisors will drop off letter with a copy of the notice to the property owners surrounding Rustic Retreat Deer Park including Kevin Feltes, Susan Watry, James Drake, Jon Maurer, Dennis/Colleen Schnell. Clerk will mail notice to Susan Praefke Trust in West Bend. Discussion held if a letter should be sent to Tom Mueller with a list of the documents required for the CUP. Discussed if DNR should be notified of zoning meeting. Clerk will have notice of zoning meeting published in TriCounty Newspaper on February 16<sup>th</sup> and 23<sup>rd</sup>.

#### **Monthly Correspondence and/or email:**

- IRS mileage reimbursement for 2023 is 65.5 cents per mile.
- Email received from WI DNR for Wisconsin Recycles. Clerk handed out list of acceptable items for recycling/items that are banned from landfills.
- Check for \$50.00 received from WTA Sheboygan County Unit to offset cost of township hosting Sheboygan County WTA meeting in January.
- Check received from NEW Title Services for title search for W8519 Cty Rd Q.
- Email received from James Haasch, Circuit Court Branch 2 candidate, wishing to introduce himself to the town board, with a follow-up email indicating he is dropping out of race due to a family member with medical issues.
- Notice of direct deposit from DNR for 70.114 PILT for \$403.02 on 10.09 acres.
- WE Energies requested road weight restrictions for 2023. A 10-ton weight restriction will be posted on Holstein Road between Sheboygan Road and County H from April 1<sup>st</sup> through May 1<sup>st</sup>. Clerk will complete form.

**Building Permit:** None for January.

**Liquor/Operator Licenses:** None for January.

**Recycling Center:**

- Discussed having an E-cycle event in May. Pete will check on getting an extra dumpster for electronic recycling only in May.
- Geyer indicated driver who delivers recycling dumpster complains of pot holes in area where dumpster is placed. Discussed redoing area in spring to eliminate the potholes where recycling dumpster is, and potholes by the driveway entrance.
- Discussed getting a different covered recycling dumpster.

**Constable Report:** Nothing to report.

**Town Roads:** Nothing currently.

**Other Town Business:**

- Board of Audit 2022 was done. Treasurer and Clerk each presented their summary report for Audit. Board reviewed and the numbers match. Board approved and signed the Board of Audit 2022.
- Clerk asked when next newsletter is done to update names of members on variance and planning board lists.
- There is a vacancy on the planning board. Pete Geyer is interested in joining the board. Chairman would need to appoint Pete Geyer to the planning board.
- Treasurer presented list of delinquent personal and property taxes. He will follow up on this.
- Treasurer asked if he should continue the maintenance protection plan on his computer for the township. Board agreed to continue the maintenance plan.
- Staff report was completed by Zoning Administrator Jerrod Henschel for D. Buechel variance request. Variance Board meeting will need to be scheduled.
- Clerk requested to purchase a small printer to be kept at town hall. Schmahl suggested clerk to check for a printer where the ink does not dry out due to limited use.

**Adjourn:** Motion to adjourn made by Ausloos, seconded by Schmahl. Meeting adjourned 9:14 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk

Planning Commission Meeting Approved Minutes  
Tuesday, February 28, 2023  
Russell Town Hall 7:00 p.m.

Meeting called to order at 7:00 p.m. by Bill Kraus, Planning Commission Chairperson.

Pledge of Allegiance followed.

Roll Call:

Planning Board Members: Bill Kraus, John Kiehna, Jon Maurer, Mark Schuricht, Pete Geyer, and Zoning Administrator Jerrod Henschel.

Town Board Members: Mike Willeford, Dan Schmahl, Jon Ausloos, Lynette Mierzejewski.

Applicant: Tom Mueller.

Town Residents: Max Kraus, Julie Kraus, Macy Kraus, Aaron Turba, Jeremy Cobble, Lori Braun, Mike Braun, Sue Watry, Don Turba, Anastasia Borisenko, Oleg Borisenko.

Agenda Posted: Yes on website and at town hall. Meeting notice in newspaper 2 times.

Minutes of Previous Meeting: Minutes from August 2, 2021, meeting were read. Motion made by Mark Schuricht to approve minutes, seconded by John Kiehna. Motion carried.

Staff Report by Zoning Administrator: Henschel stated the applicant has a beautiful property that is well maintained, and something good for our area.

Henschel reviewed specific parts of the 59-page staff report.

Page 2 referenced neutering of animals not done until 22 months of age (1 year and 4 months after DNR regulation). Also application had expired copy of DNR Captive Wild Animal Farm License (CWAFL); Henschel spoke with Peter Dunn at DNR who verbally stated CWAFL is current at this time.

Page 4 #8, states Agri-tourism is consistent with zoning on A-1 property. Also per Henschel, Mueller is compliant with WI Statute Chapter 91.01 (1 d)

Henschel stated one of the purposes of Town Russell Zoning Ordinance is to promote safety and general welfare of the Town of Russell. (page 5). He then went through the Proposed Conditions of the CUP (page 6 and 7). (see attached)

Included in the staff report for review are:

- WI DNR Captive Wild Animal Farm Regulations (page 27) specifically a person who owns a wolfdog hybrid must:

1. Have the animal sexually neutered at 6 months of age.
2. Have the animal tattooed, implanted with a microchip, or otherwise permanently marked with information identifying the owner.

Regarding exhibition of captive wild animals

12. Captive wild animals subject to NR 16:30 (4)(a) that are greater than 3 months of age may not be used in interactive sessions or exhibited outside the enclosure. Captive wild animals subject to NR 16:30 (4) (a) are bear, cougar, wolfdog hybrid, mute swan, bobcat, lynx, timber wolf, coyote, fox and fisher.

- Chapter NR16 Captive Wildlife (page 29)

1. NR 16.11 Harmful wild animals #5 (a) Canids may be presumed to be wolf-dog hybrids if they have some wolf-like physical characteristics and the owner presents such animals verbally or in writing to be a wolfdog hybrid. Canids with very distinct wolf-like characteristics may be determined by the Department to be wolves or wolf-dog hybrids.

- Chapter 169 Captive Wildlife (page 35)

9. This explains details of perimeter fence requirements. (see attached)

- Chapter 169 Captive Wildlife (page 51)

169.43 Local ordinances. A municipality or county may enact and enforce an ordinance that prohibits the possession or selling of live wild animals.

- Captive Wildlife Pen Specifications (page 54 and 55)

- Specific Pen Requirements for Specified Captive Wild Animals lists requirements for Timber Wolves and Wolfdog Hybrid pens. (see attached)

Exhibition of Captive Wild Animals (page 56)

- Lists 10 requirements for exhibiting captive wild animals. (see attached)



- Captive Wildlife License Application Form 9400-577
  - Specifically section B needs to indicate which species license is for, and that the captive wild animal farm license is for animals in pens only.
  - Written assurance that the application is in compliance with local ordinances and zoning rules.
  - Lists stipulations of exhibition of Captive Wild Animals. (see attached)

#### Discussion/Comments:

#### Applicant:

- Mr. Mueller stated prior to 2014 wolfdogs were not listed as wild animals. Mr. Mueller stated he has DNR blessing on having interactions with animals; they came out and saw how animals are handled. Mr. Mueller indicated animals have proven themselves; between 15,000 and 20,000 people have played with them over the past 3 years and no one has been bit or hurt. If DNR would have a problem with this, they would issue citations. Mr. Mueller asked board to “treat all Town of Russell businesses the same”. Mr. Mueller stated he has been a resident of the Town for 26 years and has been a good neighbor.
- Regarding wolfdogs all 4 wolfdogs were neutered at 1 year of age per veterinarian recommendation.
- DNR verbally gave okay to have interactive sessions with wolfdogs; he has nothing in writing. Jon Ausloos commented he had contacted Tony from the DNR on February 28, 2023, who stated there must be a barrier and no interactive sessions. Mr. Mueller stated DNR has conflicting rules. His attorney, the DNR, and he are working on getting something in writing so he can do this.

#### Adjoining Landowners:

- Anastasia Borisenko (neighbor, not adjoining landowner) had heard wolfdogs howling, spoke with Mr. Mueller who showed how friendly, not dangerous they are, and is glad he is doing this business; and suggested putting this business on town’s website.
- Sue Watry questioned how old the bison are. Mr. Mueller explained they were hand raised, bottle fed, and Benny is 9 months old and Brandi is 21 months old. Mr. Mueller also stated his animals are trained; he has kids that climb on the deer. Dan Schmahl asked if bison were vaccinated for

brucellosis. Mr. Mueller stated per veterinarian the bison do not need to be vaccinated for brucellosis. Schmahl would like written documentation of this as there are dairy farms in township. Mike Willeford clarified if cattle brought across state lines they need to be vaccinated for brucellosis. Mr. Mueller stated one bison came from South Dakota and the other from Northern Wisconsin.

#### Town Residents/Others:

- Dan Schmahl as a town resident spoke passionately about members of the town board being accused on Rustic Retreat Deer Park Facebook page of letting the deer out, lighting the fire by Mr. Mueller's property. Schmahl also stated at the court trial, which he attended, the judge said not to allow public into wolfdog enclosure; also Peter Dunn, WI DNR, stated public not allowed in enclosure.
- Don Turba asked if Mr. Mueller's insurance company is aware of his business and if he has liability insurance for business. Mr. Mueller stated this would be covered by property insurance.
- Aaron Turba stated based on staff report if people are not allowed in enclosures per state statutes that should be followed. Farms and other businesses are regulated by state agencies. If there is documentation different from state statutes this should be submitted to the Town.
- Jerrod Henschel spoke as a resident stating the reason why DNR has regulations on wolfdogs is because they need many generations to become domesticated. Also in regards to Henschel's Indian Museum, that business was started prior to the town having zoning ordinances; additionally he was only 7 years old when the business was started.
- Jon Maurer as a town resident indicated he has no problem with the business and that it is not like every other business in the Town of Russell. After hearing the staff report Mr. Mueller needs to submit written documentation that is needed to approve application. All businesses are regulated, maybe not by the Town of Russell, but by other agencies.
- Mike Braun questioned what the wolfdogs would do if they got out as he and his wife walk their dogs past his property. Mr. Mueller stated they would play with, not attack, other dogs.
- Lynette Mierzejewski brought up USDA APHIS inspection report dated May 17, 2022, completed by Kevin Wilken. In this report Mr. Wilken has concerns if there is, "sufficient distance and/or barriers between bison and

general viewing public to protect public and bison. Lack of distance and/or barriers could allow an accident to take place before the licensee could gain control of it. Ensure that the bison does not have public contact without adequate barriers or distance in place to protect the public. Correct from this day forward.” Mr. Mueller responded Mr. Wilken visited business in December and this was taken care of. Board needs written documentation of this.

#### Zoning Board Members:

- Members wanted more information on what Mr. Mueller does with wolfdogs when public comes for tours. Mr. Mueller states there is no hands on playing with wolfdogs. They are on a leash and pictures can be taken.
- Does he have a current CWAFL; expired license was in CUP application packet. Per Henschel he spoke with Peter Dunn, WI DNR, and he does have current license, but board needs paper copy of this.
- Mike Willeford explained why CUP was amended. Initially CUP stated, “to interact with animals which include whitetail deer, trumpeter swans, bison, and wolf-dog hybrids.” This was amended to “to interact with animals which include whitetail deer, trumpeter swans, bison.”
- Mr. Mueller said DNR comes out to his business because of town board calling them.
- Board asked if Mr. Mueller is thinking of expanding business. Yes, he is thinking of possibly adding elk calves in spring.
- Bill Kraus asked if the wolfdogs will be part of tour. Mr. Mueller stated yes, as long as they are on a leash, that it is a “private business”, and they are “viewed as domesticated.” “Dogs kill more people than wolves.”

#### Discussion/Decision by Planning Commission Board:

After discussion motion made by Mark Schuricht that before approving Mr. Mueller’s CUP application the following proposed conditions need to be met:

Mr. Mueller abides by the following conditions and any orders that come from a judge:

- Current DNR Class A CWAFL
- Current Rabies Vaccination Certificate for each wolfdog
- Veterinarian record showing all wolfdogs have been spayed/neutered
- All animals shall be vaccinated for brucellosis or other diseases as required

by state law.

### **Proposed Conditions**

The proposed use shall not impair the current or future agricultural use of this farm or other protected farmland.

The captive wild animal farm shall remain properly licensed in good standing with the appropriate agencies, at the appropriate licensing level for the size of the business and types of animals being displayed. This requirement shall include a State of Wisconsin DNR Class A captive wild animal farm license. Owner shall provide proof of this licensing in sufficient detail to the Town annually and upon request.

- *The State of Wisconsin DNR license copy that was included in Mr. Mueller's CUP application expired on 12/31/21. The Town should require a current and valid license to be submitted for review **before** approval.*
- *If the above mentioned license requires compliance with local ordinances and zoning rules before it can be granted, then the Town shall require a written and signed affidavit from an appropriate DNR official stating that the property has passed inspection and the DNR is satisfied that all State of Wisconsin requirements for Captive Wild Animal Farm Licensing and the exhibition of Harmful Wild Animals have been met.*

The property shall be subject to inspection by Town officials for compliance with CUP conditions during normal hours of operation, including weekends.

The business shall not employ more than 4 full time employees annually.

Interactive sessions with Harmful Wild Animals are expressly forbidden, violations of this will be grounds for immediate revocation of the CUP.

No other Harmful Wild Animals shall be added to the property without review and approval from the Town Russel board.

The conditional use permit expressly forbids the exhibition of Wolf Dog Hybrids until the following conditions are met and continuously maintained:

*Owner shall provide proof of current veterinary records showing that the animals are current with rabies vaccinations and have been sexually neutered by 6 months of age as required by Wisconsin DNR regulations.*

*The veterinary reports provided in the CUP application do not satisfy this requirement as they are old (Dec 2021), indicate rabies vaccinations are due in 2022 but we have no proof that they were given, and the reports do not appear to provide proof that 2 of the 4 wolf dog hybrids have been neutered as required. Veterinary reports for each of these animals showing that these issues have been resolved should be a requirement prior to approval, along with annual proof of rabies vaccination to be provided just as the Town would for any other canine.*

The Owner shall provide evidence that shows compliance with Wisconsin DNR publication PUB-CS-17 3/2016, including:

General Pen and Shelter requirements have been met. (Wolf-dog hybrid pens with open tops shall be a minimum of 1000 square feet. The walls shall be a minimum of 8 feet in height with an additional 3 feet at the top slanted in at a 30 degree to 45 degree angle.

Display of the current Captive Wild Animal License at the place of exhibit

Each pen labeled, in English, with the proper common name of the species being displayed.

Pens of most animals being exhibited must be surrounded on all sides where the public may approach, by substantial guard rails. Guard rails must be at least 3 feet high, well supported, fully enclosed with not greater than 6 inch square mesh fencing, and must be at least 3 feet from the pens.

Captive wild animals subject to NR 16.30 (4) (a) that are greater than 3 months of age may not be used in interactive sessions or exhibited outside of the enclosure. Captive wild animals subject to NR 16.30 (4) (a) are bear, cougar, wolf-dog hybrid, mute swan, bobcat, lynx, timber wolf, coyote, fox and fisher.

This specifically means that the wolf dog hybrids must be confined with a primary and secondary fence, preventing direct contact with the public. They cannot be exhibited outside of the fence, and the public must be prevented from going inside the fence. The purpose of the fence and the secondary guard rails is to exclude the public from making contact with the animals. No interaction is allowed.

Any violations of the above conditions shall be sufficient reason for the revocation of the Conditional Use Permit.

These conditions would need to be met within 30 days, which would be March 28, 2023. Motion seconded by Jon Maurer.

Prior to taking a vote, discussion held. Dan Schmahl questioned if board will meet again to review information in 30 days. Board will meet on March 29, 2023, at 7:00 p.m. to give final decision. Schmahl also wanted clarification that it is up to Tom Mueller to get all the required documentation as listed including from the DNR and the judge. Board agreed that it is Mr. Mueller's responsibility to get all documentation. Mr. Mueller agreed he could get documentation in 30 days.

Chairman Kraus asked for a vote on the above motion; all members were in favor, zero members were against motion. Motion carried.

Motion to adjourn made by John Kiehnau, seconded by Mark Schuricht. Motion carried. Meeting adjourned 9:14 p.m.

Respectfully submitted,  
Lynette Mierzejewski  
Town of Russell Clerk

TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, March 6, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Supervisor Schmahl.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Bill Kraus, Julie Kraus, Pete Geyer.

Excused: Chairman Willeford.

**Public Comments:** None.

**Approval of Meeting Minutes:** Minutes from February 6, 2023, were read. Ausloos motioned to approve the minutes as read. Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report for February 2023. Discussion held on payment received from Manitowoc Heating and Refrigeration for a building permit. After discussion Ausloos motioned to approve the treasurer's report as read. Schmahl seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for March 2023. Motion made by Ausloos to pay the bills as presented, seconded by Schmahl. Motion carried.

**Town Members/Special Topics:**

- New Town Hall Construction Update: Nothing new currently.
- Tom Mueller dba Rustic Retreat Deer Park Pending Conditional Use Permit: Board discussed the Planning Commission meeting held on February 28, 2023. Tom Mueller was granted a 30-day extension to produce documentation. Clerk to place notice in newspaper for continuation of Planning Commission meeting scheduled for March 29, 2023, at 7:00 p.m. and post to website.
- Board also discussed scheduling variance meeting for Duwayne Buechel and Conditional Use Permit (CUP) for Nicholas Brownson. Variance meeting will be held on March 29, 2023, at 5:30 p.m. and CUP the same evening at 6:00 p.m. Clerk will place notices in newspaper and post to website.

**Monthly Correspondence and/or email:** Nothing to report.

**Building Permit:** None for March.

**Liquor/Operator Licenses:** None for March.

**Recycling Center:** Discussed if old sheds/structures at recycling center can be removed. Caretaker Geyer will take care of this.

**Constable Report:** Nothing to report.

**Town Roads:**

- Holstein Road will be posted with weight limit restriction.
- Culvert by Drake Court needs to be looked at; may be obstructed.
- Discussed bridge repair information through State.

**Other Town Business:**

- Cobble will do Spring Newsletter.
- Annual meeting will be held at Town Hall.
- Pete Geyer was appointed to the Planning Commission in March.
- Board of Review training discussed; will need to look at dates of training. One member of the board needs to attend each year. The Wisconsin Towns Association District Meeting will be held separate from the Board of Review.

**Adjourn:** Motion to adjourn made by Ausloos, seconded by Schmahl. Motion carried. Meeting adjourned 9:08 p.m.

Respectfully Submitted:

Lynette Mierzejewski

Town of Russell Clerk



TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, April 3, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes, at town hall and on website.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Julie Kraus, Clerk Mierzejewski.

Excused: Treasurer Jeremy Cobble.

**Approval of Meeting Minutes:** Minutes from March 6, 2023, were read. Schmahl motioned to approve the minutes as read. Ausloos seconded motion. Motion carried.

**Treasurer's Report:** Schmahl read the treasurer's report from March 2023, in Cobble's absence. Ausloos motioned to approve the treasurer's report as read. Schmahl seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for April. Discussed payment to Witkowski Inspection Agency regarding permit for furnace replacement. Ausloos will contact Brian Witkowski about this. Motion then made by Ausloos to pay the bills as presented, seconded by Schmahl. Motion carried.

**Town Members/Special Topics:**

- Town Hall Update: Nothing to update.
- Tom Mueller Conditional Use Permit Application: Permit was denied. Willeford spoke with town's attorney who will send Mr. Mueller's attorney a letter to cease and desist. If no change then to pursue contempt of court. Discussion followed. One bison was out on road today; sheriff was able to put it in an enclosure on Mr. Mueller's property; Mr. Mueller was not home when this happened.

**Monthly Correspondence and/or email:**

- Clerk reviewed letter Sheboygan County Planning Department sent to property owner at W8807 Lefeber Court.
- Sheboygan County Town Farmland Preservation 2023 Plan Update Survey received. Clerk reviewed survey with board and will forward completed survey to county.
- Business Owners Policy received from Rural Mutual; this was reviewed. Willeford will check with another agent from Rural Mutual about possibly changing agents.

- Board of Canvassers Minutes for Spring Primary reviewed; township had no discrepancies.
- WI DNR sent handout on American Rescue Plan Act Funded Well Grant Program. Clerk will have handout available at polls on election day.
- WTA requested examples of bridges/culverts less than 20 feet in need of repair for them to share with legislators. WTA is working with legislators on developing a state program to address/provide funding to repair these bridges/culverts.

**Building Permit:** Board reviewed applications from Witkowski Inspection Agency for J. Maurer for a machine shed and for E. Halbach for a furnace replacement.

**Liquor/Operator Licenses:** None.

**Recycling Center:**

- Halbach Excavating delivered breaker run to Recycling Center to fill area by dumpsters and potholes.
- Willeford checking on status of 30-yard recyclables dumpster.
- Ausloos checked with Townline Recycling about e-cycling; Willeford will check with another source for e-cycling.

**Constable Report:** Nothing to report.

**Town Roads:**

- Board scheduled annual road check for Wednesday, May 3<sup>rd</sup>.
- Resident contacted Willeford about damage done by snowplow/grader; he contacted Wade at County Highway Department, and this will be taken care of.

**Other Town Business:**

- Annual Meeting scheduled April 18<sup>th</sup> at 7:00 p.m. at the town hall. Ausloos will take care of the refreshments.
- Clerk questioned payment for Planning Commission and Variance Board members for March 29<sup>th</sup> meetings. After discussion, Planning Commission, Variance, and Town Board members will be paid for one meeting that evening; and clerk, who took minutes for each meeting, will be paid for three meetings.

**Adjourn:** Ausloos motioned to adjourn, seconded by Schmahl. Meeting adjourned 9:06 p.m.

Respectfully Submitted:

Lynette Mierzejewski, Town of Russell Clerk

TOWN OF RUSSELL BOARD APPROVED MINUTES  
Tuesday, May 2, 2023  
Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes, on web site, at town hall, and at recycling center.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Peter Geyer.

**Approval of Meeting Minutes:** Minutes from April 3, 2023, were read. Schmahl motioned to approve the minutes as read. Ausloos seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the report from April 2023. Ausloos motioned to approve the treasurer's report as read. Schmahl seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for May 2023. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos. Motion carried.

**Town Members/Special Topics:**

- Town Hall Update: Willeford sent Aaron Brault, Sheboygan County Planning Department, an email; Aaron was out of the office. Willeford will follow up.
- Tom Mueller dba Rustic Retreat Deer Park-follow up on denial of Conditional Use Permit.
  - Willeford spoke with town attorney last week. Mr. Mueller's attorney, Attorney Voelker, indicated Mr. Mueller will cease and desist operation now and the attorney will provide documentation if needed. Discussion followed. Schmahl motioned because Mr. Mueller had not ceased and desisted operation as of April 4, 2023, as required by prior notification, the town board authorizes the town's attorney to file contempt of court charges. Motion seconded by Ausloos; motion carried. Willeford will convey motion to town's attorney.

- Clerk provided town with copy of Sheboygan County Sheriff's Department report from April 3, 2023, when bison were out, and contact numbers for USDA.

### **Monthly Correspondence and/or email:**

- Open Book is scheduled May 10, 2023, from 9:00 to 11:00 a.m. at the town hall. Ausloos will open the town hall door for assessor, Jodi Paulson.
- Board of Review is scheduled May 31, 2023, from 6:00 to 8:00 p.m. at the town hall.
- Clerk handed out information about virtual meeting about phragmites. Discussion followed about invasive species.
- Notice received from Sheboygan County that town hall holding tank needs to be pumped; Ausloos will contact pumping service.
- Email received from Sheboygan County Deputy Tyler Becker regarding animal neglect complaint on a town resident.
- Open records request email received. Clerk verified with board fee for this type of request is \$25.00.
- Clerk will order one copy of Sheboygan County Directory of Officials.
- Colleen Schnell is stepping down as Chief Inspector for Elections.
- Notice received from Department of Revenue on Personal Property Distribution of \$18.80.

### **Building Permit:**

- No building permits for May.
- Ausloos contacted Brian Witkowski about E. Halbach permit for furnace replacement; currently playing phone tag.

**Liquor/Operator Licenses:** None.

### **Recycling Center:**

- Clerk provided handout from DNR on e-cycling companies in Wisconsin. Geyer is working on scheduling e-cycling event at recycling center.
- Willeford has not heard back from GFL about 30-yard dumpster for recyclables.
- Will have St. Ann Fire Department burn the brush pile.

**Constable Report:** Has been quiet aside from numerous complaints about dog at large in township.

### **Town Roads:**

- Highview Road was washed out from excessive rains. Sheboygan County Highway Department will repair this. Resident Jon Maurer will help with ditching and removal of debris.
- Snowplow damaged blacktop on Hunter's Court.
- Discussed replacing culverts on South Court and Drake Dairy driveway. Board decided to have Halbach Excavating replace both. Schmahl will contact Halbach.
- Board road check changed to May 10<sup>th</sup> at 5:00 p.m.

**Other Town Business:**

- Town Employee Salary-Board discussed clerk's monthly salary. Clerk was appointed December 2019 with monthly salary \$675 including payment for each monthly meeting. Board discussed increasing clerk salary. Schmahl motioned to increase clerk's salary to \$850.00 a month as of May 1, 2023; seconded by Ausloos. Motion carried.
- Schmahl and Cobble attended virtual Board of Review training on May 1, 2023; and handed in their Affidavit to clerk. Clerk will record this with State.

**Adjourn:** Motion to adjourn made by Ausloos, seconded by Schmahl. Meeting adjourned 9:00 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk

TOWN OF RUSSELL  
MONTHLY BOARD MEETING APPROVED MINUTES  
Monday, June 5, 2023  
Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:03 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.  
Others present: Treasurer Cobble, Clerk Mierzejewski, Pete Geyer, and Brian Olson from Sheboygan County Highway Department.

**Approval of Meeting Minutes:** Minutes from May 2, 2023, were read. Ausloos motioned to approve the minutes as read. Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report for May 2023. Schmahl motioned to approve the treasurer's report as read. Ausloos seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for June 2023. Clerk questioned when recycling center caretaker's wage increase takes effect; this was discussed at annual meeting to increase wage to \$18.00 an hour. This increase is effective as of May 1, 2023; clerk will make adjustment in pay for May wages on June paycheck. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos. Motion carried.

**Town Members/Special Topics:**

- Town Road Repair: Brian Olson from Sheboygan County Highway Department was invited to meeting by Willeford to discuss repair of certain roads in the township. Olson inspected Holstein Road and gave estimate from County H north for 2000 feet; the cost would be \$80,000. The remainder of Holstein Road from Sheboygan Road south is approximately 3400 feet (to culvert) and could be repaired later. Estimate for Irish Road, 4000 feet, to apply sealcoat, would be \$17,616.

Board asked Olson to give estimate to finish Grogan Road from Highway J east to where the previous repair work was completed.

Highview Road was repaired already.

Discussed condition of road to recycling center. Will get a load of regrind from county and use grader to spread it.

Also westbound on Sexton Road a quarter mile west of Hwy J there is no shoulder by the curve. Discussed if something could be done to widen the curve; it is a safety issue. Olson went and checked out the area; he returned to the meeting and gave estimated length of 825 feet and approximate cost of \$6000.00.

Olson was thanked for attending the meeting and the information/estimates he presented.

- Town Hall Update: Willeford received email response from Aaron Brault, Sheboygan County Planning Department. His leadership decided on holding off pursuing an agreement with the Town for a couple of years before committing to a long-term rental agreement, and suggested we move forward with our other options.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist Order: Willeford attempted to contact Mueller prior to the meeting; he is awaiting a response. Discussion followed.

#### **Monthly Correspondence and/or email:**

- 2023 Recycling Grant Award of \$834.19 received from DNR.
- Department of Human Services EMS Program verification form completed for Kiel Ambulance Service indicating 100% of the town's 383 population serviced by Kiel EMTs.
- Special Assessment from Twohig Rietbrock Schneider and Halbach S.C. received for J. Paredes property with \$10.00 payment; form completed.
- Follow up report on Sheboygan County Sheriff's Department animal neglect complaint. Report indicated sheriff did not find evidence to take law enforcement action.
- Letter from State Representative Ty Bodden about a shared revenue formula change proposal (AB 245). This is from the sales tax revenue. The new projected shared revenue total for the Town of Russell is \$58,802; a 162.9% increase from \$22,364 currently.

#### **Building Permit:**

- Town Board reviewed building permit application from Witkowski Inspection Agency for D. Reitz for deck resurfacing and railing replacement. Discussion followed. Clerk to contact Brian Witkowski to attend July board meeting to discuss permitting process.
- Ausloos inquired if building permit was issued for A. Borcesenko property on Hwy Q. Clerk has nothing on file from Witkowski Agency for this. Constable will contact property owner and clerk will contact Brian Witkowski about permit.
- The dam at the Sheboygan Marsh is being rebuilt per information from Sheboygan County Planning Department. Clerk will check with Brian Witkowski if permit is need from town for this.

**Liquor/Operator Licenses:** Clerk presented annual Liquor Applications for Jovan's and 3 Guys and a Grill, and operator licenses for each establishment, and Cigarette Application for Jovan's. Three operator licenses were missing the server training certificate. Discussion followed. Motion made by Ausloos to approval all the applications pending receipt of certificates; seconded by Schmahl. Motion carried.

**Recycling Center:**

- Pete Geyer handed out information on the e-cycle event scheduled for June 24th.
- The annual DNR Recycle Report form was recently completed. Town was 9000 pounds short of required poundage per capita per DNR guidelines in 2022, which could affect the Recycle Grant received from DNR. Tonnage of recyclables is received from the hauler, GFL.

**Constable Report:** Constable needs to contact 3 residents with delinquent dog licenses.

**Town Roads:**

- Board discussed annual road inspection. Estimates received from Halbach Excavating for installing three culverts. Discussed proposals. South Court installation estimate is \$2600 and \$667 for plastic culvert. Drake Court installation is \$2400 and \$2100 for steel culvert. Grogan Road installation is \$3750 and \$2100 for plastic culvert. Town of New Holstein will be redoing County Q; questioned if they will do the portion by South Court and if Town Russell should wait on replacing South Court culvert. Motion made by Schmahl for Halbach to proceed with installation of the three culverts at the above price quotes, seconded by Ausloos; motion carried.
- Willeford asked clerk to watch for invoice from County for work done on Highview; Jon Maurer had a culvert put in and 3 loads of gravel; Maurer to be billed for this.
- Arrow sign by 90-degree turn on Sexton Road is down.

**Other Town Business:**

- Clerk checked with WTA about posting of minutes on website that are not approved. Question was raised due to infrequent Planning and Variance Board meetings. Per WTA minutes can be posted if the minutes are marked "draft document".

**Adjourn:** Motion to adjourn made by Ausloos, seconded by Schmahl. Meeting adjourned 9:45 p.m.

Respectfully Submitted:

Lynette Mierzejewski

Town of Russell Clerk



TOWN OF RUSSELL BOARD APPROVED MINUTES

Wednesday, July 5, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Brian Witkowski, Pete Geyer, Tom Mueller.

**Approval of Meeting Minutes:** Minutes from June 5, 2023, were read. Schmahl requested to clarify location of no shoulder on Sexton Road west of Hwy J. Clerk will change to read "on Sexton Road a quarter mile west of Hwy J". Ausloos motioned to approve the minutes as read with the above amendment; Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report from June 2023. Schmahl motioned to approve the treasurer's report as read; Ausloos seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for July. Motion made by Ausloos to pay the bills as presented, seconded by Schmahl; motion carried. On bill from Sheboygan County Highway Department for Highview Road work Willeford asked clerk to bill J. Maurer for culvert and gravel he requested, that Town paid for, in the amount of \$1723.06.

**Town Members/Special Topics:**

- Town Hall Update: Nothing to report.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist Order: Willeford had sent a text to Tom Mueller requesting he attend the meeting. Mr. Mueller did attend and stated he started the business in 2018 and thinks the business has a lot to offer for the township. Willeford stated the town cannot legally deny the Conditional Use Permit (CUP) application in perpetuity; Mr. Mueller can continue to apply for the CUP.

Mr. Mueller felt there has been a lot of miscommunications throughout the CUP application process and wants to know what he needs to get this taken care of. Board reiterated the judge from the November court date stipulated there were to be no interactions between the public and the wolf-dog hybrids. Also all state and federal regulations need to be followed before issuing the CUP. The documentation the Board requires for review before issuing the CUP was

discussed at the February 28, 2023, Planning Commission meeting which Mr. Mueller attended and indicated he would provide at the follow-up meeting on March 29, 2023. Mr. Mueller apologized for not attending the March 29, 2023, meeting and states he has the documentation. The clerk stated he may have the documentation, but the Town Board needs in writing the documentation as discussed at the February Planning Commission meeting; not items sent via text or email; actual written paper documentation to be sent via the US Postal Service to the clerk.

Willeford indicated the list of what is needed for documentation for review of the Conditional Use Permit application will be compiled and will be sent to all the attorneys and Mr. Mueller.

Mr. Mueller indicated he wants to be helpful to the community and he has carpentry skills and would be willing to assist with updating the town hall. Willeford also requested that Mr. Mueller tone down his posts on social media regarding the Town Board and Town Officials.

**Monthly Correspondence and/or email:** Invitation received from WTA for Sheboygan County Unit Meeting on July 21<sup>st</sup> at Town of Sheboygan. Board discussed attending.

**Building Permit:**

- Board had requested Brian Witkowski from Witkowski Inspection Agency attend the meeting to discuss building permit application process. Willeford stated the board wants to be on the same page with building codes versus maintenance work. Witkowski wants things to be safe for the homeowner and to follow state codes. Issuing a building permit is for safety and handed out a copy of the Occupancy Permit that he completes when the job is completed. If contractor requests a building permit for the homeowner it is the responsibility of the contractor to call Witkowski when job is complete, or the homeowner to call when job is done if no contractor involved. By law Witkowski has 2 days to do inspection when the job is done and complete the Occupancy Permit.

Also as of July 1<sup>st</sup> Witkowski has moved his office to 632 Fremont Street Suite 105 in Kiel. Office telephone number is 920-286-6133 and cell phone is 920-912-0832.

- There were no building permits issued for the month of June.

**Liquor/Operator Licenses:** Two operator license applications were received from Jovan's. Clerk had verified information on the applications and Board reviewed. Ausloos motioned to approve the two applications, seconded by Schmahl; motion carried.

**Recycling Center:**

- Geyer stated the e-cycle event went well and residents were happy it was held.

- The regrind material was delivered to recycling center and grading was done which improved the condition of the driveway.

**Constable Report:**

- Ausloos stated things have been quiet.
- Cobble sent letters to Sheboygan County District Attorney for 2 residents with delinquent dog licenses.

**Town Roads:**

- Estimates received from Sheboygan County. Seal coating to be done on Irish Court. Sexton Road curve repair estimate is \$5733.00 for 825 feet. Grogan Road repair east of Hwy J estimate is \$39,193.00 for 1380 feet.
- Schmahl received text messages from Halbach Excavating for the three culverts to be replaced. The culvert on South Court is made of concrete and will be cleaned out first.
- The post for the left arrow sign on Holstein Road south of Sexton Road is busted off.
- On Grogan Road by Hwy J there is an upright pallet in the right of way.

**Other Town Business:** The contract with St. Anna Fire Department is due for renewal this year; will set up meeting.

**Adjourn:** Motion to adjourn made by Ausloos.; seconded by Schmahl. Meeting adjourned 9:35 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk

TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, August 7, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Pete Geyer, Sue Watry.

**Approval of Meeting Minutes:** Minutes from July 2023 were read. Discussion followed on corrections to be made to minutes. Schmahl motioned to approve the minutes as read with the corrections, Ausloos seconded motion; motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report for July 2023. Ausloos motioned to approve the report as read, Schmahl seconded the motion; motion carried.

**Monthly Bills:** Town Clerk presented the bills for August. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos; motion carried.

**Town Members/Special Topics:**

- Town Hall Update: Discussed getting an estimate from Diamond Doors for a town hall.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist Order: Willeford relayed correspondence from Mr. Mueller who indicated his Rustic Retreat Deer Park tours are free now with charitable donations accepted; therefore, will not continue to pursue Conditional Use Permit. Schmahl clarified his discussion with a veterinarian indicated that bison could get brucellosis, but they do not require a vaccination. Per Facebook there are two new wolf pups at Rustic Retreat Deer Park. Mr. Mueller's dogs, Cora and Capone, are out on road per report from three residents and are on personal property of his neighbors. Discussion followed. Willeford will discuss latest correspondence with the town's attorney and get his opinion on what legal action to pursue.

**Monthly Correspondence and/or email:**

- Check received from Sheboygan County for share of Sales Tax Revenue for \$3747.00.
- Correspondence received from Millennium Geospatial verifying Town's permit process for fiber optic network being installed in Calumet County, which may have some 'bleed' into Town Russell/Sheboygan County.

- Email from Department of Revenue to review Preliminary Equalized Values. Clerk contacted Town's assessor with a few questions and treasurer reviewed values were in line with his reports.

**Building Permit:**

- Two building permits applications received from Witkowski Inspection Agency; one for a pole shed for D. Buechel and the other for James Drake for a storage shed. Board reviewed applications.

**Liquor/Operator Licenses:** None.

**Recycling Center:** Residents asked caretaker about ATV use on town roads. Ausloos will start working on ordinance for this with restricted use on Hwy J due to hills and curves.

**Constable Report:** Ausloos went by County Clerk to discuss the two residents with delinquent dog licenses; he was referred to the district attorney's office. Ausloos explained treasurer had sent letter to the district attorney about the delinquent licenses and Ausloos requested if any action was taken. Response from the district attorney's office was they will send a deputy to the two residents and Ausloos offered to go along with deputy.

**Town Roads:**

- Discussed ditch mowing by county on town roads.
- Clerk to send bill to Drake Dairy for cost share of culvert repair on Drake Court.
- Culvert on South Court and Hwy Q. Both Halbach Excavating and Sheboygan County Highway Department looked at this and are deciding how and when to repair this.
- Question was raised if town would consider abandoning ownership of Drake Court. Schmahl checked with WTA and was told the request would need to come from the landowner; landowner needs to start the process, and then proceed with a town public meeting to discuss this.
- Repairs done on Irish Court looks good.

**Other Town Business:** Contract for St. Anna Fire Department is up for renewal this year.

**Adjourn:** Motion to adjourn made by Schmahl, seconded by Ausloos. Meeting adjourned 9:08 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk

TOWN OF RUSSELL BOARD UNAPPROVED MINUTES

Wednesday, September 6, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:00 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Peter Geyer, Conner Hansen, Nolan Hansen.

**Approval of Meeting Minutes:** Minutes from August 7, 2023, were read. Schmahl motioned to approve the minutes as read. Ausloos seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report from August. Ausloos motioned to approve the treasurer's report as read. Schmahl seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for September. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos. Motion carried.

**Public Comments:** None.

**Town Members/Special Topics:**

- Conner Hansen Salvage Permit: Conner Hansen attended meeting requesting board approval to operate a type four salvage operation at N9091 Hwy J. Mr. Hansen explained he would transfer vehicles to Milwaukee Iron and Metal, a DNR registered facility, after removing the tires. There would be no disassembling of the vehicle; and no coolants, oil, gas, or freon removed from vehicle. Only one vehicle would be allowed on property at a time. Mr. Conner had letter from the landlord giving permission to use shop on the property for this business. Application was reviewed. Township zoning regulations was reviewed. After discussion, board felt this type of business is closest to section 1.27, B3 on page 11 of the Zoning Ordinance for the Town of Russell, as it relates to uses listed in this section. Schmahl motioned to approve the type four salvage operation application submitted by Conner Hansen dba C3N Recycling Solutions, LLC and the business is to comply with safe handling of hazardous material. Ausloos seconded motion; motion carried. Application form completed and signed by Willeford.

- Town Hall Update: Willeford received quote from Diamond Doors for a building with concrete slab for \$74,000, no electrical, no plumbing, or site preparation. Discussion followed. Schmahl will check if Gary Kraus can attend the next meeting.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist/Zoning Noncompliance: Willeford sent correspondence to the town's attorney that was discussed at last meeting. Mr. Mueller's attorney told town's attorney that Mr. Mueller has ceased and desisted operating his business. Discussed there are a lot of current pictures on Rustic Retreat Deer Park's Facebook page. After discussion, decision made to have town's attorney speak with judge from the November trial to file petition for contempt of court.

#### **Monthly Correspondence and/or email:**

- Informational packet and survey received from West Shore Pipeline Company. Clerk will complete questionnaire.
- DNR sent information on 19.820 acres being withdrawn from Managed Forest Law (MFL) by the landowner due to being unable to produce merchantable timber; and will be assessed as general property beginning January 1, 2024.
- DNR informed Town that two property owners are applying for Managed Forest Law and wanted input from the Town if these properties are not eligible for MFL. One property is 24.720 acres and the other is 20 acres. Town Board had no objections to these changes. DNR will give final approval on applications.
- Treasurer received title search request and payment from Woodland Title which he completed.
- Sixel and Schwinn Inc. sent payment to treasurer for electrical permit for Drake Dairy.

#### **Building Permit:**

- Witkowski Inspections sent building permit application for G. VanGrouw for remodel all-inclusive. Board reviewed application.
- No Town building permit is needed for the Sheboygan Marsh dam rebuild.
- Sheboygan County Planning Department sent notice of an "after-the-fact" zoning permit being issued for property on Lefeber Court. Board reviewed information and clerk will send letter to owner informing him to obtain a building permit from Town of Russell.

**Liquor/Operator Licenses:** Jovan's submitted one operator application. Clerk reviewed/verified information on the application and found no discrepancies. Board reviewed application. Ausloos motioned to approve the application, seconded by Schmahl; motion carried.

**Recycling Center:** Nothing to report.

**Constable Report:**

- Items are being dumped off on Holstein Road again.
- Regarding the delinquent dog licenses by two residents; deputy visited residents, gave a warning to both and gave them 15 days to comply to warning. Deputy called Cobble after 15 days who informed deputy neither resident made payment; deputy issued citation to both residents.
- While walking to St. Ann, E. Halbach was bitten by Tom Mueller's dog; the dog bite did not break skin.

**Town Roads:**

- Wade from Sheboygan County Highway Department indicated next summer they are working on Highway Q, anything that needs to be addressed in the right of way will be taken care of by the county. Town will take care of fixing culvert on South Court then.
- The shoulder was repaired on Sexton Road a quarter of a mile from Highway J.
- Ford Road has areas that are chipped; Willeford will contact county highway department for quote.
- Will have county highway department blacktop where culvert was repaired on Grogan Road.

**Other Town Business:** Ausloos spoke with Todd at St. Anna Fire Department regarding contract renewal.

**Adjourn:** Motion to adjourn made by Schmahl, seconded by Ausloos. Meeting adjourned 9:11 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk



TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, October 2, 2023

Town of Russell Hall 6:30 p.m.

**Call to Order** at 6:30 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Gary Kraus, Travis Halfmann, Bill Brede.

**Approval of Meeting Minutes:** Minutes from September 6, 2023, were read. Ausloos motioned to approve the minutes as read. Schmahl seconded motion. Motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report from September 2023. Schmahl motioned to approve the treasurer's report as read. Ausloos seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for October. Clerk will ask Sheboygan County Highway Department for more detailed locations of where work was done on future invoices. Motion made by Ausloos to pay the bills as presented, seconded by Schmahl. Motion carried.

**Public Comments:** None.

**Town Members/Special Topics:**

- Town Hall Update: Discussed options for building a town hall. Gary Kraus explained if the building is under 25,000 cubic feet the state does not have to approve the plans. If the land percs, then would need a septic system; if not, then just a holding tank. Gary answered the board's questions and recommended forming a committee to work on the particulars and will contact an architect to meet with the board. Board explained there is a town hall building committee and Gary agreed to work with the committee.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist/Zoning Noncompliance: Willeford spoke with town's attorney. A motion will be filed for contempt of court due to disobedience of court order by Judge Persick. Affidavits will be submitted by Willeford and Ausloos. Also the Town does not have an animal at large ordinance; if there is an animal at large the sheriff's department should be contacted.
- St. Ann Fire Department Contract Renewal: Travis Halfmann from the fire department presented proposal for a four-year contract with the 2024 amount remaining the same as current year (\$23,796.00) then for 2025 through 2027 the amount would be \$30,000.00 each year. Discussion followed. Town proposed a 6% increase for each year

for either a two- or four-year contract. Halfmann will discuss with department members and will attend November town meeting to go over revised contract proposal.

**Monthly Correspondence and/or email:**

- Check received from Sheboygan County for share of sales tax for \$3447.00.
- Sheboygan County Unit Meeting is on October 20, 2023, at Town of Sheboygan Falls. Members discussed attending meeting.

**Building Permit:**

- Two building permits issued by Witkowski Inspection Services; one for Drake Dairy for electrical service change from overhead to underground, and the other for Jacob Jordan for a deck rebuild. Check for Jordan permit is made out to Witkowski Inspection Agency; clerk will talk with secretary at Witkowski about issuing a check to Town of Russell. Board reviewed both permits.

**Liquor/Operator Licenses:** None.

**Recycling Center:** Pete Geyer reported truck driver for GFL runs over the lock on the chain across the driveway instead of moving the chain. Pete will see about changing this.

**Constable Report:** Nothing to report. Clerk will create an incident report form for Constable.

**Town Roads:**

- Ford Road is chipped in areas.
- Road signs are missing at Grogan and Highview, Sexton and Holstein, Sexton and J, Sheboygan and Holstein. New signs will be ordered.
- Schmahl stated farm truck drivers appreciate the repair that was done on Sexton a quarter mile west of Hwy J.

**Other Town Business:**

- Cobble did not hear anything from district attorney about the two residents with delinquent dog licenses.
- Budget meeting will be held next month at 6:30 before the regular town meeting. Clerk will post notice in newspaper.

**Adjourn:** Motion to adjourn made by Schmahl, seconded by Ausloos; motion carried. Meeting adjourned 9:07 p.m.

Respectfully Submitted:  
Lynette Mierzejewski  
Town of Russell Clerk

TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, November 6, 2023

Town of Russell Hall

**BUDGET MEETING**

**Call to Order** at 6:56 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Budget meeting notice posted in newspaper, on website, and at town hall.

**Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Pete Geyer, Travis Halfmann and Bill Brede from St. Ann Fire Department.

Clerk presented proposed budget for 2024. Discussion held. Schmahl questioned how town levy is calculated. Clerk explained net new construction, done in township from prior year, as determined by yearly assessment determines percent levy increases. Schmahl stated he thought previous Clerk Kempf had explained levy goes up automatically by a certain percentage each year, not by net new construction percentage. Clerk explained she followed instructions for increase. Schmahl requested Clerk verify this with previous clerk and/or Department of Revenue. Schmahl motioned to approve the proposed 2024 budget as presented, seconded by Ausloos; motion carried.

**MONTHLY MEETING**

**Agenda Posted:** Yes, on website and at town hall.

**Approval of Meeting Minutes:** Minutes from October 2, 2023, were read. Schmahl motioned to approve the minutes as read. Ausloos seconded motion; motion carried.

**Treasurer's Report:** Treasurer Cobble presented the treasurer's report for October. Ausloos motioned to approve the treasurer's report as read, seconded by Schmahl; motion carried.

**Monthly Bills:** Town Clerk presented the bills for November. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos; motion carried.

**Public Comments:** No public comments.

### **Town Members/Special Topics:**

- St. Ann Fire Department Contract Renewal: Discussion held. There are approximately 20 volunteers on the department. Reviewing prior contracts from 2020 through 2023 there was a 5% increase each year. Ausloos motioned to approve a two-year contract with a 6% increase each year (2024- \$25,224 and 2025-\$26,737), seconded by Schmahl; motion carried. Contract was signed by town board members and clerk.
- Town Hall Update: Discussed advisory meeting held with architect from Cadre, Inc., including legal concerns if an investor builds the building. Board discussed reasons for needing a new town hall which included current building will not serve the town in the future, noncompliance with elections due to not being handicap compliant (i.e. no handicap accessible bathrooms, etc.), issues with mold, leaky roof, and insect infestation, need for improvement in record storage area. Schmahl moved to spend \$1500 for architect to create a presentation plan, seconded by Ausloos; motion carried. Schmahl will have Gary Kraus contact the architect with this information.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist/Zoning noncompliance: Willeford explained court hearing is scheduled for December 12, 2023, at 10:30 a.m. with Judge Persick for contempt of court motion. He also explained per the attorney, the town does have the power to remove the motion prior to the court date. Schmahl stated Mr. Mueller contacted him wanting to meet with him, stating it was a misunderstanding and wanting to work something out. Schmahl informed Mr. Mueller if he wants to discuss this, he should contact clerk to be put on the monthly meeting agenda.

### **Monthly Correspondence and/or email:**

- Final population estimate as of January 1, 2023, is 378 of which approximately 286 are voting age.
- Clerk was contacted by Collins State Bank Kiel regarding zoning of parcel 59020282500. Zoning Administrator verified parcel is zoned A-1 with a small parcel zoned A-2. Clerk relayed information.
- Clerk shared email from Department of Revenue about changes with personal property exemption on personal property aid taking place in 2024.

**Building Permit:** Board reviewed permit application received from Witkowski Inspection Agency for R. Conrad for an accessory building. Ausloos inquired if application was received for Borcesenko for property on Hwy Q; per clerk, no permit issued.

**Liquor/Operator Licenses:** None.

**Recycling Center:** Fire Department will burn the brush pile on November 20<sup>th</sup> by the recycling center. Pete will need to move the pile of gravel that is in the path of where the snowplow driver pushes the snow.

### **Constable Report:**

- Ausloos and Mike Braun will remove the dead ash tree by town hall this winter.
- Stray dog was by Sexton and Holstein Road; it is now at the humane society.
- Delinquent dog licenses: Constable spoke with Ashley at the Sheboygan County DA's office. S. Lipps has a court date in January for her dog license nonpayment, and Borcesenko wants to meet with someone at the DA's office about his delinquent dog license.

### **Town Roads:**

- J. Maurer wants to fix potholes by his house on Grogan Road; per Willeford county highway department was going to patch the potholes.
- Willeford received letter from K. Clark stating Kornetzke Court will be privately plowed this year due to county plow turning around in her driveway. Willeford spoke with Wade at county highway department about this. Decided the county will only plow the road and then back out, no turning around in her driveway.
- Ford Road repairs are done.
- ATV ordinance is being worked on. Biggest expense will be signage for the roads.

### **Other Town Business:**

- Joint Powers Agreement: County 911 Emergency System service agreement for 2024 was reviewed and signed by Willeford. Clerk to email form to Sheboygan County Sheriff's Department.
- Sheboygan County Shared Revenue Program 2024 Intergovernmental Cooperative Agreement was reviewed and signed by Willeford and Clerk. Clerk will return form to Sheboygan County Finance Department.

**Adjourn:** Motion to adjourn made by Ausloos, seconded by Schmahl. Meeting adjourned 9:08 p.m.

Respectfully Submitted:

Lynette Mierzejewski

Town of Russell Clerk

## TOWN OF RUSSELL BOARD APPROVED MINUTES

Monday, December 4, 2023

Town of Russell Hall 7:00 p.m.

**Call to Order** at 7:02 p.m. by Chairman Willeford.

**Pledge of Allegiance** followed.

**Agenda Posted:** Yes.

### **Attendance:**

Board members present: Chairman Willeford, Supervisor Ausloos, Supervisor Schmahl.

Others present: Treasurer Cobble, Clerk Mierzejewski, Pete Geyer, Gary Kraus.

**Approval of Meeting Minutes:** Minutes from November were read. Schmahl motioned to approve the minutes as read. Ausloos seconded motion. Motion carried.

**Treasurer's Report:** Cobble presented November's report. Ausloos motioned to approve the treasurer's report as read. Schmahl seconded the motion. Motion carried.

**Monthly Bills:** Town Clerk presented the bills for December. Motion made by Schmahl to pay the bills as presented, seconded by Ausloos. Motion carried.

### **Town Members/Special Topics:**

- Town Hall Update: Committee gave update. Their job is to decide on floor plan, materials, etc. Kraus will speak with architect on their discussion.
- Tom Mueller dba Rustic Retreat Deer Park Cease/Desist/Zoning noncompliance: Willeford mentioned there was an article in the Plymouth Review last week about the deer park. December court date has been moved to February 2024.

### **Monthly Correspondence and/or email:**

- Permit request received from WE Energies to maintain or repair utilities within highway right of way on Ford and Sheboygan Roads. No permit is required from town for this. Clerk will respond to WE Energies.
- Information received from WI DNR about 2 properties entering the MFL program.
- Request received from Elkhart Lake School District for School District Administrator to attend February town meeting to discuss upcoming operational referendum. Clerk will reply that Dr. Englebretson will be put on the February agenda.
- Information received from Brett Becker, land surveyor, requesting a survey map for Winkel Highland Dairy be approved by the board. Clerk contacted zoning administrator, who had no issues with this, and board approved the survey map.
- Catalis is the new name for Grota Appraisals. Year end report received from Catalis which the board reviewed.

### **Building Permit:**

- Witkowski Inspection Agency sent building permit application for N. Brownson for an electrical upgrade. Board reviewed application.
- Constable Ausloos spoke with Brian Witkowski about two residents that have not obtained building permits, A. Boreesenko and E. Kurtz. Witkowski suggested Ausloos put the application on their door with note to complete. If no application received Witkowski will contact them.

**Liquor/Operator Licenses:** Operator license application received from Jovan's. Application reviewed. Ausloos motioned to approve the application, seconded by Schmahl; motion carried.

**Recycling Center:** St. Ann Fire Department burned the brush pile the end of November.

### **Constable Report:**

- Ausloos is working on the ATV ordinance. Biggest expense will be signage.
- Ausloos spoke with Ashley at the DA's office. Two residents with delinquent dog licenses have court dates scheduled in January. Ausloos reminded Ashley that the town's late payment penalty also needs to be paid.
- Complaint from resident on about neighbor's dog barking, and when he burns garbage, it stinks. Ausloos was informed neighbor is using a camper as a permanent residence. Town has no ordinance against using a camper as a residence. Discussion held. Clerk to contact county to get a fire sign for this resident.

### **Town Roads:**

- Discussed the plowing of snow the county did last year; on Hunter's Court, they need to lift the plow otherwise where road transitions from gravel back to blacktop the blacktop will get torn up which was chip sealed.
- WISLR forms were signed by Willeford and clerk; clerk will mail back to state.
- Potholes were fixed on Grogan Road
- Manure spill on Clark and Highview on November 15<sup>th</sup>.

**Other Town Business:** Next meeting will be Wednesday, January 3<sup>rd</sup>.

**Adjourn:** Motion to adjourn made by Schmahl, seconded by Ausloos. Meeting adjourned 8:45 p.m.

Respectfully Submitted:

Lynette Mierzejewski  
Town of Russell Clerk