

President Jim Schmidt called the regular Board Meeting to order at 7 p.m. on Tuesday, July 13, 2021. Roll Call – Loose, Schrubbe, Roehrig, Nolan, Keuler, Starfeld and Schmidt. Others present were Dennis DuPrey, Kim Plate, Ed Byrne, Zena Giese, Sue Pable (Clifton Larson Allen), Alice Connors (Calumet County Board Member) and Eric Volland (Calumet County Sheriff's Office).

Pledge of Allegiance – The pledge of allegiance was recited by everyone present.

Citizen Questions and Concerns to be acted on at the next Board Meeting – Zena Giese addressed the Board concerning the ordinance which states that no chickens are allowed within the Village limits. Schmidt explained to her that since it was not on the agenda this evening the topic could not be discussed. However, what can be done is a Police & License Committee can be set to address the issue. Giese stated that she would like to attend that meeting. Kieso will get her information so that she can be contacted to know when the meeting will be held. Giese also submitted a letter regarding her request.

Announcements – The Public Service Commission Public Hearing is Thursday, July 15, 2021 at 2 p.m. at the Hilbert Community Center. The Annual Cheesehead Run will be Saturday, August 14, 2021. The Voices of Peace Gospel will be held on Friday, August 20, 2021 and Saturday, August 21, 2021 at the Hilbert Civic Park.

Minutes – Action – to approve the Board Meeting minutes as presented – motion: Schrubbe; second: Roehrig; carried. The Fire Department minutes were presented to the Board – Action – to accept the Fire Department's minutes and place them on file – motion: Roehrig; second: Starfeld; carried. The First Responder were presented to the Board – Action – to accept the First Responder's minutes and place them on file – motion: Starfeld; second: Loose; carried.

Treasurer's Report for the Village of Hilbert - balances – (\$937,143.62) General fund; \$932,893.78 Sewer fund; \$202,799.01 Water fund; \$1.00 DOA Block Grant fund; \$287,260.09 TID #1 fund; \$1,114,504.14 T-Plus fund; \$36,492.85 First Responder fund; (\$241,602.78) TID #2 fund; \$655,023.69 Capital Improvements fund. DuPrey also stated that the first installment of the American Recovery Plan Act (ARPA) was also received in the amount of \$56,573.55 and the second installment will be in 2022. Action – to approve the treasurer's report as presented – motion: Schrubbe; second: Starfeld; carried. The Fire Department treasurer's report was presented to the Board. Action – to approve the Fire Department treasurer's reports as presented – motion: Starfeld; second: Roehrig; carried. There was no First Responder treasurer's report presented to the Board.

Claims – examined and discussed. Action – to pay all claims – motion: Starfeld; second: Keuler; carried.

Correspondence – The MEG Newsletter was presented to the Board for their information. There was no Boardman & Clark Newsletter presented to the Board. The Calumet County Focus on Calumet Newsletters were presented to the Board for their information. The Notice from Wisconsin Retirement System – 2022 Contribution Rate was presented to the Board for their information. DuPrey stated that the rate will be changing from 6.75% to 6.25% in January 2022; so, a slight drop.

Reports - The report of labor hours was presented to the Board for their information. The report on building permits was presented to the Board for their information. The Notice of 2021 Full Value Assessment for Manufacturing Property was presented to the Board for their information. DuPrey stated that there was an increase of \$1,065,400 from 2020. The Notice of receipt of the Quarterly Street Aid Payment in the amount of \$15,048.61 was presented to the Board for their information. The Condition of Budgets – All Funds was presented to the Board for their information. DuPrey asked if anyone had any questions. There were none. DuPrey informed the Board that the 2020 Annual PSC Report has been submitted. He explained that this is an annual report and he is the only clerk in the county that does it in office; all other municipalities hire it out. So, it saves the Village money; but he reminded them that he will not be here forever and eventually it may have to be outsourced. The Report of 2021 Annual Board of Review was presented to the Board for their information. DuPrey explained that the real estate without manufacturing was up 1.42%, the personal property without manufacturing was down -15.20% and the total real estate and personal property without manufacturing is up 1.35%. DuPrey stated that there is a push to get rid of the personal property tax on businesses all together.

Unfinished Business:

2021 Projects – nothing new.

Recycling/Rubbish – The report was presented to the Board for their information. DuPrey stated that he called and requested the report so he was finally able to get the current one. However, they did not send any reports from the previous months.

Police Protection for the Village – The report was presented to the Board for their information. Eric Volland from the Calumet County Sheriff's Office addressed the Board. He wanted to explain why the reports are different than the normal reports that we usually receive. He explained that at the last election Marcy's Law was passed. This law calls for a constitutional change for victim rights. No names, addresses, etc. of a person may be released unless permission is given by that person. In the past, the reports showed addresses and the nature of the offense; this can no longer happen. So instead, it will just show the basics. It will show the total number of incidents responded to and the category of each offense. No names, addresses or personal information will be included. He also explained he, along with a few other officers, are trying to make it where they appear at 3-4 Board meetings each year of the local municipalities that they cover. He wants Board members to have a face and name of someone in the department that they can discuss concerns with; they want to establish that relationship. He summed up by saying that DuPrey has his contact information and he encouraged anyone who needed to talk to him

to please contact him directly.

Fire Department – Chief Loose stated that there were 5 fire calls since the last meeting. Two of which were longer calls; one lasting 16 hours and another lasting 7 hours. He stated that Red Power Diesel was at the station and have serviced all the trucks for the year and the Board should be seeing that expense coming through soon. He said that the 4th of July went great. Huge crowd for the parade and the picnic and everything went smoothly.

TID District #2 – Action – to approve the Joint Review Board Committee minutes – motion: Schrubbe; second: Starfeld; carried. 2020 Annual Report of TID Districts – The audit on closing TID #1 is now complete; with a total of \$200,755 to be distributed to the various districts. TID #2 is showing an end of year balance of (\$239,901). It is, however, projected when completed to have a surplus of \$110,000.

Final Audit Report for TID #1 – Sue Pable representing Clifton Larson Allen addressed the Board. She informed the Board that an audit is mandatory when a TID is terminated. She stated that the \$113,600 that the Village will collect in 2021 from the 1-year extension of the TID must be used on housing programs. Keuler asked if there is a time restraint on that money and DuPrey stated that not necessarily. The \$200,755 surplus of the TID will be split in the following way: Village of Hilbert will receive \$60,226.50, the Hilbert School District will receive \$86,324.65, Calumet County will receive \$46,173.65 and Fox Valley Technical College will receive \$8,030.20. The allocation is based off of the 2019 tax roll.

Wastewater Treatment Plant – Plate informed the Board that the application for the new permit has been submitted.

Well #4 – Update on the Rate Case for the filter system project – DuPrey stated that the public hearing will be held on Thursday, July 15, 2021 at 2 p.m. at the Hilbert Community Center. He hasn't heard any public comments so far and the hearing should be pretty straight forward. Discussion and possible action regarding WDNR SDWLP Administration Proposal Contract

– This is in regards to the Safe Drinking Water Loan Program. DuPrey stated that this standard contract had to be signed and submitted by June 30th so that has been completed; but he still needs the Board to review and approve it. Action – to approve the WDNR SDWLP Administration Proposal Contract – motion: Schrubbe; second: Starfeld; carried. Discussion and possible action regarding the Construction Services Contract – DuPrey stated that this standard contract also had to be signed and submitted by June 30th. Action – to approve the Construction Services Contract as presented – motion: Schrubbe; second: Keuler; carried.

Village Meadow Subdivision – Mail Delivery – Plate stated that Robert E. Lee is currently working on it.

Subdivision Improvements – Plate stated that they are waiting on Jared for plans on the trail for final approval and pricing. He said the Public Works Department worked on clearing out some brush and the ditch for the trail system.

Phase II Development – nothing.

Fochs Trails Subdivision – Schmidt asked Plate if the curbing got completed? Plate stated he believed that they were working on it and it may be done. No other updates.

Purchase of the Bel Brands Property – Update on the project – DuPrey stated that fencing was going up around the building before the end of the week. The contracts all are signed. MRD Group checked out fine. The asbestos removal will begin in about a week or two. We need a meter with backflow protection for the project. The meter we have has no backflow protection and will not be used. Plate spoke to someone at Valders and they have one we can borrow, but they may need it back before the project here is completed; so that's not ideal. Schmidt said that Cedar Corp was checking to see if the cost of the meter needed could be tied back into the project and paid for that way. Estimated cost is \$1,400. Plate stated that he was already planning to add the meter to the budget for next year before this situation even arose. It would be good to have one on hand. They will wait to hear back from Cedar Corp and go from there.

Hilbert Housing Authority – Update on the progress of the sale of the property – nothing. Amendment to the Offer to Purchase to extend the deadline dates – DuPrey stated that himself and Schmidt reviewed the amendment and he signed it and sent it back. Action – to approve the Amendment to the Offer of Purchase to extend the deadline dates – motion: Schrubbe; second: Keuler; carried.

2020 Census – Kieso stated that she didn't have any updates. Alice Connors from the Calumet County Board said she actually had some news to share. She stated that as far as the census goes with redistricting of all the new districts that the deadline has actually been changed to December 1st. She stated that this will give them extra times because before the municipalities can do theirs, the County has to complete theirs first.

Discussion and possible action regarding possible zoning code violation – no updates.

COVID-19 – DuPrey stated that everything is going well in the office. There have been no issues. He stated that in Calumet County there has been 1 case all week. We will continue to watch the numbers especially since there were a few large events held.

Park Bathroom Project – Roehrig stated they had a committee meeting and have met with Jared from Robert E. Lee. Nolan stated it worked out nice because Mark Fochs was at the meeting and he could go over a few things regarding maintenance of the bathrooms with Jared. There is one more meeting that will be held with Jared. After that, Jared will send out for estimates so we know what we are looking at for cost. Roehrig stated that the \$400k (which is the amount that Keller Structures noted) seems very high. His guess is that it might come in closer to \$200k with the adjustments that the committee has made. Roehrig stated that he understands that projects for the streets are needs, and the projects for the park

are wants, but he wants to make the Board aware of options at the park and decisions can be made from there. Keuler stated that the park projects are important and residents seem very invested in having the new bathrooms at the park. DuPrey mentioned maybe going smaller with the bathrooms. For example, there are 3 huge events every year; maybe on those days have porta-potties brought in and have less stalls in the permanent bathrooms. Roehrig stated they did take the size into consideration and you'll be able to see that on the final design. It was decided that no decisions will be made until the estimates come in and the final plans are presented.

Lead Service Lines in the Village – Plate stated that about 50% of the homes have been physically inspected already for lead lines. The plan was to check them at meter change out time but he thinks now it may have to be sooner. He is considering sending out a letter to the residents whose homes still need to be checked and getting them done during the winter season. By 2024 the replacement of lead service lines has to begin and they want to be as ready as they can be.

New Business:

Application for Operator Licenses – Action – to approve the operator's license for Adam Eichmeier – motion: Starfeld; second: Roehrig; carried. Action – to approve the operator's license for Brittany Woodward – motion: Roehrig; second: Schrubbe; carried.

Application for a Class B Liquor & Beer License – Cusp of Life, LLC – Action – to approve the application for a Class B Liquor & Beer License for Cusp of Life, LLC – motion: Schrubbe; second: Loose; carried.

Classes/Seminars/Schooling for Employees – none.

Reports on schooling/training sessions – none.

2020 Audit Report – Sue Pable from Clifton Larson Allen addressed the Board. She reviewed with the Board what the Village's and the auditor's responsibilities were regarding the audit. She stated the auditors considered the audit to be of clear opinion. There is \$3.5 million tied up in capital assets. Since there were a lot of improvements regarding the Village Meadows Subdivision (which the Village had decided for the time being not to borrow money for) the general fund is lower compared to previous years. Right now, the Village is at about \$95k in the general fund. They like to see the general fund to be between 15% to 20% of our annual budget. Last year the Village was at over 50%. She recommends that we always be mindful of where that general fund is at because that is the money we can depend on in case of any catastrophic event or emergencies. The sewer fund is in excellent shape. The water fund had a negative change but she understands that we are in the process of a rate study; which will help with this fund. The only control deficiencies (which are the same every year and all small municipalities struggle with) are: The administering of duties. Since we have a combined clerk/treasurer/administrator this will always be an issue. The only recommendation is that the Board reviews all the finances carefully each month. The second issue refers to the auditors are not part of the internal control; the day-to-day operations.

Discussion and possible action regarding e-mail correspondence received regarding the ditch on Lynwood – Plate explained that he received two e-mails from the DNR. They stated that they had an anonymous complaint regarding that a resident has been dumping sod & soil on Village property into the creek by accessing the northside from Lynwood Dr. south of Fox Trail. That same person also had a complaint that bridges had been built across the creek in 1 or 2 places without permits; along with the old riprap project the Village did on the creek before 2018 which he claims they was no DNR permit for. The DNR rep then asked Plate to send some pictures to him regarding the issues. Plate stated that he doesn't think there is anything that the DNR will do, since there is nothing directly in the creek, but he's sure that they have to follow up due to the complaint. Schrubbe stated that he doesn't understand why this should be a problem. The resident is building up the area to take care of it by placing the sod there. Starfeld stated that the problem is that it isn't this person's right to do this; they do not own the property; the Village does. No other resident is allowed to do this so why should this person? It was also stated that grass clippings also were being piled there. Schrubbe stated he knew nothing about the grass clippings. Nolan asked Plate if he sees a problem with it? He stated he rather not comment but right now he would not consider it a problem...yet. But depending on high water it could be. Plate stated that he has never seen the person directly putting sod or grass clippings in the area but seeing the sod anyone can make a pretty good guess of whose it is; but he never directly saw him. He's not sure if the person who filed the complaint has or not. DuPrey stated that he doesn't want to get too involved in this because it is in regards to his neighborhood and his neighbors. But his house is located on the lowest section by the creek and if what is happening with the creek causes back-up down his way, he will definitely have an issue with the Village. Keuler questioned why with the Village? DuPrey stated because you are all aware of the situation and have been discussing it for months and still nothing is being done. You are not preventing a potential problem. He does not want the grass clippings in the creek. His home will see the most damage if it floods. Starfeld stated that he knows who filed the complaint and that person will start taking their grass clippings to that spot soon too instead of the compost site. It's closer to his house and why not if someone else can do it? Starfeld stated that when it comes down to it, whether the person thinks he is improving the site or not, it doesn't matter because it isn't his land to improve. He doesn't own it. Schrubbe responded, so if there's a piece of trash on the ground, but it's not my property, I shouldn't pick it up? He continued to say that he doesn't understand why we are trying to start a fight when the person is just trying to make the area nicer. What does it hurt if he's improving and maintaining the area? Starfeld stated that's why we have Gow to take care of the Village properties and keep them

cut; we don't need anyone else to do it. Keuler stated that area isn't being maintained by the Village. Plate stated that yes, it is. He just had Fochs there weed eating our side and Gow does clip there. He stated he's not going near the other side which we don't own. He said Gow has no problem taking care of any areas we ask him to. So, the Village maintaining it is not an issue. Roehrig stated that if he's putting grass clippings in there that's an automatic no; can't be done. Schrubbe stated how about we tell him no grass clippings but he can keep improving and maintaining the area? Starfeld responded that it's not his area to maintain. Schmidt asked Keuler if he was comfortable speaking to the resident again since he did on prior occurrences. Keuler said what am I suppose to tell him? Starfeld said that's easy; tell him not to put anything on or maintain any property that doesn't belong to him. Schrubbe disagreed with this. Keuler stated that he would stop by and have a discussion with him and update the Board from there. No action taken.

Park & Recreation Committee – Action – to approve the meeting minutes – motion: Loose; second: Keuler; carried. Committee recommendation regarding the removal of the tap cooler in the community center – Plate stated that he talked to Bruce Schroeder and Bruce stated that the tap cooler never gets used. Sometimes, people use it as an extra cooler to keep items in but with the two refrigerators it's really not needed. Plate isn't even sure if it's functional. It was discussed and decided to find out if it's functional and then to put it up for sale on the municipality buy/sell site. Action – to remove the tap cooler from the community center and if functional list it for sale – motion: Starfeld; second: Keuler. No further action needed. Committee recommendation regarding the disposal of miscellaneous items in the pavilion – Fochs showed the items to the committee members at the time of the committee meeting. Pictures were included in the Board packets. There are three long heavy wooden tables that are not used and also a cold food serving unit. Action – to remove the items and place them for sale on the municipality buy/sell site – motion: Schrubbe; second: Nolan; carried. No further action needed. Committee recommendation regarding painting of the pavilion in the park – Roehrig stated that painting the pavilion will buy us some time before having to side it. He's hoping the paint could last up to 5 years and then we could consider the steel siding. The steel siding came in at \$30k. Mark Fochs estimated the paint to cost around \$1k. The hope is to get the high schoolers to volunteer to paint it so they can put it towards their community service hours that are required. Plate said he spoke to Tony Sweere, the school administrator, and Tony said the sooner they could maybe get some kids to help would be fall; but there's no guarantee. Village employees would oversee the project. The paint would be gray to match the ballfield shed. Keuler stated that the pavilion structure itself seems to be in good shape. The roof is steel and Plate stated that there are a few minor leaks but the roof is still in good shape. There was continued discussion on if/when the pavilion gets resided if that was the best option to go with. Roehrig reminded the Board that does not have to be decided tonight. Tonight's decision is just about whether to paint it or not. It all depends on whether we can get volunteers. Roehrig stated that Fochs mentioned that he could come up with volunteers. Action – to paint the pavilion, not to exceed \$1k in material costs and only if all the labor for the project will be volunteered – motion: Starfeld; second: Roehrig; carried. No further action needed. Committee recommendation regarding the policy on the maximum size allowable for memorial stone tree plaques – Roehrig stated that they viewed the various tree plaques at the park. They found that the appropriate size would be 12"x14" should be the maximum size. They also felt that the plaques should be level with the ground to prevent tripping hazards and to make grass clipping easier. Action – to set the size of the memorial stone tree plaques not to exceed the size of 12"x14" and the plaques need to be level with the ground – motion: Starfeld; second: Loose; carried. No further action needed. Discussion and action regarding the replacement of one of the chest freezers in the park pavilion – Roehrig stated that this was not on the committee's agenda, however; it was discussed as a possible emergency purchase. The big pavilion has 2 chest freezers for renters. One of those stopped working. When people fill out the rental application they mark if they would like to use 1 or 2 chest freezers for their event. Plate mentioned if it was necessary to have two. It was discussed and it was decided for the larger events it is nice to have the option of the 2 chest freezers. Plate stated that Fochs got a verbal quote of \$764.00. It was questioned where the funds would come from? DuPrey stated from park maintenance. Action – to replace the broken chest freezer with a new freezer – motion: Schrubbe; second: Starfeld; carried. Plate then mentioned the tree behind the scout hall. It is decayed and may fall onto the neighboring property if not taken down. He said he got quoted \$850 from one landscape company and \$600 from Casey's Tree Service. That \$600 would include the removal of the stump; otherwise, the price would reduce to \$400. This is with our guys chipping and keeping the wood chips. DuPrey stated that no motion I needed since it would fall under the operational budget. The Board decided that Plate should go with Casey's Tree Service in the amount of \$600 to include the stump removal.

Discussion and possible action regarding Resolution 2021-06 Supporting the Amendment of the East Central Wisconsin Regional Planning Commission's Articles of Incorporation and By-Laws – Alice Conner, a representative from the Calumet County Board and the Regional Planning Committee addressed the Board to explain the amendment. She said they are looking to reduce the membership of the East Central WI Regional Planning Committee. It is just a restructuring and would not change their service at all. It would have no effects on the Village of Hilbert. It is just an internal restructuring. It is to make the Committee run more efficiently. The Village automatically belongs to this since the Calumet County pays the levy for all Villages, etc. to belong. We have used their service in the past regarding a

Park Plan. Action – to approve Resolution 2021-06 Supporting the Amendment of the East Central Wisconsin Regional Planning Commission's Articles of Incorporation and By-Laws – motion: Schrubbe; second: Nolan; Roll Call Vote – yes: Loose, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Schmidt; carried. Alice then also informed that the Open House for the Calumet County Jail will be on September 10, 2021 and invited everyone to attend.

Discussion and possible action regarding elevation issues within the Village Meadows Subdivision – The Board was provided with pictures from Ron Ott's backyard on Thorn Creek Drive. The water is not draining due to the elevation of the other undeveloped lots owned by the Village. With the last rainfall, all the grass seeds were washed away. The estimate to replant from Nett Landscaping is \$300. The southside of the subdivision dirt was removed which caused the flooding into Ott's yard. Plate will make a swale on the vacant lot that will run to the pond. Right now, it has to go uphill to make it to the swale. By correcting this it should make a difference regarding Ott's yard. DuPrey mentioned Poye Enterprises has piled up dirt on a vacant lot next to the property that they are constructing on. Plate explained that Poye is aware that it needs to be removed and he is waiting on the excavator company to come out and move it. The problem is that excavators are so busy right now it's hard to get them back out to the site. Plate stated until they come there's not much Poye can do about it. It was stated that Poye also has their sump pump running towards Kendall Thiel's spec house which is also being built. Plate said that Poye is aware that he has to correct this. Plate will check with him on the status of it being done. The main issue there is that the grade is off. Plate had our engineers come out to the site to measure the elevation and the numbers given to the builders were correct. It seems like it's more of a Kempen Excavating issue. Ott's lot is off by 15" too high. Poye's lot is also too high. DuPrey stated these things need to be corrected so it doesn't affect the other lots. Plate stated that once everything is completed and swales are put in where needed the waterflow will be corrected. DuPrey stated that Poye should have had to correct the issue right away when it was first mentioned. Keuler asked who is in charge of making sure the elevations are right? The building inspector? Starfeld stated that's what we pay him for right? Schrubbe suggested that we review the building inspector's contract to see what it says. DuPrey stated that he will find the contract and review it. Plate stated that he will also contact the building inspector to discuss the situation with him. Schmidt mentioned that maybe we make it mandatory that before anything is poured, that elevations need to be checked by a Village employee or our engineers. Plate stated that they are provided with the numbers and the excavation/builders should know what they need to be at. Starfeld stated that we might need to start babysitting more at the subdivision to make sure all specifications are being met. It was decided to confirm who is responsible regarding the elevation heights and to monitor the situation. Action – to approve to have the grass replanted on the areas effected by the drainage issue on Ron Ott's property with Nett Landscaping doing the work with the quote provided – motion: Starfeld; second: Roehrig; carried.

Discussion and possible action regarding the request for variance on the number of dogs per our ordinance – the request was submitted by Hunter Lauer who has purchased a home on 8th Street. She was unaware of the Village ordinance when she moved in with her 3 dogs. She said she completely understands that if something should happen to one of the dogs that she then would have to abide by the 2-dog limit per the ordinance. Variances have been made in the past for the same reason so the Board decided that this request should be approved. Action – to allow a variance on the number of dogs (3 instead of 2) with the understanding that if something happens to one of the dogs the resident then must adhere to the 2 dogs limit – motion: Keuler; second: Starfeld; carried.

Village Board Member Informational Report – Nothing to report.

Village Personnel Informational Report – Nothing to report.

President's Report – Nothing to report.

Adjournment – Action – to adjourn – motion: Schrubbe; second: Loose; carried. The meeting was adjourned at 9:07 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk Treasurer