

President Jim Schmidt called the regular Board Meeting to order at 7 p.m. on Tuesday, July 12, 2022. Roll Call – Loose, Schrubbe, Roehrig, Nolan, Keuler, Kloehn and Schmidt. Others present were Dennis DuPrey, Kim Plate, Mike Loose, Dan O'Connell (Cedar Corporation) and Troy Christnacht (NexGen). 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 – nothing.

Announcements – The Annual Board of Review Session will be July 18, 2022 beginning at 5:30 p.m. The Annual Cheesehead Run – Saturday, August 13, 2022. The Vic Ferrari Farewell Concert on Sunday, August 14, 2022 and the Voice of Peace Gospel Fest on Friday, August 19, 2022 and Saturday, August 20, 2022. DuPrey also reminded the Board members that the Board Meeting in August will be Monday, August 8, 2022 due to the election on August 9, 2022.

Minutes – Action – to approve the Board Meeting minutes as presented – motion: Schrubbe; second: Kloehn; carried. The Fire Department minutes from two meetings were presented to the Board. Chief Loose stated that there should be a correction. Within the minutes it refers to getting volunteers for the Cheese Derby; this should read getting volunteers for the Cheesehead Run. Action – to accept both of the Fire Department meetings minutes with the correction and place them on file – motion: Roehrig; second: Nolan; carried. There were no First Responder minutes presented to the Board.

Treasurer's Report for the Village of Hilbert – balances - \$357,128.80 General fund; \$1,044,484.41 Sewer fund; \$260,871.43 Water fund; \$1.00 DOA Block Grant fund; \$1,118,443.34 T-Plus fund; \$48,582.62 First Responder fund; (\$418,871.39) TID #2 fund; \$686,738.35 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Schrubbe; second: Keuler; carried. The Fire Department treasurer's report was presented to the Board. Action – to accept the Fire Department treasurer's report as presented – motion: Roehrig; second: Nolan; carried. There was no First Responder treasurer's report presented to the Board.

Claims – examined and discussed. Keuler questioned why there were claims for items for bids that haven't been award yet? Plate stated that the engineers stated that we would be better off ordering them and having them here prior to the project starting. Otherwise, they may not be available when we need them. He stated that it is part of the bid and we are basically just warehousing the items. DuPrey stated that there was an invoice that was received; does this mean he shouldn't pay it? Plate stated that he was surprised that an invoice came and he will talk to the engineers on how to handle that but for now do not pay it. Schmidt questioned what the Gruett's bill was about regarding the new tractor? Plate stated that there was an incident with the new tractor and that bill was for glass replacement and a seal. He is also getting an estimate to have the damage on the cab repaired. He stated that he discussed filing an insurance claim with DuPrey once he receives the estimate. Schmidt asked if an incident report was filed? Plate stated that DuPrey was on vacation and he didn't mention the damage on the tractor until DuPrey was back. He stated that he didn't even know that there was an incident form that would need to be filed. DuPrey stated that there is and that they will have to get one completed. Action – to pay all claims presented excluding the one from Ferguson for the project parts – motion: Schrubbe; second: Nolan; carried.

Correspondence – There was no MEG Newsletter presented to the Board. 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 – 2023 Contribution Rates were presented to the Board for their information. DuPrey explained that the employees' rates will be increased from the current rate; which is 6.5%; to the new rate of 6.8% in January 2023. Information from East Central Regional Planning Commission regarding potential assistance available was presented to the Board for their information. DuPrey explained that this is a one-day workshop funded by the US Economic Development Association. It is designed to help build a strong, thriving and sustainable communities and businesses. The workshop is August 1st. Schrubbe thought if someone would be able to go that it may be beneficial. DuPrey stated that there is an application that must be filled out if anyone is interested in attending. Schmidt inquired if anyone would be available to go? No one was available to attend.

Reports - The report of labor hours was presented to the Board for their information. Schmidt stated that he wanted the Board to know that he is aware of the extra over-time hours. This is due to the fact of being one employee short and Mark's over-time was high due to working two weekends back-to-back. Schmidt questioned Kenny's over-time? Plate stated that Kenny thought since he didn't get paid for the holiday that it would be ok to just carry those hours over until the next week. He didn't know. Schmidt stated that if Kenny is ever behind though we need to let Betty know so she can help out with the mowing so Kenny's not getting over-time. Plate stated that Kenny's not behind at all and it won't be an issue in the future. The monthly report on building permits was presented to the Board for their information. Schrubbe questioned, if the house that is being remodeled on Cedar Street, if they plan on closing off the curb they cut out? Nolan stated that she believes Charlie Fochs stated that they are only going to keep the driveway to the east open and the old one will be closed off. DuPrey stated he thinks this is correct since they are adding an attached garage and will use that as the new entrance. The notice of the 2022 Full Value Assessment for Manufacturing Property was presented to the Board for their information. DuPrey stated this is the full equalized value for manufacturing property only. Overall, we have \$1.6 million increase in equalized value. Where it comes into play is that once we get the assessment ratio, all these values that are at the full market value, will get adjusted down or up or will

stay the same depending what the assessment ratio is. Last year our assessment ratio was at .8181 so overall equalized value was at \$23 million so it gets adjusted down for assessment value to around \$14 million. So, with this market evaluation that we are doing, we get closer to that 100%. We will gain on the manufacturing side also for assessed value.

Unfinished Business –

2021 Projects – nothing new. Change Orders – none. Payment Requests – none.

2022 Projects – Discussion and possible action regarding bid results – DuPrey explained that there was a total of 4 contractors who put in bids. First, we need to go over each project to see where everything came in. He then gave an overview of each project. For the 1st Street Project, the bid was over-budget by \$2,690.66. For the 2nd Street Project, the bid came in under-budget by (\$10,558.17). For the 3rd Street Project, the bid came in over-budget by \$226,246.09. For the Chestnut Street Waterline Project, the bid was over-budget by \$33,517.24. For the 9th Street Sewer Project, the bid was under-budget by (\$56,869.51). For the LSL Project the bid came in under-budget by (\$52,617.20). DuPrey then broke it down by parts and alternates. These were not budgeted so there will be no over and under amounts; just the bids. Part F was in regards to Thorn Creek and Apple Blossom Drive pave and curb and gutter. The amount was \$359,513.30. DuPrey explained that there is an issue with this project. The special assessment procedure did not happen. It went out for bid before the special assessment letters were sent to the residents of that area and before a public meeting was held. This is against statute and because of this, the special assessments would not be able to be charged to the homeowners. The only way this project would go through is if the Village paid the entire cost of the curb and gutter. Which all the Board members agreed would not be fair to those residents in the other areas in the Village that have been special assessed for curb & gutter over the years. Schrubbe asked how this got missed and should he have done something different or done something to start the special assessments? DuPrey informed Schrubbe and the Board that he had handed out a sheet regarding the special assessment steps that had to be followed at both the Committee & Board meetings regarding this. DuPrey stated that it was an oversight from everyone involved. He had requested that plans for the project and the estimate for cost per foot to be able to provide the estimate to the residents. He never received this. Roehrig asked what do we do next? DuPrey stated that the entire process would need to restart. The letters to the residents regarding the special assessment, the meeting, then the bid would have to go out again. We are looking at months. It was decided that this is what would need to be done. They would start from the beginning. Part G was in regards to the sewer mains on 9th/Milwaukee and Greve Ct and 6th/Cedar St. in the amount of \$39,600. Part G (alternate 1) was in regards to a lateral for 124 S. 9th St. DuPrey explained that the bid was not done correctly and therefore, no decision can be made on this yet. Plate stated that it involves private property and the cost would be to the resident and very little to the Village. This project was included in the bid to be able to give the resident an estimate on what the cost would be. Part H was in regards to curb stops, patching and various repairs in the amount of \$26,500. Part H (alternate 2) was in regards to the paving trail in the amount of \$26,280. DuPrey stated that there were plans made ahead of time for 1st and 2nd St.; which is probably why they came in right around where expected. He is suggesting that they should go ahead with 1st and 2nd Street Projects, Sewer Mains on 9th/Milwaukee St., Greve Ct. and 6th/Cedar St. Plate stated that he thinks that 3rd St. should be the priority; before 9th St. and Chestnut St. and even before 1st and 2nd St. He asked if that was a possibility? DuPrey stated that he'd have to do a breakdown to see how much is coming from which accounts. The money from the sewer must go with sewer and the money from water must to water and the same with storm sewer. He doesn't know if there's enough of each to move around to cover 3rd St. Plate stated that we should see because those residents on 3rd have been waiting for years for this project and it really needs to be done if at all possible since it deals with infrastructure. It was decided that DuPrey and Plate would get together and see how everything breaks down and see what projects could and could not be done according to the funds. The decision was to table the awarding of the bids until that information is gathered and presented at a Special Board Meeting. No action taken. Recommendation letter from the engineering firm – This will also be tabled until a decision has been made regarding the projects.

Recycling/Rubbish – The monthly report was presented to the Board for their information.

Police Protection for the Village – none.

Fire Department – Chief Loose stated that there were 3 fire calls since the last Board Meeting. He informed everyone that the 4th of July events went great; including the 50/50. He stated that they are now looking for volunteers to help out with the Cheesehead Run. They are also working on the plans for August 14th at the park when Vic Ferrari will be performing. August 1st will be a Night Out for the County @ the Sheriff's Office from 5 p.m. – 8 p.m. The public can come and have a chance to talk to the local police officers, swat teams and firemen. There will also be a meeting regarding the regionalization of ambulance service in Calumet County on August 17th at 4 p.m. at the Brillion City Center; Chief Loose plans on attending this event. Discussion and possible action regarding the request to change the locks on the Fire Station Building – It was stated that there have been some issues with the current locks. With these locks you must enter in the code and turn the knob to get the door to open. One of the locks didn't seem to want to operate so it was switched with the lock that goes on the door between the Community Center and Fire Department for now. Schrubbe stated that there is concern with this since that means when the Community Center is rented; the public could access the Fire Department. Not saying anyone would do that; but the opportunity is there. Loose stated that he didn't think this will be a problem and

that he'd rather see the current locks fixed then going with new electronic locks. He's concerned about the batteries getting low, etc. Schrubbe stated that a Knox box could be put in, just like the local businesses have, to have emergency access to the Fire Department Building key if this would occur. The electronic locks which they were looking at are estimated to be around \$174 each. Keuler stated that he thinks that is for a residential electronic lock and not one for a commercial building. Loose stated he would like this to be discussed among the department to decide which is the correct way to go regarding the locks. Nolan and Keuler agreed that the firemen should discuss it first. This will be tabled until after that discussion. No action taken.

TID District(s) – Action – to approve the Joint Review Board Committee meeting minutes as presented – motion: Schrubbe; second: Roehrig; carried. Action – to approve the TIF Committee meeting minutes as presented – motion: Roehrig; second: Schrubbe; carried. Discussion and possible action regarding TIF assistance for Nick & Vicki Mirsberger, LLC project for a new building – DuPrey explained that 2022 is the last year that TID #2 can expend funds. This project would be a Developer's Assistance Grant in the amount \$65,800 for a new 75'x100' building that would be placed on the lot just north of the Sales & Service building. It would be used for warehousing and would also have loading docks. This will help so the semis, when they unload product, will no longer block the road any amount of time. Mirsberger also has been experiencing theft of raw products and trailers so having the warehouse will help with this issue. DuPrey explained that the agreement is modeled after previous agreements that the Village has had with Mirsberger. The building would have to have a minimum assessed value of \$870k and will need to generate \$14,557.83 of annual increment tax dollars. If that amount is not generated, then Mirsberger would be required to make up the shortfall. DuPrey stated that with all of the previous agreements the investment was paid back earlier. There are currently no outstanding obligations from Mirsberger. Action – to approve the committee's recommendation regarding the Development Agreement with Nick & Vicki Mirsberger as presented in the amount of \$65,800 for the project – motion: Schrubbe; second: Kloehn; carried. Discussion and possible action regarding TIF assistance for Nick & Vicki Mirsberger, LLC project for an office addition – DuPrey explained that the 16'x60' addition would be on the Sales & Service building. The project would be completed in 2023. The addition would have to have a minimum assessed value of \$57,600 and will need to generate \$955.28 of annual increment tax dollars. If that amount is not generated, then Mirsberger would be required to make up the shortfall. Action – to approve the committee's recommendation regarding the Development Agreement with Nick & Vicki Mirsberger as presented in the amount of \$3,600 for the addition – motion: Schrubbe; second: Loose; carried. This would make the total of both agreements to \$69,400. Discussion and possible action regarding TIF assistance to CJF Estates, LLC project for a new home on Lot 30 – DuPrey explained to the Board that the minimum assessed value would need to be \$300k and the annual tax increment that will need to be received is \$4,988.11. If that amount is not generated, then Fochs would be required to make up the shortfall. DuPrey stated that the Developer Assistance Grant would be a reimbursement of previously paid special assessments. Action – to approve the committee's recommendation regarding the Development Agreement with CJF Estates, LLC project for a new home on Lot 30 as presented in the amount of \$25,800 for the project – motion: Schrubbe; second: Loose; carried. Discussion and possible action regarding TIF assistance to CJF Estates, LLC project for new homes on Lots 34 & 38 – DuPrey explained to the Board that the minimum assessed value would need to be \$300k for each home; a total of \$600k. The annual tax increment that will need to be generated is \$10,009.71. If that amount is not generated, then Fochs would be required to make up the shortfall. DuPrey stated that the Developer Assistance Grant would be a reimbursement of previously paid special assessments. Action – to approve the committee's recommendation regarding the Development Agreement with CJF Estates, LLC project for two additional news homes constructed on Lots 34 and 38 as presented in the amount of \$44k – motion: Schrubbe; second: Kloehn; carried. This would make the total of both agreements to \$69,800.

Wastewater Treatment Plant – Schmidt asked Plate how the outsourcing of the testing was going? Plate said it's been about 3 weeks and has been going great. Keuler asked if the documentation was working? Plate stated they get a notice to go on the portal when the information is ready to be reviewed. Keuler also questioned on whether the other municipalities testing is also being run this way? Plate stated that they are. Schmidt stated that the new hire does not have a start date yet because they are waiting to get the lab test and physical results back.

Well #4 – Update on Project – nothing new.

Village Meadows Subdivision –

Mail Delivery – Plate stated that the mail boxes are in and the keys are going to be picked up by the post office. Subdivision Improvements – none. Phase II Development – Plate stated that there is excess fill that he had to move around on the lots. He knows that this was addressed at a prior Board meeting and the decision was to charge \$2 per yard for the fill. The problem is that there are people willing to take the fill but no one wants to have to pay for it. Plate is running out of places to put it and it's taking a lot of time to continually having to move it. It was decided that this would be on the agenda for the Special Board Meeting. Change Orders – none. Payment Requests – none. Sale of Strip of land to the Owners of Lot #13 to square the property to the owners west of the lot – DuPrey stated that the paperwork is all set to go and signatures are still needed to complete the transaction which will be completed soon. Discussion and possible action regarding the proposals for the listing contract for selling lots – DuPrey stated that he received two proposals out of the four requests he sent. The two received were from Kendall Thiel of

Thiel Realty (which was the realtor for Phase I) and also from Keith Krepline of Coldwell Bankers. DuPrey explained both proposals to the Board. Kendall Thiel is at 5% commission with no additional administration fees at closing. Keith Krepline is at 4% commission. Thiel also included in the proposal that he would purchase a lot for a spec home within 6 months at the full asking lot price. Keuler stated that he was surprised when he heard that Krepline actually sold 7 out of the 14 lots. Schrubbe stated that as far as the commission percentage differences, we'd only be looking at approximately \$200 per lot. It was stated that Thiel did a great job with everything on the first Phase; but it may be good to give Krepline a chance to see how he does. There will be another phase and by going with two different realtors for the first two phases; it may make the decision of who to go with easier for that third phase. Discussion continued and Roehrig recommended that we should try Krepline and see how it goes. Action – to hire Keith Krepline of Coldwell Bankers, to be the realtor for Phase II of Village Meadows Subdivision -motion: Schrubbe; second: Roehrig; carried.

Fochs Trails Subdivision – nothing new.

Former Bel Brands Property – Update on the Project – The grass is now complete. The project is wrapped up. Plate checked the work and stated that it's bumpy and Kenny had to remove quite a few rocks but that it is acceptable. The fence is coming down this Thursday. Schrubbe questioned if there was anything that was going to be done since the date of the deadline was passed. They were supposed to be completed by January. Dan O'Connell from Cedar Corporation stated that is true but to remember that we knew that the completion date would not be met. Keuler questioned whether there would be any penalty? Dan stated that technically we could charge a penalty of \$1k per day; but that is not advisable because word travels fast and it might affect other biddings, etc. in the future; not really the perception you want to give. Also, the project was considered substantially complete. The issue was considered a punch list item that needed to be completed before the final completion; which now has been done. It was also stated that we cannot move on until the project is closed out. The five-years regarding development does not start until then. The Board agreed with the information provided by Dan and decided it was time to move on with getting everything closed out. Payment Requests – Final payment request #4 to MRD Group, Inc. in the amount of \$35,205. Action – to approve the final payment request #4 in the amount of \$35,205 and the outstanding bills to Cedar Corporation and also to submit the final draw request to close out the grant – motion: Keuler; second: Roehrig; carried. Change Orders – none.

Lead Service Lines in the Village – Discussion and possible action regarding engineering contract – Plate informed the board that Robert E. Lee has completed the design and the bidding for the project. The estimated cost is \$7k. However, additional services for funding assistance and construction administration will be billed as it is incurred. Keuler questioned what does this mean? That we have an open-ended amount? He would like a ballpark figure to what to expect with the incurring costs. So, we can at least have a not to exceed amount. DuPrey will talk to the engineer and see if he can get more precise information regarding the total cost. This will be tabled until the next meeting. No action taken.

Discussion and possible action regarding bid results – This will be tabled. No action taken.

Issues with the rip rap stone on the drainage ditch at the end of Creek St. – Plate stated that they just need to get the working easement written up and signed by Kevin and Laurie Plate to begin the project.

Installation drain tile on Cedar Street as requested by the property owner – Action – to approve the Joint Water & Sewer and the Street Committee minutes as presented – motion: Keuler; second: Roehrig; carried. It was stated that there is a possibility that there already is a catch basin there. However, Plate stated that there is nothing feeding the catch basin. The committee is recommending to get engineering to repair it. Keuler stated that the first thing we need is permission from the property owners to access the properties. Then, do the engineering. Why do the engineering first, if we aren't able to access the area? DuPrey stated that he would talk to the property owners regarding getting easements. This will be tabled until that is done. No action taken. Discussion and possible action regarding engineering proposals – This pertains to the drain tile on Cedar Street. Robert E. Lee gave a cost of \$2,600; while McMahon Engineering is at \$4,500. Plate stated that Robert E. Lee has all information already for the Village so that probably helped price wise also. Action – to hire Robert E. Lee at the cost of \$2,600 for the project – motion: Schrubbe; second: Nolan; carried. Discussion and possible action regarding proceeding with the project – Keuler questioned that if we put that drain tile in do people have to hook up their sump pumps to that? DuPrey stated that according to the ordinance that yes, they would have to connect. This would be at the owner's expense. Schmidt stated that the property owners should be notified so that they know this. DuPrey will send out letters to those residents to inform them. This will be tabled until the next meeting. No action taken.

Clerk's Office Door Replacement – No update.

Discussion and possible action regarding seeking proposals for providing backup services for daily Village operations due to a deemed emergency – no updates. Keuler will follow-up.

Discussion and possible action regarding seeking proposals and contracts for engineering services for projects prior to proceeding with the projects – Schmidt stated that we did this for the Cedar Street project with Robert E. Lee and McMahon Engineering. Plate stated that this has added months onto the project. Keuler stated that if we can always get Robert E. Lee a scope of the work prior to the work getting done this would help a lot to get more of an exact price for engineering and total cost. The Board agreed. No action taken.

2023 Budget – Schmidt reminded the Board again the importance of getting plans done ahead of time

prior to budget time.

Discussion and possible action regarding the request to have the Village pay for costs to fumigate the building located at 135 S. 3rd St. – This topic was discussed at the last meeting and the request was denied by the Board. However, this time, one of the owners, Troy Christnacht of NexGen addressed the Board. Troy explained that the only contingency on the property regarded the removal of the bed bugs. The Village did receive the all-clear from Wil-Kill; however, there were more dead bugs and eggs that were found during the remodel. He stated that he means no disrespect to the Village or the management but the building was in a disgusting state. In fact, much worse than they realized. In order to get it into shape to be considered for assisted living; the State is requiring one final recommendation showing that another fumigation has been done. Troy stated that they went forward with it because he knew that was the correct thing to do. The baseboards were removed and those areas were all sprayed. Troy informed the Board that they are trying to do things correctly and are looking to invest into not only the building but the community as well. Keuler asked if they would be willing to split it? Troy stated that he feels like it's a continuation of the contingency and to him, now, it's the principle of the matter. He feels the Village should pay the entire cost of \$950. He stated that when he spoke to Schmidt that it sounded like it was going to be taken care of. Schmidt pointed out that never once did he state the Board would agree to pay the invoice; only that the subject would need to be taken to the Board and that he would have it on the agenda. Schrubbe questioned what happens in two weeks if the bed bugs come back? Troy stated then NexGen would be responsible for the fumigation. This is the last request that he will make to the Village. Roehrig stated that it would help to have the closing paperwork so they could review exactly how the contingency was worded. That was his concern; but he thanked Troy for investing in Hilbert. Schmidt stated that if the Board decides to pay this, then this would be the final payment towards the fumigation. He stated that by paying this last invoice, it would show appreciation to NexGen for investing in our community now and hopefully in the future. Action – to approve this last payment for fumigation at 135 S. 3rd St., with the understanding that any further expense will be the responsibility of NexGen and this would remove all liability from the Village regarding this matter – motion: Schrubbe; second: Schrubbe; carried.

Discussion and possible action regarding a policy for not allowing any approvals without full board review and approval – Schmidt stated that this is in regards to the big deal concerning the issue with Plate's schooling. Keuler stated that he didn't think it was a big deal at all; he just questioned how it was handled and why it wasn't addressed at the Board meeting that month. Plate stated that he was not aware of the class being offered at that point. Schmidt stated well there was a concern so we need to address it. It was discussed and decided that the policy should be that anything over \$5k needs full Board approval. DuPrey recommended not approving this until the next meeting so he can present a written policy regarding this. The Board agreed. No action taken.

New Business:

Application for Operator's license – none. Application for Class B License – La Familia Mexican Grill & Bar, LLC – Action – to approve the Class B License to La Familia Mexican Grill & Bar, LLC as requested – motion: Schrubbe; second: Kloehn; carried.

Classes/Seminars/Schooling for Employees – none. Reports on schooling/training sessions – none.

Discussion and possible action regarding contract with Eastshore Humane Association and the request for donation – DuPrey stated that this is the same contract that we sign every year. We usually donate the revenue that was taken in from the dog licenses. That amount would be \$441.49. Eastshore would then take any cats or dogs that are stray/lost from May 1st through April 30th. Action – to approve the contract with Eastshore Humane Association and a donation in the amount of \$441.49 – motion: Roehrig; second: Loose; carried.

Discussion and possible action regarding permission to seek out donations for the park bathrooms from businesses and service organizations – Schmidt stated that he, Loose and DuPrey met with Sargento Foods, Inc. regarding a donation towards the park bathrooms. Sargento stated that they would like to see what other donations come in and see what the shortfall would be. Paul Gehl brought an engineer out to get a second proposal. We have one proposal already from Keller Structures. The Board agreed that it was a good idea to seek out donations for the park bathrooms. No action needed. Schrubbe then mentioned the water bubbler at the park. He said it's really quite disgusting and he heard many comments from people over the 4th of July weekend about it. Can it be removed? Plate stated that it could and he will remove it.

Discussion and action regarding request to hold a farmer's market at the Local Lounge – The Local Lounge is requesting to hold a farmer's market on Saturday, July 30th and Saturday, August 27th from 9 a.m. to 12 p.m. They would like to barricade the parking spaces outside of their building on both 3rd St. and Main St. The entire street would not be blocked. There would be local vendors, crafters, food, etc. DuPrey stated that he would contact them to see if they need any barricades. Plate stated that he would drop them off if they do. Action – to approve the request from the Local Lounge regarding holding a farmer's market as presented with the condition that the streets aren't blocked off entirely – motion: Roehrig; second: Loose; carried.

2021 Audit Report – The auditors had to reschedule and will appear at next month's Board meeting.

Regionalization of Ambulance Service in Calumet County – Letter regarding upcoming meeting – The City of Brillion's Protection of Persons and Property Committee is hosting a meeting on Wednesday,

August 17, 2022 at 4 p.m. in the City Center in Brillion. The discussion will be about how to improve the delivery of emergency medical services, including ambulance service, within the area. Loose stated that she would attend to represent the Village.

Discussion and possible action regarding Resolution 2022-08 Establishing Polling Place for August 9, 2022 Election – The resolution states that the polling place for Ward #1 and #2 shall be combined and located at the Village Hall located at 26 N. 6th St. Action – to approve Resolution 2022-08 Establishing Polling Place for August 9, 2022 Election as presented – motion: Schrubbe; second: Loose; Roll Call Vote – yes: Loose, Roehrig, Nolan, Keuler, Kloehn, Schmidt; carried.

Village Board Member Informational Report – Schrubbe mentioned that he thought that the Village should send a get-well card to Ed Byrne (Brillion News). DuPrey will take care of this. Schrubbe also asked Plate about the viny lettering for the new truck. Plate stated that it's still on his list to get done and he wants to coordinate it with another sign he needs for the compost site.

Village Personnel Information Report – nothing.

President's Report –nothing.

The Village Board then convened into closed session under S.19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investing of funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Action – to convene into closed session – motion: Schrubbe; second: Roehrig; Roll Call Vote – yes: Loose, Roehrig, Nolan, Keuler, Kloehn, Schmidt; carried.

The Board then reconvened back into open session. Action – to reconvene back into open session – motion: Schrubbe; second: Loose; Roll Call Vote – yes: Loose, Schrubbe, Roehrig, Nolan, Keuler, Kloehn, Schmidt; carried.

There was no action taken from closed session.

Adjournment – Action – to adjourn – motion: Keuler; second: Nolan; carried. The meeting was adjourned at 9:40 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk Treasurer

The Annual Board of Review was called to order at 5:30 p.m. on Monday, July 18, 2022 by Tom Roehrig. Roll Call – Members present were Tom Roehrig, Jim Schrubbe, Anita Loose, Jim Schmidt and Dennis DuPrey. Also present were Zack Zacharias from Action Appraisers and Consultants, Jason O'Leary, Gary and Lo Ann Boesch and Randy Boesch.

The board first elected a chairperson. Action – to appoint Tom Roehrig as the chairperson of the Annual Board of Review hearing – motion: Jim Schrubbe; second: Jim Schmidt; carried.

The board reviewed the duties of all members and the chairperson and the procedures that have to be followed. It was noted for the record that Dennis DuPrey has completed the required training for this year.

The first case was Jason O'Leary at 1 W. Cedar St. DuPrey swore in both Mr. O'Leary and Zack Zacharias, Assessor for the hearing. Chairperson Roehrig read the guidelines that the board must follow when hearing the case. The subject property was assessed at \$473,000. Mr. O'Leary stated that for the record his estimate of the value of the property is \$440,000. O'Leary presented 9 comparable properties but most were outside the village. It was noted that there were not many comparable properties since this property is very unique that it has additional garage/storage areas that other properties do not have. O'Leary testified that they have not done any improvements over the 20 years that the house has been there. The assessor then presented his information. He compared 4 different properties that were sold recently in the area. He stated that when the property at 212 N. Lynwood is adjusted to match the subject property, the assessed value comes in at \$459,600. The board then discussed the testimony. There was some discussion regarding the property at 113 E. Main St. since that had a separate shed and was all brick. The board asked the assessor to go through a quick assessment adjusted to the subject property. With the adjustments to the subject property, the value would be \$425,000. The property located at 212 Lynwood Dr. would be \$459,600. The board felt that when comparing the subject property to the property at 113 E. Main St. they felt that the assessed value should be more in line with that property because they do have a similar garage area. Action – to adjust the assessed value for the property located at 1 W. Cedar St. from \$473,000 to \$440,000 – motion: Jim Schrubbe; second: Anita Loose, Roll Call Vote – yes: Tom Roehrig, Jim Schrubbe, Anita Loos, Jim Schmidt, Dennis DuPrey, carried.

The next case before the board was Gary & Lo Ann Boesch, residing at 258 N. 3rd St. who are contesting their assessed value. The current assessed value is \$207,900. Mr. & Mrs. Boesch were sworn in along with the assessor, Zack Zacharias. Chairperson Roehrig then read the guidelines that the board must follow when hearing the case. Mr. Boesch stated for the record that his estimated value of the property would be \$199,000. Gary Boesch presented two comparable properties and their assessed values. He stated that the property at 134 N. 2nd St. is a larger house with a larger lot. It is assessed at 183,800. He stated that the other property was located at 115 S. 10th and is assessed at 179,800 but just recently sold for \$199,000. He stated that his house is 20 years old and small. He stated that his house is newer but it is smaller and only has 2 bedrooms when most want 3 bedrooms. The assessor then presented information. He presented 3 comparable properties. For 128 N. 3rd St., this property sold for \$145,000 and when adjusted to the subject property it comes in at 206,800. The next one used was 823 W. Calumet St. which sold for \$150,000 and when adjusted to the subject property comes in at \$210,000. The last one used was 311 N. 3rd St. which sold for \$181,000 and when adjusted to the subject property it comes in at \$209,400. The average for the 3 properties is \$208,700. Zack Zacharias stated that he does not put a lot of weight on bedrooms when assessing properties but he knows that it does make a difference at the sale of the property. The board then discussed the testimony. The board looked at 2 subject properties, 115 S. 10th St. and 134 N. 2nd St. When the property located at 115 S. 10th St. is compared to the subject property, there is a reduction of \$17,800. The board felt that applying this to the value, would more accurately reflect the value of the subject property. Action – to adjust the assessed value of the property located at 258 N. 3rd St. from \$207,900 to \$199,000 – motion: Jim Schrubbe; second: Jim Schmidt; Roll Call Vote – yes: Tom Roehrig, Jim Schrubbe, Anita Loose, Jim Schmidt, Dennis DuPrey; carried.

The 3rd case was Randy and Kathy Boesch, residing at 251 N. 2nd St. with the subject property located at 328 N. 3rd St. The current assessed value is \$83,500. Chairperson Roehrig then read the guidelines that the board must follow when hearing the case. The property owner stated that he felt that the value should be set at \$67,800. Randy Boesch was sworn in along with Zack Zacharias, Assessor. Randy Boesch did not present comparable properties. He has 3 different classes of land, Commercial, Ag and Undeveloped. Randy Boesch questioned why his assessment for the Commercial class went up by 102% but other land in the area did not go up by that much. The assessor then presented 4 separate comparable sales of commercial property. They were 83 S. 8th St. which sold in 2020 for \$125,000, 434 N. 3rd St. which was part of an overall sale of \$1,675,000, 7 S. 6th St. for \$205,000 and 30 S. 6th St. sold for \$60,000. The assessor stated that he felt that the Commercial classification was previously too low so that is why it was adjusted so much. He did state that there have only been 6 commercial property sales within the last 4 or 5 years. The board then discussed the testimony. They asked for % of increases for land values for several commercial properties in different areas of the village. The properties were 352 N. 3rd St., 1.34 acres, \$39,300, 25% increase; 415 N. 3rd St., 2.66 acres, \$49,100, 25% increase, 434 N. 3rd St., 1.7 acres, 43,200, 25% increase; 328 N. 3rd St. (subject property), 1.61 acres, \$34,200 112% increase and 408 N. 8th St., 1.5 acres, \$48,100, 25% increase. The board felt that there was a large discrepancy between the % increase for the subject property compared to the other similar properties and felt that the value should be closer to the average increase % as other properties in the area. The other two classes would remain the same values. Action – to change the assessment of the subject property from 83,500 to \$69,400 which adjusts the commercial class of land value to a similar % increase of 25% as other properties in the area – motion: Jim Schrubbe; second: Anita Loose; carried.

The board then discussed other properties along Hwy 57/32 that have been claimed as Ag but in the past year, nothing had been harvested. The one area north of Main St. was cut but it was never harvested. The former elementary school property was not cut at all in 2021. Information was presented to the board on the proper procedure that must be followed in order to change the assessment without a filed objection. The assessor stated that he met with the property owner at Open Book and he stated that he had an individual that could attest that he farmed all of the properties. Because of this and because his records were not clear cut to dispute the claim, he made a decision to reclassify it back to Ag from Commercial/Residential. The board stated that this was not true and none of it was harvested. The decision that needs to be made by the board is that if they are going to pursue this, they will have to adjourn this meeting to a later date. Action – to hold a 2nd meeting regarding Parcel #'s 12820, 12821, 12822, 12823, 12936 and 12819 – motion: Anita Loose; second: Jim Schrubbe; carried.

Action – to adjourn the Annual Board Review Hearing to August 29, 2022 at 5:30 p.m. – motion: Jim Schmidt; second: Anita Loose; carried. The meeting was adjourned at 7:30 p.m.

Dennis DuPrey

Dennis DuPrey, Administrator Clerk Treasurer

President Jim Schmidt called the special Board Meeting to order at 6 p.m. on Thursday, July 28, 2022.

Roll Call – Loose, Schrubbe, Roehrig, Nolan, Keuler and Schmidt. Others present were Josh Krueger, Alexandra Krueger, Mark Fochs, Jared Schmidt from Robert E. Lee and Dennis DuPrey

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 – Josh Krueger questioned the issuance of the keys for the mailboxes in Village Meadows. DuPrey explained that the Village will be responsible for issuance of the keys and we are currently having an agreement drawn up for monitoring the issuance of keys. He stated that it should be going in front of the Village Board at their August 8th meeting.

Announcements – none.

President's Report – none.

Unfinished Business:

2022 Projects – DuPrey presented several documents regarding the bid results for this project. He stated that at the last meeting the goal was to get the 3rd St. project completed so he provided a worksheet on the splits as far as the funds are concerned to see if there were funds from other projects that could be utilized to make this project a reality. He also provided the board with the worksheets that are used to set the budget. He stated that with the 3rd St. project, it was so far over budget because it was budgeted as a patching project and it was bid out as a full pave. DuPrey stated that again, final plans were not completed prior to setting the budget. There were also changes in quantities which can affect whether or not a project comes within budget. He stated on Chestnut St. the length of the water main changed by 40' and at \$100 per foot, that little change adds \$4,000 to the project. DuPrey presented an option for reallocation which would allow 3rd St. to be completed. He said he met with Kim and they discussed this option and they both felt that it was the best way to go to get the biggest bang for your buck with getting projects completed. DuPrey reiterated that the reason 3rd St. was so far over budget was because the scope of the project changed from when it was budgeted and in the future we will never come within budget if this continues to happen with projects. This was discussed at quite length. Schrubbe questioned if 2nd St. was a priority over 1st St. DuPrey stated that Kim would prefer to do 2nd St. Josh Krueger questioned why the project was changed from a patch to a full pave. DuPrey stated that he did not know where or why it was changed. DuPrey stated that it may have been budgeted as a patch project because it would give the road a year to settle out better prior to doing a full repave. Roehrig stated that he relies on the opinion of the workers and if 3rd St. is really that bad, then it needs to be fixed. There were some comments regarding Kim not being at the meeting and how important it was for him to try to be here because of questions raised with these projects. Action – to award parts B (2nd St.), C (3rd St.), E (9th St. sewer), G (misc. sewer repairs) and H (misc. asphalt) to David Tenor Construction – motion: Roehrig; second: Schrubbe; carried.

Lead Service Lines in the Village – The revised engineering contract was presented to the board for their review. It was reviewed. The board felt comfortable with the revised contract which puts limits on the total costs without village authorization. Action – to approve the revised engineering contract with Robert E. Lee for the Lead Service Lines replacement project as presented – motion: Schrubbe; second: Loose; carried. The bids for the project were then reviewed. The actual bid came in substantially less than what was estimated. Action – to award the contract for Lead Service Lines replacement project to Korff Plumbing in the amount of \$45,280.00 – motion: Schrubbe; second: Roehrig; carried.

Village Meadows – The board then discussed disposing of the excess fill in Village Meadows. DuPrey stated that there are people interested in it but they don't want to pay for it. Do we give it away? We have had to move the pile on a couple of occasions and there is a cost to that plus we are going to gain fill from the next phase. Some board members expressed concerns because in the first phase we paid a lot of money to bring in fill and now we want to get rid of it for free? Schrubbe and Keuler both felt that we should not give it away because we were burned the first time and had to pay to bring in fill which was costly. Josh Krueger commented that if we have leftover fill at the end, it will cost us to haul it out and it may be lost funds. Schrubbe stated that he felt it should be sold for \$1 per yard. Keuler felt it should be advertised. Jared Schmidt stated that he felt that there would be plenty left over and that it would not hinder the village to get rid of fill now. Keuler questioned putting fill towards the end of the subdivision. If we did that, they would have to drive through a field and the area is rented right now. Action – to reduce the price for the fill to \$1 per yard and advertise for the sale of it – motion: Schrubbe; second: Roehrig; carried.

New Business:

Discussion and possible action regarding Appointment of Successor Agent – SSESEV, LLC – DuPrey stated that the current agent is no longer employed by the company and they have to appoint a successor agent. That person would be Sam Schmitz. Action – to approve Sam Schmitz as the successor agent for SSESEV, LLC – motion: Roehrig; second: Loose; carried.

Employee Review/Grievance Committee – Action – to accept the committee meeting minutes as presented – motion: Roehrig; second: Loose; carried. The first recommendation from the committee was to keep the hourly wage of Mark Fochs at the same amount and it would be reviewed in the fall and if a new incentive pay scale is approved, then he would be grandfathered in with the old plan. This was discussed at quite length. Mark Fochs stated that this all started when Dustin was hired at more than he was paid and that he was prepaid for the certifications and that he is only a few tests away from getting all of the certification, he was seeking pre-payment of the incentives also. Schmidt stated that the committee was split on it and that Schmidt felt that an employee that puts forth an extra effort and attends board meetings on his own and isn't paid for them that we should treat our new employees the same as new hires. Schrubbe stated that he felt that employee retention is important. Roehrig stated that he felt that it was two separate issues. Loose stated that it was a negotiated offer to Dustin. It was not the original offer. Roehrig questioned when reviews are held. DuPrey stated that they are in September or October with an effective date of the 1st of the year. Once Mark passes all of his exams, his bump would be \$2.00 per hour with the incentive pay scale. Schrubbe stated that we have to look at it if an employee gives a notice that he is leaving then we would discuss it then and if we would consider a raise then, we should consider it now. Keuler questioned if Schrubbe understood that if we do it here, then we will do it there and then we will do it there because other employees will come forward and say if he got it then I want it and it becomes a revolving door. Schrubbe stated that we opened Pandora's box when we offered it to Dustin. Roehrig stated that when we do

reviews in the fall, they are given a raise based upon that review and what the board does with new hires should have no effect upon their compensation. Mark Fochs stated that the job market is different today it is hard to find people. Roehrig stated that he needs to bring that up during the review and not half way through the year. Roehrig says he feels it is black and white. Mark Fochs stated that at annual review the employee doesn't set the wage that they are paid. The committee does. Josh Krueger questioned if a contract is signed? Schmidt stated no. Josh Krueger questioned that if an employee feels that they are underpaid, they would be able to leave at any time. He stated that the job market favors employees and employee retention is so important right now. Roehrig questioned why we would do budgets if the wages are changing during the year. Josh Krueger stated that inflation did go up substantially too. Keuler stated that sometime we have to stand up and say no and questioned where does this end? He questioned if someone comes in with 10 years of experience and has all of the certifications do we start him out less because someone else has been here for a while? What makes it fair the next time this comes up. Schrubbe questioned why are we looking at this as a blanket approach. Treat it as a performance bonus. Wasn't he nominated for water operator of the year? Roehrig questioned isn't this annual review material? Keuler questioned Mark Fochs if he feels that he is under paid. Mark Fochs stated that he does. Keuler questioned why. Mark Fochs stated he bases it off of two employees having to do everything right now all summer long. He stated that he had 4 days of vacation that he lost because he had to work because we were down an employee. He stated that he also lost over \$1,000 from a side job at Elkhart Lake because he had to work when he was supposed to have off. Keuler questioned that Mark lost vacation? Mark stated that he did because it was Matt's weekend to work and both him and Kim were gone and Kim asked if he could work and he said yes. Loose stated that he hasn't really lost vacation because he can still use it. Mark Fochs agreed but it was time that he had scheduled off. Mark Fochs stated that he was going to take off the Thursday and Friday before the 4th and the Tuesday after but he had to work because Kim was gone so he lost all of that time along with over \$1,000 because he couldn't work at Elkhart Lake. Loose stated that she hates to say it but what Mark has lost on another job does not affect the village. Mark stated that he understands that but it affects him personally. Mark stated that he got paid for 5 hours for the weekend versus making \$180 per day at Elkhart Lake. Schrubbe questioned getting someone in here with certifications at the same rate. Keuler questioned if someone gets hired with 10 years of experience and a college degree and completely certified are we going to have to pay him less than Mark because he has been here longer? He stated that this is his point. Schmidt stated that he is not trying to rush it along but we could discuss this all night with very many opinions. At some point, we have to make a decision. Action – to go with the committee's recommendation that there is no increase in wages but that Mark is grandfathered under the old incentive pay scale if there are changes to it – motion: Keuler; second: Roehrig; failed on a 3 to 3 vote. The board felt that with only 6 members here, this was going nowhere so there was not need to discuss it further. They decided to table it for now and discuss it at the next board meeting. DuPrey commented that if the board is going to hand out raises mid-year, then the office staff would also want to be included in the conversation and also considered for a raise. He stated that he has information to bring forward because he feels it is not fair if they offer this to some employees and not all. It was noted by the board. There were no further recommendations from the committee so there was no action to take regarding offering the position to the next candidate or advertising again for the position. They did combine the advertising for the full-time position along with the next item which was to advertise for a part-time weekend employee because they are tied together. The goal for doing this was to help reduce the weekend hours for the other two employees and maybe not hire a full-time employee. The board discussed this. Schrubbe questioned why we were not trying to fill the full-time position. He stated that he felt that we should at least re advertise again for the position and also the part-time weekend position. Right now, there is no job description for this new position. In the long run, it would save on overtime hours for the full-time employees which would save us money overall even if we still hire for a 3rd full-time employee. The recommendation was to advertise for a part-time weekend position. Action – to disapprove the recommendation from the committee because they want to also advertise for a full-time position – motion: Schrubbe; second: Nolan; carried. Action – to advertise for a full-time and a part-time weekend employee when the job description is approved for the part-time weekend position – motion: Schrubbe; second: Nolan; carried. There were no recommendations at this time regarding the employee handbook.

Discussion regarding weekly communications from committee/board members to Director of Public Works –

Schmidt stated that he wanted to discuss this because Kim would like to have committee chairs ask questions and check in once a week. He stated that he wants more communication before the board meetings instead of having all of them at the board meeting. Schrubbe stated that he is more than happy to do it but the information should be coming from the other way too. Keuler agreed with that. Schmidt stated that Kim wants to make the communication better and not worse. Roehrig stated why would he be against communication? Mark Fochs stated that he thinks the reason for the chairs to reach out to him was that things happen during the day and he doesn't think about calling anybody about it. Roehrig questioned that he has a question if the truck has lettering on it. Is this communication? The board said yes. Keuler questioned, he wants us to call every week? The board stated that they will try to do that.

Roehrig brought up that Kathy Albers wanted to know if they could clean that up at the corner of Hwy 114 and Hwy 57/32. They would like to make it better looking. The board didn't have any issues with it.

Adjournment – motion: to adjourn – motion: Schrubbe; second; Loose; carried. The meeting was adjourned at 7:29 p.m.

Dennis DuPrey

Dennis DuPrey, Administrator Clerk Treasurer