

**VILLAGE OF DRESSER
VILLAGE BOARD PROCEEDINGS**

Pursuant to due call and notice thereof, a Village Board meeting was held on Monday, December 2, 2019, in the Municipal Office, 102 West Main Street. Bryan “Fatboy” Raddatz called the meeting to order at 6:30 PM. Raddatz called for Roll Call: Elina Kuusisto, Karen Andrie, Grace Bjorklund, Richard Durand, Wayne Moberg, Jeff Gutzmer and Bryan “Fatboy” Raddatz were present. Also present Attorney Tim Laux, Jodi A Gilbert-Clerk/Treasurer, Ryan Haass/Police Chief, and Rob Thompson/Public Works. The InterCounty Leader, the Standard Press/Ledger, and the Osceola Sun newspapers were present. Salute to the Flag was given.

APPROVAL OF MINUTES: Motion Kuusisto/Moberg to dispense with the reading of the minutes. All in Favor. Motion Carried. Motion Durand/Gutzmer to approve the minutes of the Village Board Meeting, November 4, 2019. All in Favor. Motion Carried. Motion Andrie/Moberg to approve the minutes of the Finance/Personnel Committee Meeting, November 5, 2019. All in Favor. Motion Carried.

PUBLIC HEARING ON THE PROPOSED 2020 VILLAGE BUDGET:

1. It was announcement that the proceedings will be taped.
2. Raddatz called to order the Public Hearing on the 2020 Village Budget. Roll Call was taken. Elina Kuusisto, Karen Andrie, Grace Bjorklund, Richard Durand, Wayne Moberg, Jeff Gutzmer and Bryan “Fatboy” Raddatz were present.
3. Raddatz stated the Publication ran in the Inter County Leader November 13, 2019 and was posted and on the web page on November 8, 2019.
4. Presentation of the 2020 Budget – Bjorklund put together a summary sheet on the budget that was handed out to board members. The Finance Committee met four times to complete the budget. Revenues for the most part were slightly up. No significant changes. Built into the budget is a 3% increase to departmental expenditures to allow for inflation. Some of the major capital items were: \$6,000.00 was put into the Police Vehicle replacement account, Ambulance is up since the per capita went up a \$1.00, We funded the Machinery Replacement account \$5,000.00, Street Maintenance \$34,200.00, Sidewalks \$1,000.00, Furnace Replacement \$5,500.00, Utility adjustments for State Highway 35 Project \$7,000.00. When we made our cuts, they were on the Capital Outlay Proposals. We had to cut \$65,000.00 to meet our Levy Limit. There is a reduction of taxes of \$6.58/per 100,000 of value. Thank you to the committee for putting this all together. There were no other questions for Bjorklund.
5. Raddatz called for Public Comments 3 times. Nothing was stated.
6. Motion Andrie/Moberg to adopt the 2020 Budget and set the Levy at \$492,507.00.
7. Raddatz called for any additional discussion - nothing was stated.
8. Raddatz asked for any amendments/changes to the 2020 Budget – nothing was stated.
9. Raddatz called for a Roll Call Vote to adopt the 2020 Budget and set the Levy at \$492,570.00. All members of the board present voted yes. Motion Carried.
10. Motion Andrie/Bjorklund to adjourn the 2020 Budget Public Hearing at 6:37 PM. All in Favor. Motion Carried.

CITIZEN COMMENTS: Raddatz called for Citizen Comments. Raddatz called for Citizen Comments. Raddatz called for Citizen Comments a third time. No comments were made. Raddatz closed Citizen Comments.

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PREREGISTERED: Nothing on the agenda.

PUBLIC WORKS: Discussion took place regarding Attorney Tim Laux's legal opinion regarding the 1/4ly Sewer Flow Billing Issue with the Village of Osceola. Laux passed out a handout to the Village Board. The board wanted me to look into the March 15, 1984 contract with Osceola where Osceola takes and Dresser delivers waste water to the Osceola treatment plant. I have looked specifically for provisions in that contract for resolving disputes over billing – debits and credits. I have attached Exhibit A – a photo copy of Section 12 and 13 from the 1984 original contract. Dresser pays the costs that Osceola bills to it on a quarterly basis. Payment is made within 30 days or additional interest could be computed. There is a requirement to pay on time. This agreement requires two bodies to get together every year. Every year we are supposed to get together and adjust charges for the coming year based on previous years. I don't know if that has been happening. It is a requirement in the contract. Section 12 states that there will be credits and debits as part of the calculation. Some years there may be a refund and some years you may pay additional money. The rates for the coming year are adjusted. That concept of debit and credit is built into the contract. As part of first quarter of the year – Section 13 in the original contract has the steps that are mandated to both parties if arises a dispute on a debit or credit at any time. We don't know what could occur - interruption of service, pipe breakage, at any rate whenever that situation occurs the first thing that is required is you have to pay the debt or credit. Then there is a written notice to the other party giving the opportunity to file an objection. It calls for a meeting. Presumably to resolve the issue – 3 representatives – each party can have council present also. If that doesn't work then the party that has the dispute if everyone mutually agrees has the opportunity to appeal per State Statue. See Exhibit B. That language has not changed over the years. What happens if it goes to appeal – the appealing party writes a complaint with the PSC and the claim shows that the other party is unreasonable. If the PSC receives a complaint – they have to investigate. Doesn't mean they have to take the case. Then a notice is given to both sides and a hearing would be held. This mandate to investigate is to determine whether things are reasonable and nondiscriminatory. One case – bottom of page 2 – basic ruling that the PSC does not set rates retroactively. They don't have the authority to issue refund and they don't have the authority to waive the debit. Sewer systems are not regulated. The PSC has to investigate and conduct a hearing, but limited resources to do anything else. The ruling did not allow to give a refund. If the PSC attained a case like this they would investigate. They are only going to look at it and see if they are reasonable. They can give an order to set the rates for the future, but not for the past. So how much does that help you. In a dispute over a sewer system this would be a last-ditch appeal. It looks like that the legislature passed something to give you a process, but at the same time not much of a result forcing you to go back to the drawing board and resolve your own problem. I think that when the contract was drafted it was that way so Section 12 and 13 have provisions to determine charges and to determine how to resolve disputes. It is in there so the communities would have to go through that process first before going to the PSC. The last thing would be judicial review – administrative review in circuit court. If you didn't settle it yourself you would go to the PSC and then to circuit court. Basically, this whole thing is telling Osceola and Dresser to go through the process. You have done that informally some and have had a meeting with Osceola. I went down and had a meeting with Ben the new administrator and then a 2nd meeting with Rick. There have been discussions around the edge of this. Nobody has kicked in the process that is in the contract. It seems to me something came up in 2017 about problems in 2014, 2015, and 2016. The contract has not been followed from both sides. The dispute may still be live in spite either side doing things on a timely basis. The thing that gets the ball going is to acknowledge a refund or in this case payment of the debit.

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I am not telling you what to do. Bjorklund stated you say that we have the same auditors. Laux stated that is what I have heard. Gilbert stated we do not. Bjorklund continued we have been audited and assessed over under every year and paid that 1st quarter bill. We have not seen anything on this end that they are right. We were treated, billed and we paid. They went back and determined that one of their employees made a mistake. Whose fault is that – it is not ours. Andrie stated why were we not billed in 2016 – that should have been questioned. Laux stated that is what I was told and I am not sure if he knew any more that I did. Bjorklund stated we have quarterly files. Laux stated so I have looked into this – what do you want to do. If you want to dispute the debits you have to pay them. Then dispute it as part of the annual billing. The mutual agreement included debits/credits – assessed us after the audit and that has happened every year. Andrie stated maybe we should get an independent opinion to determine if there really is an error. This is it and we owe \$60,000.00 and we don't have any readings. We have nothing to say what we owe – Andrie continued we don't have yearly meetings and they can't even spell correctly in the contract. Andrie stated my recommendation is to have a special meeting to look back at those years on what we have paid in sewer charges. Especially in 2016 where we didn't. Raddatz stated so OK where do we start. The contract says we can have 3 people at a meeting. Andrie stated do some work here based on 2016 – proof of what we paid every year. Where are the copies of meetings? Maybe we need an independent auditor. Kuusisto stated we do see that information on previous year billings. Raddatz stated I see two things - 1 regardless we have to pay the bill versus deciding the contract. Do we send this back to finance – which committee should look at this. Public works. You guys are the number pushers – start at finance to pull all of the numbers. Bjorklund did they give us anything else – nothing from them. We should start with a meeting with Osceola – start that ball rolling – that is informal. In the contract – we pay – sit down with them first. Figure out a payment plan. Andrie stated this is not just a payment – there needs to be discussion about it. Why didn't they put this on a previous bill? Start with a meeting informational – we have not been sent a bill. We need to set up a meeting. Motion Andrie to set up a meeting with Osceola to go over the situation. Three members plus legal counsel. Raddatz asked in this motion who is going. I would entertain a motion of attendees. Water/Sewer is public works. The question is who is interested – Raddatz stated I am interested. Kuusisto stated I would like to see Bjorklund part of the committee and Andrie you are passionate. Bjorklund OK back to the opinion about having public works. Most of this occurred with prior versus current staff. Would one of our public works employees be able to ask questions. In the contract legal is separate. So, is it three including legal – OK do we do Bjorklund/Raddatz/Laux and if we can take Thompson if we can? Motion Andrie to set up a meeting with Bjorklund/Raddatz/Laux with the Village of Osceola to have a discussion. Do we have a 2nd – Andrie stated can I ask questions. Laux stated you can ask questions - all of the board members can. From my experience I would like to see all of the actual readings that were taken. What is Dresser and what is Osceola. Month by month. I want to know the exact numbers Laux stated. Previously we have been given a calculated sheet with lots of numbers. Not specifically tied to an exact month and not tied back to formulas in the contract. If you do that and a mistake has been made. Andrie stated there should be a process of what is done – the formulas – that data be mandated to be collected. Laid out in a fashion so we know where the numbers came from. Need to reach an agreement on one year and verifying the data confirms the results. It is easier to take one part at a time. Laux stated we need a lot of data that is the answers to – you have been given the math problem. Kuusisto 2nd the motion. Set up a meeting with legal counsel, Bjorklund, and Raddatz with the Village of Osceola on the issue. All in Favor. Motion Carried.

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Raddatz stated there will be an update at the January meeting regarding the State Street Sewer Lift Station pipe replacement project. The letter is in the packet.

Motion Bjorklund/Andrie to approve the Christmas Tree & Greens Recycling Program – Pick up in January 2020. All in Favor. Motion Carried.

Public Works Monthly Report: November 2019. Thompson read the report presented to the board. Raddatz asked about the sander for the One-Ton. Thompson stated the chain is all rusted out. It is before the spinner. The chain feeds it. We are looking at getting some prices. Raddatz asked where are you at on the pusher. We have not started on it yet. We plan to start replacing the street signs. Matt Koch did pass his water test.

FINANCE:

Motion Andrie/Moberg to approve placement of all delinquent utility accounts and special charges in the amount of \$17,222.36 on the 2019 Tax Roll. If people don't pay their bill it goes on the taxes. No other discussion took place. All in Favor. Motion Carried.

Motion Bjorklund/Kuusisto to set the 2019 Village of Dresser Mill Rate at .009305999. This is only the Dresser portion. All in Favor. Motion Carried.

Motion Bjorklund/Kuusisto to approve the monthly Vouchers/Payroll #38840-38904 Payroll \$15,098.63 plus Vouchers \$68,483.22 plus bank charge \$101.85 for a Total of \$83,683.70. The bank charge is for deposit tickets. Roll Call Vote. All members of the board present voted yes. Motion Carried.

Motion Durand/Moberg to carry forward the additional assigned 2019 budget monies to January 1, 2020 as follows: Lawn Equipment Replacement \$2,500.00. This was missed on the list from last month. All in Favor. Motion Carried.

Motion Bjorklund/Andrie to approve the December 31, 2019 General Fund Assigned Fund Balances to Carry Forward to January 1, 2020 as presented on the Monthly Financial Report. These are the monies we have set aside. All in Favor. Motion Carried.

Motion Bjorklund/Durand to designate General Fund Balances as of December 31, 2019 as 2020 Working Capital. All in Favor. Motion Carried.

Discussion was held regarding Dresser Employee participation in the Wisconsin Deferred Compensation Program. Raddatz stated Haass is inquiring about this. Haass stated this is part of the WI Retirement Program. Our employee handbook doesn't specifically say anything about it. There is no cost to the Village. It gives the employee a way to put away additional money for retirement. Motion Gutzmer/Kuusisto to approve Dresser Employee participation in the Wisconsin Deferred Compensation Program. All in Favor. Motion Carried.

Discussion was held regarding an update on the hiring for the position of Office Assistant. Bjorklund stated the committee met this afternoon with the plan to review resumes and we didn't have any. We are back to square one. Raddatz stated instead of just advertising again for around \$300.00 we are going to

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leave the position posted and on the web page for people to apply. People can still apply until January 9th. If we don't get any resumes then we will green light the advertising to go out again. Try to save some money right now – word of mouth that we have a position open.

Motion Andrie/Kuusisto to approve entering into a Computer Services Agreement with Micro Consulting LLC and pay the initial \$84.00. All in Favor. Motion Carried.

Discussion was held regarding Dresser Employee Wages for 2020. Bjorklund stated you have a spreadsheet that shows up to 3% what the wages would be. The cost of living is around 2.8%. This is a board decision – 3% was built into the 2020 budget. We have no control over the Library they do their own wage decisions. Motion Bjorklund/Durand to approve a 3% wage increase for Dresser Employees effective January 1, 2020. They have done an excellent job and we have had excellent reviews. No complaints on staffing. All in Favor. Motion Carried.

PUBLIC SAFETY: There is no Building Inspector Report for November 2019.

The Police Department November 2019 Report was presented to the board. Haass stated the numbers are in front of you. I used some of my annual leave this past month. It is a short month for numbers.

Allied Emergency Services had a Special Meeting – November 6, 2019. The minutes are in your packet. We needed to appoint a new Secretary/Treasurer since Lorraine has stepped down.

The Osceola Ambulance had a Special Meeting – November 13, 2019. Raddatz stated we needed a boiler. The one that is in there is a cheap one and has been serviced. This building was built in 2009 and we already have boiler failure. We have received a donation for a generator and also a donation for the wiring. There will be a cost to connect to natural gas.

LIBRARY: Presentation of the Library Board Minutes from the November 11, 2019 meeting. Kuusisto stated attendance at story time is still low. We approved holiday bonuses and set up the next evaluation time for Leann. We are also doing some improvements to storage. Things are looking great. We are planning an open house for January 4. Leann is a power house. She has a lot to do and has a ton of energy. Bjorklund stated the Library will have a table at the Holiday Open House so people can meet her and get some information on the Library.

PUBLIC WELFARE: Nothing on the agenda.

PLAN COMMISSION: Nothing on the agenda.

OTHER BUSINESS:

Information was given to the board members regarding the 2020 Census. Residents will be asked to complete the census online. The Dresser Library will be able to help people who don't have a computer.

The Polk County Housing Studies Project – Public Forum is scheduled for Wednesday, December 4, 2019 at 6:00 PM at the Dresser Community Hall.

