

Village of Birchwood  
101 N. Main Street  
PO Box 6  
Birchwood, WI 54817



Ashley Beffa  
ashley@birchwoodvillagewi.com  
Phone: 715-354-3300  
Fax: 715-354-7500

The **Regular Monthly Board of Trustees Meeting**  
of the Village of Birchwood was held on  
**Tuesday, February 13<sup>th</sup>, 2024, at 5:30 p.m.**  
at the **Birchwood Village Hall, 101 N Main St, Birchwood, WI 54817.**

### MINUTES

Call meeting to order (Meeting is recorded)

Pledge of Allegiance -Recited

Roll call by Clerk: Present- R. VanGilder, B. Boatman, S. Milligan, T. LeBrocq, and R. Seffinga

Public Notice: Posted at the Birchwood Post Office, Village Hall, Gary's Grocery and Village Website.

Monthly Reports (no discussion/comments):

Law Enforcement- Adam reported that he finished the child abuse case he was working on, and it has been sent to the DA. Hit and run with property damage in the Village. Adam is catching up on paperwork and working on policy. The Village received a donation to cover the squad graphics. A huge thank you for that!

Public Works-Strand is working with the DOT on traffic control guidelines for the corner where the property damage hit and run occurred. The water and sewer departments are doing good. Wellhouse material is on its way. Strand has been cutting trees around the Village. He put road ban signs up. Upcoming projects include maintenance at the ballpark, picnic table repairs, brush cutting, fish house trim, and fishing pier repair. Strand took a water class in Chetek and received 6 water credits. The class had a lot of good information. Beffa will be looking into the possibility of creating revenue by letting cell phone carriers use towers in the Village. The white truck will be going into the shop for a broken shock.

Clerk-Treasurer-Beffa reported that the Village received \$600 for reimbursement to set up a .gov account. Community cat trapped 5 cats in the Village.

BFCESD-VanGilder summarized Dan's report. The golf outing is on May 19<sup>th</sup>. They've had a great start to the EMS- CPR training classes. EMS is looking to replace an ambulance in 2027. Vince Fairchild retired from Cumberland Hospital- which will allow him to spend more time with EMS. Congrats Vince! The BFC changed billing companies to try and recoup more money from EMS transports. The fire department has been busy with structure fires and training over the last month. Ken George is looking into having their fire hydrant moved to a more accessible location.

Public Comments **On Agenda Items Only** (limit 3 minutes per person)-Linda Zillmer thanked Ron and Tucker for doing such a nice job trimming trees throughout the Village.

### **AGENDA ITEMS:**

1. VanGilder stated that item # 3 should state where we are going to rescind the motion from. Item #5 will be moved up in the agenda. Motion by Boatman 2<sup>nd</sup> by Milligan to approve current agenda. Carried 5-0.
2. Motion by VanGilder 2<sup>nd</sup> by Milligan to approve meeting minutes of the Regular Board of Trustee meeting from January 9<sup>th</sup>, 2024. Carried 5-0.
3. Certified Survey Map- Applicant, Tom Knapmiller. Parcel ID 65-106-2-37-10-25-4 04-000-001010 - property address 920 E Cedar Ave. Surveyed, divided, and certified map prepared for parcel of land to be reviewed and approved by Village of Birchwood. Knapmiller is giving property to Michael and Kelly Lehnert. VanGilder asked Atwood if he had any questions or concerns. Atwood had no concerns.

*The meeting is open to the public and is handicapped accessible.*

*Agendas are posted in three public places which are the Village Hall, Gary's Grocery and Birchwood United States Postal Service Office notice boards, and on the village website [www.birchwoodvillagewi.com](http://www.birchwoodvillagewi.com) to comply with Resolution 175-15.*



Motion by Boatman, 2<sup>nd</sup> by Seffinga to approve the request for splitting of the parcel described. Carried 5-0. VanGilder signed and Beffa made a copy for the Village file.

**4. Sewer Rate Review**

a. Motion by VanGilder, 2<sup>nd</sup> by Milligan to “rescind the motion that was made at the January BOT meeting by VanGilder and 2<sup>nd</sup> by LeBrocq to refer the sewer department financials and rate review to the Public Works committee that Carried 4-0. It should have been sent to the Plan Commission Committee.” Carried 5-0.

b. Motion by VanGilder 2<sup>nd</sup> by Milligan to refer the sewer department financials and rate review to the Plan Commission Committee. Carried 5-0.

**5. Treasurer’s Report – Motion by VanGilder 2<sup>nd</sup> by Seffinga to approve prior month’s Treasurer Reports. Carried 5-0.**

**6. Land Lease**

a. Renewal of lease agreement for 7.8 acres of village farmland at cost of \$500 per year, located off Highway 48, PID 65-106-2-37-10-25-5 05-002-001010, between the Village of Birchwood and Paul Borofka/Borofka Farm. A map of the land in question was presented. Beffa stated that Melissa noticed that we didn’t have any type of liability clause in the contract. The information was sent to our attorney to review and give recommendations regarding liability and the area within our Wellhead Protection plan. VanGilder would like to review this and give the attorney time to review as well. Motion by VanGilder, 2<sup>nd</sup> by Boatman to table until next month’s BOT meeting. Carried 5-0

**7. Animal Nuisance**

Beffa was doing cat trapping last week and trapped a skunk. Beffa stated that the Community Cat program isn’t equipped to handle this, so the DNR referred her to Goff’s. There is a charge for his services, but he will come and take care of these issues. VanGilder commented that Jack Evitch used to trap for the Village for \$400/year. VanGilder stated that he felt \$75 to release and \$150 to remove the animal was a little high. Discussion on other options. VanGilder stated we will hold off and ask around the Village for other people that may be able to help.

**8. Village Clean-up 2024**

a. Motion by Boatman, 2<sup>nd</sup> by LeBrocq to approve the Spring and Fall Clean-up Dates -April 27<sup>th</sup>, 2024, and September 21<sup>st</sup>, 2024. Carried 5-0.

b. Motion by Seffinga 2<sup>nd</sup> by Boatman to approve the Liberty Tire contract for recycled tires. Carried 5-0.

c. Motion by Milligan, 2<sup>nd</sup> by Seffinga to approve the Northcentral Recyclers contract for recycled metal, electronics, and appliances. Carried 5-0.

d. Motion by Milligan 2<sup>nd</sup> by Seffinga to approve the Republic Services Contract – refuse disposal and mattresses. Carried 5-0.

**9. Public Participation Plan**

a. Motion by VanGilder 2<sup>nd</sup> by LeBrocq to approve Resolution 241-24 approving the Public Participation Plan. Carried 5-0.

**10. Sewer Rate Increase**

a. Discuss insufficient sanitary sewer rates and approve 8% sewer rate increase recommended by Planning Commission to be effective on 1<sup>st</sup> quarter billing. Beffa stated that this should also include the \$15 standby sewer charge. She also stated that sewer rates have not increased since

*The meeting is open to the public and is handicapped accessible.*



2012. VanGilder added that the Plan Commission suggested raising the sewer rates by 8% and adding a \$15 surcharge for standby sewer charge. This generates around \$3000/yr. in revenue. Boatman asked if we are sure we can add the surcharge, Beffa stated yes. Beffa added that the Asset Management Plan will help us determine what we need to do to increase revenue. The water rates increased 8% on January 1<sup>st</sup>, 2024. Beffa stated that the office will send out something to residents to let them know of the increase. Boatman commented that he doesn't think we should go back to Jan 1<sup>st</sup> for the date of increase for the sewer. He feels it should be noticed before the increase takes effect. Beffa suggested using the 2<sup>nd</sup> quarter for the date of increase, so residents will be notified prior to the increase. Motion by Boatman 2<sup>nd</sup> by Milligan to increase the sewer rate by 8% effective April 1<sup>st</sup>, 2024, with the 2<sup>nd</sup> quarter billing. Carried 5-0.

**11. Election Worker**

- a. Motion by VanGilder 2<sup>nd</sup> by Milligan to approve Leroy Brensel as an election worker for 2024. Carried 5-0

**12. Ordinances Amendment-Atwood gave overview of amendments to update ordinances.**

- a. Regarding penalty for not obtaining a building permit. Motion by VanGilder, 2<sup>nd</sup> by Seffinga to update Sec.6-509 Penalties and violations- changing to text amendment SPS 320.10. Carried 5-0.
- b. Regarding the requirement to submit plans for 1 and 2 family dwellings, additions and detached garages. Motion by Boatman 2<sup>nd</sup> by LeBrocq to approve Sec. 6-531 Plans. Wis.Admin. Code § Comm 20.09(4) for the text amendment to- (a) SPS 320.09 (4). Carried 5-0.
- c. Regarding the requirement for an inspection after a building permit. Motion by VanGilder 2<sup>nd</sup> by Milligan to approve Sec. 6-534 Inspection Work text additions to (2) air conditioning and ventilation, – (3) vapor retarder, (4) Excavation and erosion control and (5) final and occupancy. Carried 5-0.
- d. Regarding prohibiting municipalities from enforcing stricter rules to ordinance. Atwood is suggesting repealing the old language and adding new language. Motion by Milligan, 2<sup>nd</sup> by Boatman to approve Sec. 6-535 – Permit lapses- to Repeal- A building permit shall lapse and be void unless building operations are commenced within six months or if construction has not been completed within one year from the date of issuance thereof and adding the text amendment - The permit shall expire 24 months after issuance if the dwelling exterior has not been completed. Carried 5-0.
- e. Regarding actual adoption of building code for 1 and 2 family dwellings, additions, and detached garages. -which is already in our ordinance. This is updating the code sections -(c) (1) variances, appeals, and exceptions- ( c ) (2)-detached garage- variances, appeals, exceptions- (d) actual adoption of codes- Motion by VanGilder, 2<sup>nd</sup> by LeBrocq to update Sec. 6-570 – Adoption of state code- Text amendment – (c)(1) SPS 320.05, SPS 320.19, SPS 320.21; Text amendment – (c)(2) SPS 320.05 and Text amendment - (d) SPS 320.25 and SPS 320.27. Carried 5-0.
- f. Regarding Portion of the State Building code recommendations.
  - i. Regarding Motion by VanGilder, 2<sup>nd</sup> by Boatman to change Sec. 6-589 -State standards - Text amendment change to– (a) SPS 320-327 and appendix A, B, and C. Carried 5-0.
  - ii. Regarding state plumbing code. Motion by Milligan, 2<sup>nd</sup> by Seffinga to approve Sec. 6-589-State standards- ii. Text amendment – (b) SPS 381-387 and SPS 325. Carried 5-0.

*The meeting is open to the public and is handicapped accessible.*

*Agendas are posted in three public places which are the Village Hall, Gary's Grocery and Birchwood United States Postal Service Office notice boards, and on the village website [www.birchwoodvillagewi.com](http://www.birchwoodvillagewi.com) to comply with Resolution 175-15.*



- iii. Re: Electrical code-Motion by VanGilder, 2<sup>nd</sup> by Milligan to change/make an addition to Sec. 6-589-State standard adoptions-Addition to be- (c) SPS 324 and SPS 316. Carried 5-0.
  - iv. Re: WI Administrative Code. Motion by Boatman 2<sup>nd</sup> by LeBrocq to approve Sec. 6-589-State standards adopted for - Text amendment – (1) SPS 324. Carried 5-0.
  - v. Re: Typo -Motion by Milligan 2<sup>nd</sup> by Seffinga to change Sec. 6-589 -Text amendment -to say (2) National Electrical Code. Carried 5-0.
- Beffa will send Atwood a copy of the signed amendments and meeting minutes.

### 13. Public Hearing

- a. Motion by VanGilder, 2<sup>nd</sup> by Milligan to send the following zoning ordinance amendments/additions to be sent to a Public Hearing on -March 12<sup>th</sup>, 2024, at 5:30 pm. Carried 5-0.
  - Sec. 28-8 – Compliance  
Text amendment – amend text from 12 months to 24 months.
  - Sec. 28-74 - Dimensional requirements  
Text amendment – from a. 10,000 square feet. b. 80 feet to a. 7000 square feet. b. 50 feet
  - Section 28-652 - Temporary uses  
Add – Addition regarding shipping containers and uses.

### 14. Regular Meeting Time

- a. VanGilder suggested changing the meetings to 5:30 pm. Motion by VanGilder 2<sup>nd</sup> by Seffinga to update Resolution 242-24 to change the regular monthly meetings of the Village Board of Trustees to be held on the second Tuesday of each calendar month at 5:30 p.m. Carried 5-0.

15. Atwood pointed out an error in item #12- e. iii. (d) 320.25. It should be SPS 320.05. Motion by LeBrocq 2<sup>nd</sup> by Seffinga to rescind item 12 section e- iii- Text amendment-rescind (d) SPS 320.25. Carried 5-0. Motion by LeBrocq, 2<sup>nd</sup> by Seffinga on agenda item 12-e -iii-to have Text Amendment read (d) SPS 320.05. Carried 5-0.

16. Adjourn-Motion by Seffinga, 2<sup>nd</sup> by Boatman to adjourn. Carried 5-0.

*The meeting is open to the public and is handicapped accessible.*

*Agendas are posted in three public places which are the Village Hall, Gary's Grocery and Birchwood United States Postal Service Office notice boards, and on the village website [www.birchwoodvillagewi.com](http://www.birchwoodvillagewi.com) to comply with Resolution 175-15.*