

# DRAFT

## TOWN OF BENNETT REGULAR MONTHLY TOWN BOARD MEETING Monday, October 14, 2024, at 6:30 PM

### **CALLED MEETING TO ORDER:**

Chairman Brett Hunter called the meeting to order at 6:30 p.m. with the Pledge of Allegiance. Other officers in attendance were Wesley Koehler and Timothy Haskins, Supervisors, Tamara Johnson, Town Clerk and Stephanie Lintula, Town Treasurer. Cemetery Sexton, Charles Martineau, Fire Chief Travis Theien, Constable Jay Burfield and several other town residents and property owners were also in attendance. Notices of the meeting were posted at the Town Hall, Recycle Center, and the Town Website on October 7, 2024.

### **MINUTES:**

Minutes of the September 9 Special Town Board Meeting and the September 9 monthly town board meeting were read by clerk. *Tim Haskins made a motion to approve the minutes as read, seconded by Wes Koehler. Motion carried.*

### **APPROVE BILLS FOR PAYMENT:**

*Moved by Wesley Koehler, seconded by Tim Haskins, to pay the bills, Checks #19836-19875, Payroll for September 26 and October 10 and October Withholding and Health Insurance Payments. Motion Carried.*

### **REPORTS:**

**Treasurer:** Stephanie Lintula submitted her September report. The account balances on September 30, 2024, were – Checking Account: \$6,576.69, Money Market: \$200,081.21, ICS Account: \$18,527.20. The accounts balanced with the bank as of September 30, 2024. *Moved by Tim Haskins, seconded by Wes Koehler, to approve the treasurer's report. Motion carried.*

**Fire Department:** Fire Chief Travis Theien gave the fire department report. It is attached to the original of these minutes.

**Highway Department:** Bruce Sutherland gave the highway report. A copy is attached to the original of these minutes.

**Constable:** Jay Burfield gave the constable report. A copy is attached to the original of these minutes.

**Cemetery Sexton:** Charles Martineau submitted a report to the board. A copy is attached to the original of the minutes.

**Douglas County Supervisor:** Not available

## **OLD BUSINESS:**

### **1. Sump Pump & Drain Pipe at the Town Hall**

Bruce Sutherland and Charles Martineau are working on this project.

- 2. Discuss Removal of Trees on Summer Road:** The board decided to table the decision on the trees on Summer Road until February to give time to have a lawyer look at the situation.

*Moved by Wes, seconded by Tim to research hiring a lawyer to look at the legal aspects of removing the trees from Summer Road. Motion Carried.*

- a. Mike Karras—Not present
- b. Rebecca Loken—Rebecca addressed the board and presented several petitions in support of keeping the trees. She also stated that she spoke with the Dept. of Transportation and that they stated that Stat. 86.5 was dependent on traffic on said road. She also stated that they put up a camera and there were only 17 vehicles on Summer Road on Labor Day Weekend.
- c. Letter from Stafford/Rosenbaum Law Firm was received.
- d. Email from Jim Giffin and attachments was received
- e. Email from Pam Carlson and attachments was received.

All correspondence received here is filed in the Summer Road File.

## **NEW BUSINESS:**

- 1. Joint Powers Agreement:** *Wes Koehler moved to approve the Douglas County Joint Power Agreement. Seconded by Tim Haskins. Motion Carried.*
- 2. Board Motion to Approve Levy Adjustment for Previous Year's Unused Levy.** *Moved by Tim Haskins, Seconded by Wes Koehler to approve the use of the Levy Adjustment for the Previous Year's Unused Levy for the 2024 Payable 2025 Allowable Levy. Motion Carried.*
- 3. Insurance Quote for BVFD Disability Quote with Payment Options:** No Action needed as bill was paid as billed.
- 4. Approve Morgan Fowler as a signer on the NBC Bank Accounts.** *Tim Haskins moved to approve Morgan Fowler as a signer on the bank accounts at National Bank of Commerce to fulfill her role as Town Clerk. Seconded by Wes Koehler. Motion Carried.*
- 5. Sign Union Contract:** *The Town Board signed the union contract as agreed at the Special Board Meeting on September 9, 2024.*
- 6. Conditional-Use Permit: Deana & Jeffrey Abrams—Hobby Farm** *Wes Koehler moved to approve the conditional-use permit for Deana & Jeffrey Abrams Hobby Farm. Seconded by Tim Haskins. Motion carried.*
- 7. Land Bid Application: Corner of Bennett Road and County Road E by the Lutheran Cemetery:** *Moved by Tim Haskins, seconded by Wes Koehler to pursue the transfer of this ¼ acre of property from Douglas County since it is attached to the Bennett Lutheran Cemetery. Motion Carried.*

8. **Budget Amendment** – Tim moved to approve Budget Amendment TB-2024-05-R transferring \$1,500 from the equipment fund to pay for the Land Survey, \$4000 from the Bennett Volunteer Fire Department (BVFD) Grant account to the BVFD Equipment Account and to accept \$1,664 from the Friends of the BVFD for purchase of equipment. Seconded by Wes Koehler. Motion Carried.
9. **Review Permits:** No action needed.
10. **Correspondence** – Nothing else was received or discussed.

**PUBLIC COMMENT:**

Rick Hartzell commented that he thought it was too late in the year to put gravel on Summer and Giffin.

The board was asked if they would post updates on the Summer Road information they receive from the Land Survey and from the lawyer so that residents could read about the progress before the February meeting. Brett Hunter stated that updates could be put on the board meeting agendas and would be included in the board meeting minutes which would then be posted.

There was concern that instead of paying lawyer fees that money could be applied to the moving of the road so that removing the trees would not be necessary. Wes replied that as the group has had a lawyer contact the town board, the board now feels it is necessary to have a lawyer determine the liability and responsibility of the town board on this matter.

**ADJOURNMENT:**

*Motion to adjourn was made by Wes Koehler at 7:04 PM, seconded by Tim Haskins. Motion carried.*

*Respectfully submitted,  
Tamara Johnson, Town Clerk*