

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, October 10, 2023, immediately following Board of Review,**  
at the **Birchwood Village Hall, 101 N Main St, Birchwood, WI 54817.**

**MINUTES**

Call meeting to order (Meeting is recorded)

Pledge of Allegiance: Recited at BOR

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

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

Police Monthly Report - September Report-Police calls for family issues, criminal damage, and trespassing.

SWAT training. Adam has been working on the new squad. He is getting old squad ready for auction.

Public Works Report - September report on Sewer, Water, Streets, and Parks-Strand reported- Portable generator and black truck repairs are completed. Strobe light and running boards have been installed on the new truck. Ditches and mowing are done. Strand is getting things ready for winter. Doolittle-working on rip-rap and closing up park. There have been a few SxS issues in the park. He is working with Rural Water on Diamond Map set up. Fee reported- Kenway cleaning has helped improve sewer operations. Power grid box was hit by lightning, so he will need to order a new one. He is getting water shut off at Doolittle. Wellhead project might be postponed due to additional repairs. He will be flushing hydrants/turning valves in the next 2 weeks.

BFCESD- Update -Dan reported- Per Rural Waters recommendation, the BFC is no longer flushing hydrants due to liability issues. Town of Birchwood will be using BFC services. Town of Cedar Lake may possibly change to full coverage from BFC as well. The increase in the budget is from the increase in EMT wages.

Correspondence (if any) -Linda Zillmer voiced concern over ATV/UTV issues. She would like to see the current and draft Comprehensive Plan on the Village website. New appointments need to be made to the Police Committee and meetings need to be scheduled.

**AGENDA ITEMS:**

1. Motion by VanGilder 2<sup>nd</sup> by Boatman to approve current agenda. Carried 4-0.
2. Approve Meeting Minutes
  - a. Motion by VanGilder 2<sup>nd</sup> by Boatman to approve the Regular Board of Trustee meeting minutes from September 12, 2023, with changes to agenda item #4 changing verbiage from private fire protection to public fire protection. Carried 4-0.
3. Financials
  - a. Motion by VanGilder 2<sup>nd</sup> by Boatman to approve prior month's Treasurer's Report. Carried 4-0
4. Community-Based Wall Mural
  - a. Birchwood School art students to paint community-based wall mural on Junction 48 building facing Hwy 48. Beffa stated that she believes it will be a historical picture facing Hwy 48. Discussion on what side of the building is actually being painted. BOT agree that the mural should be tasteful and have no political agenda.

*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.*



5. MSA-Teresa- 6 bids received. Low bid was from Osseo Construction. The next 4 bids were within 3% of each other. Teresa stated that MSA has not had a good experience with Osseo and KLM would not recommend them. Osseo Construction owes money to suppliers and have not finished a current project on time. Due to the circumstances, the Village attorney was contacted, and he advised that the 2<sup>nd</sup> to the lowest bid could be accepted because the low bid was from an irresponsible bidder. LeBrocq and Seffinga commented that they didn't think the Village should use a contractor that wasn't reputable.
  - a. Motion by VanGilder, 2<sup>nd</sup> by Seffinga to award the Water Tower Rehab Project construction contract for \$505,600 to Viking Industrial Painting as a responsible bidder. Carried 4-0
  - b. Water Tower Rehab Project Next Steps-MSA will process the award paperwork. The project will start when weather allows in 2024. Discussion on funding with interim financing until Safe Water drinking loan is dispersed. See item #7.
  - c. Corrosion Control Improvements Project Update-Fee is ordering parts which may affect the timeline for completion. Per Teresa, the order can be changed if it goes past the end of the year.
6. Simplified Rate Case Follow up.
  - a. Update on process. -Notices were mailed out last Friday with utility bills informing residents of the 8% increase. This was also posted in the Chronotype. Beffa stated that this will also increase the public fire protection which affects all taxpayers. She will submit the application tomorrow for the increase to be effective on Jan 1<sup>st</sup>, 2024. This does not require a public hearing.
7. Safe Drinking Water Project Financing-The Dairy State Bank loan will cover expenses until the Safe Drinking Water funds are dispersed. Dairy State Bank will be paid off when the Safe Drinking Water funds are received.
  - a. Motion by VanGilder, 2<sup>nd</sup> by Boatman to approve Resolution 238-23 approving interim financing from Dairy State Bank for \$898,891 for the Safe Drinking Water Projects. The interim financing will be from October 16<sup>th</sup>, 2023, through December 31, 2024. Carried 4-0
8. Public Fire Protection-\$45,824 Follow up.
  - a. Discuss and approve collection options per the PSC recommendation. Beffa checked with the attorney to see if the Village could pay a portion and the rest be applied to the tax roll. The attorney reviewed and does not recommend this. The PSC tariff only allows the Village to put this expense on the taxes. Beffa added that the Village could possibly amend the PSC tariff. If put on the property taxes as a special assessment, this amount would be divided equally between all taxable lots in the Village. Boatman stated that the Village doesn't have a choice and needs to comply with the tariff. Motion by Boatman, 2<sup>nd</sup> by Seffinga to place the Public Fire Protection on Village property taxes as the method of the annual collection. Carried 4-0.
9. BFCESD-Follow-up
  - a. BFCESD response to Village letter regarding possible ways to recoup expenses. VanGilder didn't send the letter. Wichser stated that everyone must follow the rules and regulations from the PSC. It is just the cost of doing business. The BFC could bill the customer or township that had the fire- but that is ultimately up to the BFC. Seffinga commented that it is billable to the insurance company. Boatman stated that if they recoup this from the annual expenses split between the municipalities, the Village will be paying again. Dan stated he felt it should be the township who incurs the expenses responsibility to pay. Beffa suggested the BFC invoice the

*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.*



township and then the township could bill the customer. She also stated that when the 3” meter is used to fill trucks, the BFC gets charged for all the water used. If they use a hydrant-bulk water rules apply. With the hydrant use- water used in the Village would not be charged. Dan asked if there was a form to keep track of how much and where water was used from. Beffa will draft a letter to the BFC explaining the changes.

10. Birchwood Four Corners Emergency Services District-Fire Dept budget is \$181772.59-Village portion is \$6340.77. Ambulance budget is \$275630-Village portion is \$42057.50. 1<sup>st</sup> half is due on Jan 31, 2024, and 2<sup>nd</sup> half is due on April 30, 2024.
  - a. Motion by Boatman, 2<sup>nd</sup> by Seffinga to approve the 2024 -BFCESD Budget and Assessments for Fire Dept and Ambulance Services Resolution #237-23. Carried 4-0
11. Ordinance Amendment 19-2023-Zillmer opposed amendment. Beffa explained that the original enactment was already published in 3 public places, so the attorney didn't feel it needed to be published again. This amendment would clarify the guidelines to be used when determining who would be grandfathered in. Beffa informed the Board that currently there is only 1 STR that is registered with the State of WI.
  - a. Motion by Boatman, 2<sup>nd</sup> by Seffinga to amend Ordinance 19-2023-Article III – Short Term Home Rentals [Amended] as follows. Carried 4-0
    - i. Application to apply to all short-term home rentals for after the effective date of this Ordinance. This Ordinance does not apply to short-term home rentals who were registered with the State of Wisconsin as short-term home rentals and operating in the village prior to this Ordinance.
12. Warm Storage Garage-Zillmer is opposed to any private use of the hall.
  - a. Review and discuss attorney and insurance concerns in regard to proposed warm storage garage space for lease. Determine future use of the Village's garage space. Beffa stated that both the insurance company and attorney opposed storage use at the hall without a detailed waiver drafted by the attorney. Both agreed this was a liability to the Village. Motion by VanGilder, 2<sup>nd</sup> by Seffinga to work with Charles Feather to lease the 3 bays on the end of the Village Hall. Carried 4-0.
13. Birchwood Chamber of Commerce Annual Membership-\$200-Zillmer is opposed. Beffa discussed the benefits of being a member. The Chamber is replacing our flower barrels at the hall to help continue the Main Street Beautification project. They also advertise for Doolittle Park. VanGilder agreed that we all need to work together. He also added that the Chamber paid the difference on the new sign.
  - a. Motion by VanGilder, 2<sup>nd</sup> by LeBrocq to renew the annual membership. Carried 4-0.
14. Fee Schedule Revisions-Ziller voiced concern over changes. Beffa explained that the current fee schedule is confusing when it comes to the CSM. Currently, it is \$50 /1st lot and \$25/ for each additional lot. She also stated that Atwood's fee is \$75 for pre-inspections, so we should not be losing money on that. She found out that the Village's fees were considerably less than other municipalities for STR annual fees. Some were charging \$1200. Beffa went on to say that liquor licenses were \$500, so she felt all licenses should be the same. VanGilder and Seffinga agreed.
  - a. Motion by LeBrocq, 2<sup>nd</sup> by Seffing to change the Land Division/Combining CSM fee to \$100 per Certified Survey Map. Carried 4-0

*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.*

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



*"The Bluegill Capitol of Wisconsin"*

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

- b. Motion by VanGilder, 2<sup>nd</sup> by Seffinga to change Short-Term Rental Pre-Inspection Fee to \$75 and Short-Term Rental Annual fee to \$500. Carried 4-0
15. Operator's License Approval-
- a. Motion by Boatman, 2<sup>nd</sup> by Seffinga to approve operator's license for Monica Zimmerman-Applicant for Dollar General. Carried 4-0
  - b. Motion by Boatman, 2<sup>nd</sup> by LeBrocq to approve operator's license for Randall Seffinga-Applicant for Paul's Pizza Den. Seffinga abstained from voting. Carried 3-0
  - c. Motion by Boatman, 2<sup>nd</sup> by Seffinga to approve operator's license for Deavin Perry-Applicant for Dollar General. Carried 4-0
16. Motion by Seffinga 2<sup>nd</sup> by Boatman to adjourn. Carried 4-0

*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.*