



# MINUTES OF THE ANNUAL MEETING OF THE ELECTORS

**DATE:**  
April 18, 2023

**TIME:**  
6:00 p.m.

**LOCATION:**  
Omro Town Hall, 4205 Rivermoor Rd.

## **Meeting Called to Order**

Chairman Noe called the Annual Meeting of the Electors to order at 6 p.m.

## **Attendance**

Electors in attendance included Norie Tritt, Phyllis Silverthorn, Ellen Sullivan, Christopher Shea, Megan Shea, Tom Wolf, Jim Shea, Brian Noe, Mark Krings, Viola Schmick, Wayne Schmick, Mary Tuschl, Tom Tuschl, Larry Remer, Doug Gunz, Derek Potratz, McCara Potratz, Jackson Remer, Allen Silverthorn, John Giddings, Nathan Ross, Shannon Besaw, Sarah Silverthorn, Wendy Krings, Luann DeVos.

## **Meeting Minutes**

**MOTION** by Tom Tuschl, second by Al Silverthorn to approve 2022 Annual Meeting minutes.  
Motion carried on a unanimous voice vote.

## **2023 Annual Report**

Chairman Noe reviewed the 2022 Annual Report and gave the opportunity for electors to ask questions about the 2022 Annual Report presented.

Tom Tuschl asked whether or not Plan Commission would have a more detailed annual report included as in the past. Clerk Woods explained she had followed template from the last couple years. Could include more if desired.

Not other questions were voiced, and no action was taken.

## **MS4 Permit Requirements**

Chairman Noe reviewed the town's MS4 Permit requirements. Shared we were audited this past year and were found to be in a great position. Gave electors the opportunity to ask questions about it. He also invited electors to become involved in stormwater cleanup events.

## **Request for Elector Authorization to Sell Unused Portion of Cemetery**

Residents Christopher and Meghan presented their offer to purchase the unused portion of cemetery adjacent to their personal property.

Doug Gunz commented that he would understand the desire; Questioned if they contacted the state historical society burial site? Christopher indicated they had not. Gunz explained that some years back the town went to Father Carr to ask if they would take the cemetery over – not interested. Then-Town Attorney Werch contacted the state historical society, and it was a situation where the Historical Society would have to decide if they would allow the town to sell it off. He further explained the findings the town came up with years ago when someone else inquired about it. Suggested that anyone who might potentially disturb the property proceed with caution due to legal implications. Also expressed the opinion that \$5,000/acre is too low and that the offer should be higher.

Chairman Noe explained that there are things to be done, but that it didn't make sense for the town to do too much leg work on it unless the electors were willing to authorize the town to sell it.

John Giddings commented the 30 years ago this was tried, and it was stopped. He spent money having it surveyed and made concessions and mowed the cemetery for many years without charging the town. He surveyed it, put up a fence and seeded the land four times so that it could look better and then proceeded to mow it for many years so it wouldn't cost the town. After five years, the town took over responsibility to cover the cost of mowing.

Wendy Krings asked what the Shea's plan for the land is. Christopher answered saying he's planning to build a shed. Might not go on that property but need the acreage in order to build it.

Al Silverthorn commented that his family has been on the farm that borders it since 1956. Confirmed what Mr. Giddings said and shared that there hasn't been any burials there since they've been there. Encouraged the probing to know for sure.

Mark Krings indicated he will not be voting tonight due to relationship with Christopher but shared information - transfer from Green Bay diocese to Omro happened in 1960 – information at that time said random probes were done and nothing was found. Fenceline toward the pit, according to GPS is not accurate.

Ellen Sullivan talked about lots. Spoke to the situation of unused deeded lots. She had a deed, but cannot use it because it wasn't legally passed down.

Tom Tuschl asked Christopher about his present acreage. Answer was 1.82 and was told by county he would need 4. To chairman Noe – when farmer sells his land to residential, they need to pay taxes. Chairman Noe doesn't believe there is a lookback value for ag value. Would need to look into it further.

Doug Gunz commented that all expenses to selling it should not be a town expense. Should be paid by the purchaser. Chairman Noe agreed and board has agreed to that, but we need to know if the electors will even authorize the sale of it.

Chairman Noe invited any other questions or a motion to consider.

**MOTION** by Al Silverthorn, seconded by Shannon Besaw for the town to pursue the process of selling the land at a cost to the town (legal research needed to be conducted) not to exceed the purchase offer \$8,750 submitted by Christopher and Megan Shea. Not to Exceed amount later amended to \$5,000.

Motion carried on a 12-10 show of hands with 3 electors abstaining.

**MOTION** by Doug Gunz, seconded by John Giddings to NOT allow the town to sell the land until potential buyer contacts the Wisconsin Historical Society and comes back with knowledge from that entity and legal guidance of the proper procedures that need to be followed in order to sell cemetery land.

Motion carried on a 17-3 show of hands with 5 electors abstaining.

**MOTION** by Ellen Sullivan, seconded by Nathan Ross to authorize the town board to sell the property with pricing parameters set forth in the proposal presented by the Shea's at the meeting (referenced below). Authorization to sell is conditional upon the Wisconsin Historical Society giving its OK, the sale abiding by any applicable state statutes, and the probing results confirming no remains are buried in that portion of the property. Pricing parameters presented in the Shea's proposal are:

1. Offer is \$8,750 for 1.75 acres of property.

2. When purchase is finalized, Shea's will have paid the related expenses listed below and deduct will those expenses from their final purchase payment made to the town. This will result in an estimated final purchase payment of \$2,500 to the town for the 1.75 acres.
- a. Probing, estimated at \$2,000
  - b. Certified Survey Map, estimated at \$2,350
  - c. County Rezoning, estimated at \$350
  - d. Town CSM fee, at \$250
  - e. Town Rezoning fee, at \$250
  - f. City of Omro extraterritorial fee, at \$65
  - g. County CSM review fee, at \$220
  - h. County Rezoning fee, at \$765

Motion carried on a 22-1 show of hands with 2 electors abstaining.

Tom Tuschl commented that it was gratifying to him to see many new faces at the meeting and mentioned the availability of the emailed newsletter.

#### **Date for 2024 Annual Meeting**

**MOTION** by Tom Tuschl, second by Tim Wolf to set the date for April 16, 2024 as prescribed by statute.

Motion carried on a unanimous voice vote.

#### **Adjournment**

**MOTION** by Viola Schmick, second by Tim Wolf to adjourn the meeting at 7:20 p.m.

Motion carried on a unanimous voice vote.

Submitted by Dana Woods, Town Clerk

Approved by Town Electors, April 16, 2024