

**Town of Winchester**  
8522 Park Way, Larsen, WI 54947  
**Town Board Meeting Minutes**  
July 21, 2025  
7:00 p.m.

A. CALL TO ORDER

1. Pledge of Allegiance
2. Verification of Notice
3. Roll Call:

Chair Olson	Present
Supervisor Miller	Present
Supervisor Pavlik	Present
Treasurer Kreutzberg	Present
Clerk Stevens	Present

Public Attendance: 20

B. APPROVAL OF MINUTES

1. July 7, 2025 Town Board Meeting Minutes.

**MOTION:**

**Motion by Supervisor Miller**

**Second by Supervisor Pavlik**

**Motion to approve the Minutes of July 7, 2025 Town Board Meeting as presented.**

**Motion carried unanimously.**

C. REPORTS

1. Fire Department

**6 Fire calls for the month of June:**

- 06/01/2025 MABAS call for Structure fire on Gaigg Ln., Town of Hortonia: 1 Tender, 6 Personnel, 2-minute enroute time, On scene in 18 Minutes, 47 minutes for total call.
- 06/09/2025 Vehicle Accident on County Rd. M north: 1 Engine, 8 Personnel, 8-minute enroute time, On scene in 10 minutes, 51 minutes for total call.
- 06/12/2025 Vehicle Fire on Hwy 10 EB, 3/8 of a mile west of Town Line Rd., Town of Wolf River: 2 Personnel, 9-minute enroute time, On scene in 17 Minutes, 1 hour 29 minutes for total call.
- 06/22/2025 Tree branch on Power Line on Furman Rd.: 1 Engine, 1 Tender, 7 Personnel, 8-minute enroute time, On scene in 13 Minutes, 38 minutes for total call.
- 06/23/2025 Wire/Arching Tree Branch on Grandview Rd.: 1 Engine, 1 Tender, 5 Personnel, 10-minute enroute time, On scene in 18 Minutes, 1 hour for total call.
- 06/25/2025 CO Check on County Rd II.: 1 Engine, 1 Rescue, 6 Personnel, 10-minute enroute time, On scene in 11 Minutes, 43 minutes for total call.

**Training**

July fire training was held at Gibson's Auto Salvage for advanced vehicle extrication and stabilization with training of 3 separate vehicles.

**Events**

The department participated in the Winneconne Sovereign State parade with T144, Rescue 44, and Grass 44.

**Equipment**

As was brought up in the last Fire Chief Report, we are looking to replace the firefighting water pump/pump engine on Rescue 44 due to age and a failing gear reduction system between the Engine and the Pump. At our Fire Officers’ meeting it was discussed to use the Firefighters Fundraiser money to purchase the pump and engine. The idea was then discussed with the Firefighters at our July Business meeting. A vote was held, and it was approved to use the funds of approximately \$13,500 to purchase said equipment. The labor costs for removal of the old pump and installation of new will be covered by our annual Fire Department budget money.

2. EMS

**2 Calls for June**

- 1 Sick
- 1 Vehicle Accident

**Training**

There was no training this month.

3. Volunteer Funds 2025 Q2 Quarterly Report

The Volunteer Funds Ordinance requires presentation of a financial report to the Town Board on a quarterly basis. Below is a summary of the individual fund balances which are held in the Volunteer Funds account. Clerk Stevens, Treasurer Kreutzberg, and Auxiliary Treasurer Hanneman have continued the monthly reconciliations and all accounts are reconciled.

Auxiliary	\$20,193.46
FD Donations	\$ 1,917.00
FD Fundraisers	\$31,010.19
<u>EMS</u>	<u>\$ 4,736.28</u>
<b>Total</b>	<b>\$57,856.93</b>

**Bank Balance \$57,856.93**

D. BUSINESS REFERRED BY THE PLAN COMMISSION

1. Chapter 18 Land Division and Subdivision Ordinance Audit and Proposal

Supervisor Pavlik reported that Consultant Jeff Sanders presented the results from his audit of Chapter 18 Land Divisions and Subdivisions Ordinance. The Plan Commission directed him to move forward with the development of a Draft document for consideration. Mr. Sanders anticipates a September or October delivery of the draft.

E. BUSINESS

1. Rescind and Recreate the ATV/UTV Routes and Regulations Ordinance to align with Winnebago County Code and State Law

The Board reviewed a copy of a request submitted by the Knight Rider's ATV Club and the Winnebago County ATV/UTV Alliance requesting the Town of Winchester consider updating Ordinance 2020-02 ATV/UTV Routes and Regulations to align with the recently approved Winnebago County ATV/UTV Regulation and State Law. Their request details the main changes addressed at the County level with which the Town's current ordinance is in conflict.

The Board also reviewed a copy of the current Town Ordinance 2020-02 and the redline copy of the County Code as approved by the Winnebago County Board, and a new draft of the Town of Winchester Ordinance (2025-01) which aligns the local ordinance with the County regulation as well as State Law.

Clerk Stevens reviewed the main changes which include ATV/UTV use allowed 24 hours/day. Also, the County will be opening all county roads west of STH 76 as ATV/UTV routes. She noted that most county roads on the east side of STH 76 will not be opened but for a few specific exceptions. She noted that in the Town of Winchester all of the town roads and all of the county roads will be ATV/UTV routes once properly signed. Clerk Stevens also noted that the ordinance allows the drivers to follow the posted speed limit for each road. She explained that with the alignment to the County regulation, it provides for the County Sheriff's Officers to enforce uniformly across the entire county.

Clerk Stevens reported that Attorney Parmentier confirmed the Draft Ordinance is consistent with the County and State regulations and that he recommended approval.

Supervisor Miller clarified that all the Towns around Winchester are updating their ordinances as well.

Gail Haag, Knight Riders ATV/UTV Club, confirmed that Clayton has already passed the new ordinance, Wolf River has it on an agenda for this month, and others are scheduling and planning to adopt the uniform regulation.

Supervisor Pavlik said he reviewed it line by line and the only thing that he found was that the old ordinance says the Town Clerk shall maintain a route map.

Clerk Stevens explained that all town roads and all county roads will now be ATV/UTV routes so the need for route identification on a map is not necessary.

Supervisor Pavlik agreed that it is a moot point because the town and county roads will all be open.

Supervisor Pavlik noted that it is a bit more complicated when you start incorporating the Statutes which are referenced in the ordinance. He noted that if those regulations were all listed, the ordinance would be 40 pages long. So, there are a lot more regulations that apply in addition to the local ordinance. He asked the Club representatives if they are familiar with the ATV/UTV Safety Classes that are offered by the DNR.

Gail Haag explained that some members of the local clubs teach those courses as Ambassadors. They offer courses throughout the year.

Supervisor Pavlik said that he hopes the training goes in-depth into the regulations.

Gail Haag noted that the State Laws applied with the old ordinance as they will with the new ordinance, so very little if anything relating to that will change.



positive of this. This is what I took from it. They are going to run it into a catch basin and then they are going to pump it all out again onto my land. In this happening, Michelle was at it, it kind of turned into something it shouldn't have, but somehow, Michelle called Holly and got Holly on the phone. I don't know why, I don't know where. I have been told from you, this is not a Town issue—there is nothing we can do about it, it is a civil issue. I understand that but what is, if someone, I am going hypothetical here, but if somebody were to build a new house next to any of you guys, and the sump pit hose came into your land would you allow it. If somebody's building a new house, don't they need some sort of stormwater run-off catch?

Chair Olson asked Clerk Stevens if that was required. Clerk Stevens explained that it would primarily fall under county jurisdiction with erosion control and stormwater management if it is required. For the Town, we just require that they manage their water on their property. She said it is her understanding that the Stones are doing just that and are directing it to the natural water course. She referenced the mapping from ECWRPC which shows the land contours and the natural flow of water for all the properties involved. She explained that the Stones are directing the water to the natural water course to the northwest, north of Mr. Boyce's property. She said that is where the natural water flow is.

Todd Boyce responded, stating:

Okay, with that being said, I am not going to get into that, but can we put it on the next agenda, but I ask you guys to come out and look and then we can discuss it. The maps, how did these...where did these come from?

Clerk Stevens explained that the map showing the drainage direction, and the contours came from East Central Wisconsin Regional Planning Commission. She said she has maps for each of the Sections in Town. She said the Plan Commission requested they develop and provide those for the Town several years ago.

Mr. Boyce asked how many years ago the maps were made. Clerk Stevens said they commissioned them in 2017 or 2018. She also noted the aerial photos were from the Winnebago County GIS historical data.

Mr. Boyce said he is just asking you guys to come out there and look at it and get an eye for what it is.

Supervisor Pavlik noted that this is all on private land.

Mr. Boyce said you can come on my land. I am telling you.

Supervisor Pavlik said the point is that the Town does not have any authority to order anybody to do anything on their private land.

Mr. Boyce said okay, that is all he asks then—if that was given, that you gave me that...okay.

Supervisor Pavlik added that Land & Water also said it is a civil matter, and that is true. He said he does landscaping, and he is always concerned about where the water is going to go. He said downspouts and sump pumps often times just flow onto the property. He noted that some subdivisions have very poor drainage, and some municipalities do a very poor job with maintaining their drainage plan within their townships. He said Darboy is a prime example—they let people fill

in the ditches and all of a sudden, the water starts backing up and everyone has a problem. But in this case, none of the drainage or even the natural flow—none of it even comes close to town land. So, what can we do?

Mr. Boyce said:

That is what I am asking. Who does control that? If somebody builds a house, they don't have to have a stormwater run off or don't they have to have where they are going with their sump water? I mean at this meeting, at a meeting we were at when the drain tile issue was, Mikey specifically asked you, Matt, if somebody's drain tile is going onto somebody else's property, who enforces that? You said I would.

Chair Olson explained that if that ordinance would have passed at that time, we would have had some authority. But the ordinance failed.

Mr. Boyce continued asking, so what is the town's, where does the sump pit supposed to go?

Chair Olson said he thinks what needs to happen, is that people need to work together. He said he does not want to get into a whole bunch of telling you what to do, but there are a couple things that could be done on your property. He said you could lay down a tile line in and collect that water and take it down to wherever your water goes. He said he thinks there are a couple tile lines on your property that are broken—those could be repaired. He said he thinks that is probably the cheapest route you could go. He said you could dig a ditch along the fence line. He said he does not think there ever was a ditch along the fence line, but that would be another option.

Mr. Boyce said, “so I should incur these costs?”

Chair Olson said he is not telling Mr. Boyce that he has to do this. He said he is giving you a couple of suggestions that could alleviate the problem. He said it is a civil matter for you and the Stone's to work out, or go to court, or whatever you decide to do. But the Town has no authority and the ordinance that we attempted to get into place was rejected by the people in the town.

Mr. Boyce said:

That was a drain tile ordinance, that wasn't a sump pit ordinance or a catch basin ordinance. I have never seen it, but I understand that the Stone's house, the back part of their house, and they can answer this, is an exposed basement. So, with this being said how could natural flow take place if they are burying a 6-inch pipe three and a half feet below the surface of the water?

Chair Olson said he does not know what the fall of the land is.

Mr. Boyce clarified that there is nothing the Town can do. He asked if they could go out there and look at it.

Chair Olson suggested that Mr. Boyce call Land & Water and have them come out and look at it.

Mr. Boyce said he has already done that.

Chair Olson asked, “What did they tell you?”

Mr. Boyce said they are only an advisory, they have no teeth. But they said that in their eyes there is excessive water coming onto my property resulting from the drain tile additions that were put in.

Supervisor Pavlik said we cannot give legal advice, but he would suggest you contact an attorney and have a discussion with him.

Chair Olson said this is a civil matter between you and the Stones.

David Stone, 8409 Meyer Lane, said that he is obviously the neighbor of Mr. Boyce. Mr. Stone made the following statement:

In March 2023, Mr. Boyce brought very similar complaints to the Town Board. It was prudent for me at that time to address his complaints and make our response a matter of public record. So, there could be absolutely no question that we had responded to him. I am here tonight for the second time to make our response again part of this public record. I will lay out facts, some of which are augmented by the maps in front of you.

First, everything we are doing is completely permissible. We are not violating any law, ordinance, or statute. Second, despite what Todd said a second ago, all of the drain tiles empty onto our property. None of them empty across any of the property lines—they are all well within our property. The point where our drain tiles empty was specifically chosen to join the path where water flows naturally. Which means that is where the water will go, drain tile or not. Moreover, the path that the water follows when it comes out of the drain tiles follows the natural path which has been the natural path since well before our house was built. If you were to look at the aerial image from 1997, which was taken 10 years before our house was built, the image clearly shows the water flows from the woods on the immediate west of Sauby Road through our property and then along the north side of Todd's property the same as it does today. Our tile drains directly into the dark area near the corner of the property that shows the natural water flow. It is also worth noting that the water that is in the waterway or the drainage area that Todd is worried about is not just water from our property. The water from the property immediately to our west and north of Todd's property also drains into the natural drainage path.

There are two low spots in Todd's field which habitually flood. The first is 300 feet from the point where our tile empties. The second is 850 feet away, both as measured on Google Maps. Importantly, if you look at the aerial photos from 1976 and 1997, both images taken before our house was built, they clearly show those exact same low spots as flooded. If you make a side-by-side comparison of the images from 1976 and 1997 along with 2024, you will see identical indications of low areas susceptible and affected by flooding during heavy rain. That would certainly lead one to believe that the problem is insufficient water management and drainage within Todd's field. Additionally, as shown on the drainage flow map, the second area that is 850 feet away, the drainage for that enters a separate flow of water. You can see that there is one blue flow line coming off of their property which eventually shifts to the north, and then there is a second blue line that goes north separately and that is where that second location of flooding is. So, again, a second indicator that the flooding in his field is none of our doing. Some of these images show that the drainage issues he is complaining about, the water flow as well as the flooding of the field existed as early as 1976 which was 29 years before our house was built and that shows that his drainage issues need to be abated by something other

than what we are doing because we are not causing something that existed long before our house was built.

Todd Boyce responded, stating:

With that being said I will put up a berm. I will see if I alleviate the flooding down at the end. If it doesn't alleviate the flooding, we'll take the berm out and we will fix it.

**No Town action taken.**

3. Shouldering (S. Loop, part of Bison, and Mud Creek from II to Grandview)

Clerk Stevens reported that Roads Chair Delikowski had requested costs for shouldering work to be completed by Northeast Asphalt in conjunction with the paving maintenance they will be completing. The costs came back significantly higher than previous years and as such, Chair Delikowski declined their proposal for shouldering.

Because shouldering is essential to the longevity of the asphalt surfaces of roads, Chair Delikowski has been searching for alternative contractors hoping to find a more affordable option.

Radtke Contractors had previously reached out inquiring about potential work, so Chair Delikowski and Radtke's have agreed to complete a trial project, on a time and materials basis, which includes approximately the first 500 ft. of South Loop Road, the east side of Bison from CTR II to just past Antlers, and Mud Creek Road from CTR II to Grandview, with the understanding that the final cost cannot exceed \$10,000.

Chair Delikowski and Radtke's will evaluate the 'final product' and costs to determine if we have a viable, affordable solution which provides the quality product essential to preserving the roads.

Supervisor Pavlik noted that shouldering takes very specialized equipment. He asked if Radtke's is equipped accordingly.

Roads Chair Delikowski said they have an alternate solution, and his opinion is that as long as it gets the shouldering done as it needs to be, he doesn't care how they do it.

Chair Olson said that Radtke's have a truck with the chute to direct the gravel along the edge. He said that gets the gravel in the right place and then they have to compact it.

Roads Chair Delikowski said that is why they are doing a trial. He said they are also looking at the pricing so that we understand the cost to do a 1-mile stretch of road.

Supervisor Pavlik asked if they have done this kind of work.

Roads Chair Delikowski confirmed they have for the Town of Poygan and some other local towns. They just have not done it for us yet.

Supervisor Pavlik said he thinks it is the right way to go.

Supervisor Miller asked when they would be doing the work.



I. ADJOURNMENT

**MOTION:**

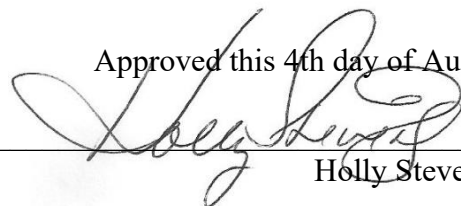
**Motion by Supervisor Miller**

**Second by Supervisor Pavlik**

**Motion to adjourn at 7:37 p.m.**

**Motion carried unanimously.**

Approved this 4th day of August 2025



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Holly Stevens, Clerk