

MEETING MINUTES TOWN OF LAFOLLETTE

Monthly Meeting Monday, April 13, 2026

Attendance: Chair Darwyn Brown, Supervisor Scott Lauder, Supervisor Mitch Coyour, Treasurer Karen Mangelsen, Clerk Sandy Hinkley

Residents: 2

Meeting Start: 7:00

Verification of Posting: Agenda/Notice posted on website, at Town Hall and Coomer on 4/6/26

Reading of Minutes:

- Minutes of March 9th Monthly Meeting read. With one correction, motion to accept minutes made by Scott and 2nd by Mitch

Clerk's Report

- Completed SAP invoices, payment received from Sand Lake and Dewey. Tribal portion expected.
- 2% Fire Dues reporting completed and Liquor License applications mailed
- MCT100 completed and balanced.
- ARPA Reporting, research needed, should have been closed in 2025
- Election Recap – training of poll workers March 30th during Public Test, 183 voters – 47% turnout. estimate a 10-day window for absentee send out and return.
- BOR / Open book dates filed with DOR as well as BOR Training for board member
- Annual Meeting agenda needs creation and posting tonight. Discussion of topics, meeting announcement posted in Leader/Sentinel

Treasurer's Report

- Receipts: SAP, Dog Licenses, replacement of lost county check. Transfer from Savings to Checking \$35,000.00, received Transportation Aid \$ 31,416.92. Total disbursements \$ 25,473.92
 - Motion to accept Treasurer's Report made by Scott and 2nd by Mitch
- TTECH - New Land Records software vendor at Burnett County for tax reporting is beginning initial roll out and training.
 - TTECH Software Maintenance Agreement signed by Darwyn
 - Laptop purchase required for new TTECH tax software. Specifications of TTEch given, plus room for QuickBooks, etc.
 - Motion made by Scott to allow Renae to purchase a laptop up to \$1000 limit, 2nd by Mitch.
 - County Clerk suggests a generic email and address for town treasurer's going forward with new software.
 - Generic email for Treasurer role: treasurer@tn.lafollette.wi.gov
 - Sandy has the ability to create new email. Google charges \$8.70 per month for a new email address
 - Additional cost accepted, motion made by Scott and 2nd by Mitch
 - PO Box for Treasurer, initially will use current town PO Box (PO Box 322) and purchase additional keys. If needed will separate or upgrade size at later time.
 - Training to begin in June, attended by Renae
 - Karen's role as treasurer remains, Renae will assist the town and the treasurer with the transition to new software.
 - Discussion of potential generic emails for Board members as well.

Chairman's Report

- Remote attendance to the WTA District meeting which included BOR training. Meeting also gave an example of a possible Transportation Resolution; upon research the town will not pass the resolution.
- Town meeting remote attendance – discussed ways to optimize sound.
- Ambulance has a new contract, Jan 2027. Several upcoming meetings, Town Chairs, ambulance committee and WTA will meet to discuss ambulance service and contract.
- Update on TRIP application for Herrick project - rated #1 at County level and regional, now to DOT
- This week will place the ads as motioned in March meeting to blacktop and shoulder Indian Creek Road for LRIP Project #19111 – Project ID 39508802506.

Financial Report

- As it's early in year, we are in good shape and on track. Low on Highway expenses, but high in equipment maintenance.
- \$14K has been earmarked for insurance received for storm damage, will purchase siding this week.

White Pine Cemetery

- Working through process to completed Quiet quitclaim. Court procedure done, now need public posting and allotted time period before complete. Approximately May 26th for official ownership
- Cemetery Ordinance – approved by legal, will post ordinance for required 14 days and have a meeting April 28th to adopt ordinance.
 - 3 cemeteries listed within LaFollette (White Pine, Hertel Lakeview, Tribal Indian Land). Ordinance only applies if cemetery abandoned and placed under town direction.

Website Update

- Purchased “coins” to protect website address for 5 yrs and email renewal. Did not purchase domain “.AI”
- Weight restrictions removed, Darwyn/Doug to determine exceptions (Viola and Warner Lake Rd)

Road Items

- New truck chassis is built, ready for the box. Asking for payment, but we heard no payment until complete.
- Issue with tractor mower, boom will settle, hydraulic issue. Jeff Christianson working with Diamond Mowers. Many hours of consulting, parts replacements and labor.
- Road signs need replaced, fire numbers fading. Doug to document.

Resident Issues

- Shop phone should forward to Darwyn or leave message to call. Scott to check with Sirentel.

Bills and Correspondence

- List of checks written since prior meeting. Highlighted large amounts. Blank checks pre-signed
- Clerk reimbursements for 1st quarter.
- Update of Lucas correspondence – Town reply drafted and sent after April meeting, with his reply are attached to these minutes.
- Signing contract with Bellin Health (DOT drug testing)
- Short Term Rental contracts shared

Scott will not be present at BOR meeting will appoint alternatives in May meeting

Scott made a motion to adjourn meeting, 2nd by Mitch

Adjourned: 8:22 pm

Sandy Hinkley,

Town Clerk

Based on discussion during 3/9/26 Monthly Town Meeting, this email was drafted, approved by Supervisor Scott Lauder, and sent to lucasrandolph394@gmail.com on 3/10/26 @ 11:24 am. Blind Copied to Town Board

Town of LaFollette ⓧ 🖨 📧

Sandy Hinkley <clerk@tn.lafollette.wi.gov> Tue, Mar 10, 11:24 AM ☆ 😊 ↶ ⋮

to Randolph, bcc: darwyn, bcc: Mitchell, bcc: Scott ▾

The Clerk for the Town of LaFollette, Sandy Hinkley, has received and documented the date, time, format and content of each text and email received from Randolph Lucas from March 3 – 8, 2026. This document was presented to the Town Board on March 9, 2026, at the monthly town meeting. The following response was discussed and approved by Town Chair, Darwyn Brown and Town Supervisors, Scott Lauder and Mitch Coyour:

The Town of LaFollette and its Board followed the required Wisconsin statutes and Wisconsin Towns Association Attorney guidelines when the application for the annual Liquor License renewal was denied to X Marks the Spot. All procedures were documented and are available as public records on the Town of LaFollette's web page:

Webpage
townoflafollette.com

Town Meeting Minutes Link
<https://townoflafollette.com/town-meeting-minutes>

Resolutions and Ordinances Link
<https://townoflafollette.com/resolutions-%26-ordinances>

The other concerns addressed within Mr. Lucas's communications, such as the Lawson/Lucas Legacy, building inspections, "Order to Raze," collections and any claims against them are not relevant to the jurisdiction of the Town of LaFollette. Your concerns of property should be addressed directly to Burnett County Land Services / Zoning.

Signed,
LaFollette Town Board

↶ Reply ↷ Forward 😊 🗨 Share in chat ^{New}

Town of LaFollette

Sandy Hinkley <clerk@tn.lafollette.wi.gov>
to Randolph, bcc: darwyn, bcc: Mitchell, bcc: Scott

The Clerk for the Town of Lafollette, Sandy Hinkley, has received from Randolph Lucas from March 3-8, 2026, at the monthly town meeting. The following response was discussed and approved by Town Chair, Darwyn Brown and Town Supervisors, Scott Lauder and Mitch Coyour:

The Town of LaFollette and its Board of Supervisors have reviewed the application for the annual Liquor License as public records on the Town of LaFollette.

Webpage
townoflafollette.com

from: **Sandy Hinkley** <clerk@tn.lafollette.wi.gov>
to: Randolph lucas <lucasrandolph394@gmail.com>
bcc: darwyn brown <browndarwyn@gmail.com>, Mitchell Coyour <hunting@coyland.com>, Scott <s.lauder@att.net>
date: Mar 10, 2026, 11:24 AM
subject: Town of LaFollette
mailed-by: tn.lafollette.wi.gov

Text was sent at same time to 715-520-7814 to notify that this phone number would be blocked within Sandy Hinkley's phone. Text messages would no longer be received; all further communications must be email.

Email response received from Randolph Lucas 3/10/26 @ 10:21 pm

Re: Town of LaFollette External Inbox x

Randolph lucas
to me

Hi Sandy,

The Town of La Follette *does* have jurisdiction over the building inspections and the "Order to Raze" since those actions directly impact the property where the business and collection are located. Denying the liquor license based on these issues proves relevance.

I need the specific statute you claim gives you the authority to ignore the collection's value in this matter.

On Tue, Mar 10, 2026, 11:24 AM Sandy Hinkley <clerk@tn.lafollette.wi.gov> wrote:

The Clerk for the Town of Lafollette, Sandy Hinkley, has received and documented the date, time, format and content of each text and email received from Randolph Lucas from March 3 – 8, 2026. This document was presented to the Town Board on March 9, 2026, at the monthly town meeting. The following response was discussed and approved by Town Chair, Darwyn Brown and Town Supervisors, Scott Lauder and Mitch Coyour:

As of April 13, 2026 - Town of LaFollette has sent no response to, nor received further response from Randolph Lucas

Town of La Fayette
April 13, 2026

RECEIPTS

Sand Lake - Fire Dept. SAP	\$1709.28
Dewey - Fire Dept. SAP	431.15
Dog license fees	266.00
Burnett Cty. - reunion check (lost - dog fee surplus)	18.42
Savings account	35,000.00
State of WI - trans. aids	34,416.92 31,417.92
	<u>\$71,841.77</u> 68242.77

ROAD
\$9289.55

GENERAL
\$16,184.37

TOTAL DISBURSEMENTS
\$25,473.92

BALANCE BEFORE BILLS
\$91,395.02

Community Bank:

(Int. \$149.22)

{ \$14,159.62 checking
\$351,532.71 savings
\$15,894.45 WPC

TOWN OF LaFOLLETTE
12-Apr-26
2026 BUDGET

	2026 Approved Budget October 2025	2026 Revised Budget Ongoing	2026 YTD Total	2026 Revised/YTD Difference
INCOME				
TAXES (LEVY)				
Property Taxes:	\$287,353	\$287,353	\$255,417	\$31,936
Siren Fire Department Increase				
Road Loan Payments:				
Sterling Bank Road Loan Levy #1				
Community Bank Loan Levy #2	\$139,903	\$139,903		\$139,903
Road Loan Levy #3				
State Funded Road Loan Levy #4				
LEVY TOTAL	\$427,256	\$427,256	\$255,417	\$171,839
INTERGOVERNMENTAL :				
MFL/FCL	\$10,000	\$20,333	\$20,333	\$0
Shared Revenue	\$48,623	\$48,623		\$48,623
Transportation Aids	\$117,261	\$125,668	\$62,834	\$62,834
DNR	\$610	\$610		\$610
State Fire Aids	\$3,000	\$3,000		\$3,000
Fire Signs	\$200	\$200		\$200
License & Permits	\$2,500	\$2,500		\$2,500
Fuel Tax Refund	\$400	\$400		\$400
LRIP-S Williams Road -- WISDOT				\$0
TRIP Warner Lake Road				\$0
TRIP Indian Creek Road	\$186,375	\$186,375		\$186,375
Fire Department SAP	\$5,100	\$2,786	\$2,140	\$645
INTERGOVERNMENTAL SUBTOTAL :	\$374,069	\$390,494	\$85,308	\$305,187
MISCELLANEOUS:				
Bank Interest	\$1,000	\$1,000	\$671	\$329
Community Bank Loan				\$0
Personal Property Tax	\$0	\$0		\$0
Dog License Fees	\$300	\$300	\$271	\$29
Land/Equipment Sale		\$200	\$200	\$0
Exempt Computer/Misc Income	\$500	\$1,514	\$1,514	\$0
Cash from Dec 30 Reconciliation		\$25,845	\$25,845	\$0
Set-a-side for Truck Purchase	\$0	\$94,000	\$94,000	\$0
Community Bank Loan for Truck				\$0
White Pine Cemetery Income	\$17,482	\$15,895	\$15,895	\$0
Over Paid Taxes	\$2,061	\$5,742	\$3,657	\$2,085
MISCELLANEOUS SUBTOTAL:	\$21,343	\$144,496	\$142,052	\$2,444
INCOME TOTAL	\$822,668	\$962,246	\$482,776	\$479,470

**TOWN OF LaFOLLETTE
12-Apr-26
2026 BUDGET**

	2026 Approved Budget October 2025	2026 Revised Budget Ongoing	2026 YTD Total	2026 Revised/YTD Difference
EXPENSES				
General Fund:				
Board Salary	\$14,600	\$14,600	\$0	\$14,600
Board Expenses	\$2,000	\$2,000	\$1,252	\$748
Legal Fees/Publications	\$500	\$500	\$0	\$500
Town Clerk Wages	\$16,200	\$16,200	\$4,050	\$12,150
Clerk Expenses & Website	\$9,500	\$35,345	\$620	\$34,725
Accounting Expenses	\$0	\$0	\$0	\$0
Payroll Expenses	\$22,250	\$22,250	\$1,877	\$20,373
Treasurer Wages	\$9,000	\$9,000	\$2,250	\$6,750
Treasurer Expenses	\$5,000	\$5,000	\$167	\$4,833
Bank Charges	\$50	\$50	\$5	\$45
Assessor	\$8,400	\$8,400	\$2,800	\$5,600
Election Wages	\$3,000	\$3,000	\$762	\$2,238
Election Expenses	\$7,900	\$7,900	\$768	\$7,132
Misc Insurance/Bond/WC	\$7,600	\$7,600	\$0	\$7,600
Siren Fire Department	\$11,013	\$12,983	\$10,960	\$2,022
Hertel Fire Department	\$12,000	\$13,692	\$13,692	\$0
Hertle Fire Department SAP	\$5,800	\$5,566	\$5,036	\$529
Ambulance Services	\$37,000	\$37,000	\$19,650	\$17,350
Town Infrastructure	\$10,000	\$10,000	\$0	\$10,000
Utilites	\$4,000	\$4,000	\$1,301	\$2,699
Dog License Paid to County	\$100	\$100	\$0	\$100
White Pine Cemetery Expenses	\$17,482	\$15,895		\$15,895
Overpaid Taxes Refund		\$3,657	\$3,657	\$0
GENERAL FUND SUBTOTAL	\$203,395	\$234,737	\$68,848	\$165,890
Road Fund:				
Hwy Wages	\$80,000	\$80,000	\$18,230	\$61,770
Outside Contractors	\$1,500	\$1,500	\$0	\$1,500
Highway Expense	\$174,495	\$188,431	\$150	\$188,281
Highway Grants Expense	\$186,375	\$186,375		\$186,375
New Truck Purchase		\$94,000		\$94,000
Equipment Maintenance	\$8,000	\$8,300	\$8,298	\$2
Highway Insurance	\$8,000	\$8,000	\$0	\$8,000
Fuel	\$8,000	\$8,000	\$3,179	\$4,821
Bldg Maintenance	\$5,000	\$5,000	\$0	\$5,000
Shop Supplies	\$1,000	\$1,000	\$336	\$664
Highway Materials - Salt/Sand	\$6,000	\$6,000	\$5,507	\$493
Animal Control/Culvert Cleaning	\$1,000	\$1,000	\$710	\$290
ROAD FUND SUBTOTAL	\$479,370	\$587,606	\$36,409	\$551,197
Loan Payments:				
Principle Equip Loan	\$0	\$0		\$0
Interest Equip Loan	\$0	\$0		\$0
Road Loan Principle	\$133,539	\$133,539		\$133,539
Road Loan Interest	\$6,364	\$6,364		\$6,364
LOAN PAYMENT SUBTOTAL	\$139,903	\$139,903	\$0	\$139,903
EXPENSE TOTAL	<u>\$822,667</u>	<u>\$962,246</u>	<u>\$105,257</u>	<u>\$856,989</u>
INCOME TOTAL	<u>\$822,668</u>	<u>\$962,246</u>	<u>\$482,776</u>	<u>\$479,470</u>
Available			Current \$377,519	Projected \$0
HAIL DAMAGE 2023	Income	Expenses	Balance	Available \$14,503
2023 Initial Payment Firemans Ins	\$9,995		\$9,995	
2023 Second Payment Firemans Ins	\$2,911		\$12,906	
2024 Payment for Shop Roof	\$6,413	\$4,816	\$14,503	
WHITE PINE CEMETERY				\$15,895
Beginning Balance	\$15,895		\$15,895	
Plots Sold			\$15,895	
Expenses			\$15,895	

STATE OF WISCONSIN CIRCUIT COURT BURNETT COUNTY
TOWN OF LAFOLLETTE

24184 Malone Road
Siren, WI 54872 **Plaintiff,**

SUMMONS

Case # 26-
Case Class Code: 30701

v.

UNIDENTIFIED OWNER(S)
White Pine Cemetery Property
xxx Warner Lake Road
Siren, WI 54872

Defendants.

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The object of this action is a Declaratory Judgment establishing that the Town of LaFollette is the sole owner in fee simple of the real property known as White Pine Cemetery, more particularly described as:

Lot 1 of Certified Survey Map No. 1991, recorded in Volume 11, pages 63-65, as Document No. 244238, and located in part of Government Lot 12, Section 4, Township 38 North, Range 15 West, Town of LaFollette, Burnett County, Wisconsin;

AND

That part described in a Quit-Claim Deed recorded January 10, 2011, as Document No. 412348, located in Government Lot 12 of Section 4, Township 38 North, Range 15 West, described as: Commencing from the West Quarter Corner of Section 4; Thence S 88 degrees 59'53" E 1512.52 feet along the East-West Quarter Line to the Southeast Corner of Lot 1 of Certified Survey Map Volume 11, Pages 63-65, being the Point of Beginning; Thence N 00 degrees 19'45" E 188.18 feet along the East Line of said Lot 1; Thence S 88 degrees 59'53" E 42.83 feet; Thence S 00 degrees 19'45" W 188.18 feet to a point on the East-West Quarter Line; Thence N 88 degrees 59'53" W 42.83 feet along said East-West Quarter Line to the Point of Beginning.

Within 40 days after the first published notice, April 16, 2026, you must respond with a written demand for a copy of the Complaint. The demand must be sent or delivered to the Court, whose address is Clerk of Circuit Court, Burnett County Government Center, 7410 County Rd. K, #115, Siren, WI 54872, and to Plaintiff's attorney, whose address is listed below.

You may have an attorney help or represent you.

If you do not demand a copy of the Complaint within 40 days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A

judgment may be enforced as provided by law.

April 10, 2026

Electronically signed by Atty: Knute Norenberg
Knute Norenberg #1125461
Attorney for the Plaintiff
PO Box 507
Grantsburg, WI 54840
715-463-5365

STATE OF WISCONSIN CIRCUIT COURT BURNETT COUNTY
TOWN OF LAFOLLETTE

24184 Malone Road
Siren, WI 54872 **Plaintiff,**

SUMMONS

Case # 26-
Case Class Code: 30701

v.

UNIDENTIFIED OWNER(S)
White Pine Cemetery Property
xxx Warner Lake Road
Siren, WI 54872 **Defendants.**

Plaintiff, Town of LaFollette, by its undersigned attorney, Knute Norenberg, alleges as follows:

PARTIES

1. Plaintiff Town of LaFollette is a municipal corporation organized under the laws of the State of Wisconsin, with its principal town office located at 24184 Malone Rd, Siren, WI 54872.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to Wis. Stat. § 753.03 and the Uniform Declaratory Judgments Act, Wis. Stat. § 806.04.
3. Venue is proper in Burnett County pursuant to Wis. Stat. § 801.50(2)(b), as the cemetery property is situated within this county.

STATEMENT OF FACTS

4. A cemetery property, commonly known as White Pine Cemetery, exists in the Town of LaFollette, Burnett County, Wisconsin.
5. The cemetery consists of the following described real estate:

Lot 1 of Certified Survey Map No. 1991, recorded in Volume 11, pages 63-65, as Document No. 244238, and located in part of Government Lot 12, Section 4, Township 38 North, Range 15 West, Town of LaFollette, Burnett County, Wisconsin; AND

That part described in a Quit-Claim Deed recorded January 10, 2011, as Document No. 412348, located in Government Lot 12 of Section 4, Township 38 North, Range 15 West, described as: Commencing from the West Quarter Corner of Section 4; Thence S 88 degrees 59'53" E 1512.52 feet along the East-West

Quarter Line to the Southeast Corner of Lot 1 of Certified Survey Map Volume 11, Pages 63-65, being the Point of Beginning; Thence N 00 degrees 19'45" E 188.18 feet along the East Line of said Lot 1; Thence S 88 degrees 59'53" E 42.83 feet; Thence S 00 degrees 19'45" W 188.18 feet to a point on the East-West Quarter Line; Thence N 88 degrees 59'53" W 42.83 feet along said East-West Quarter Line to the Point of Beginning.

6. The original deed for a portion of the cemetery was granted on February 12, 1903, by Otto H. Hertel and Lottie M. Hertel to the White Pine School District, recorded in Volume 19, page 585 as Document No. 14168, and attached hereto as Exhibit 1.
7. In 2011, James J. Orr and Claire M. Orr quit-claimed to the Town of LaFollette the portion described in Document No. 412348 above, and attached hereto as Exhibit 2.
8. On February 14, 2011, the Town Board of LaFollette passed a resolution approving the creation of the White Pine Cemetery Plat; Burnett County approved said plat on March 1, 2011; and the cemetery plat was recorded on March 8, 2011, in Volume 6, page 317 as Document No. 413179 in the office of the Register of Deeds for Burnett County, Wisconsin, a copy of which is attached hereto as Exhibit 3.
9. The portion deeded by the Orrs in 2011 was not part of the original 1903 conveyance by the Hertels, and there is no clear chain of custody connecting the original School District interest to the current cemetery grounds.
10. The cemetery property currently has no other identifiable owner of record and has been maintained by the Town of LaFollette.
11. Pursuant to Wis. Stat. § 157.115(1)(c), the Town Board is mandated to take charge of and manage cemeteries that have been neglected or fallen into disuse.
12. A judicial declaration is necessary to merge these descriptions, clarify the Town's ownership, and establish a single, clean title for the entire White Pine Cemetery Plat.
13. Uncertainty regarding legal title prevents the Town from fully exercising its management

duties.

14. A judicial declaration is necessary to establish clear title in the Town's name.

CLAIM FOR RELIEF

Count I - Declaratory Judgment (Wis. Stat. § 806.04)

15. Plaintiff realleges paragraphs 1 through 14.

16. An actual controversy exists regarding the ownership of the cemetery property.

17. The property currently has no identifiable owner, creating a cloud on the title.

18. The former cemetery board notified the Town of LaFollette that it was no longer able to maintain the cemetery or fulfill its management obligations, necessitating the Town's intervention under Wis. Stat. § 157.115.

19. The Town has a legal mandate under Wis. Stat. § 157.115 to care for neglected burial sites.

20. A declaration of ownership will clarify the Town's rights and allow for the permanent preservation of the site.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

21. Enter a declaratory judgment declaring the Town of LaFollette the owner of the White Pine Cemetery, located at xxx Warner Road, Siren, WI 54872 under Wis. Stat. § 157.115.

22. Enter a judgment declaring the Town's title clear and free from adverse claims.

Dated this 8th day of April, 2026

Electronically signed by Atty: Knute Norenberg

Knute Norenberg #1125461

Attorney for the Plaintiff

PO Box 507

Grantsburg, WI 54840

715-463-5365

[See Verification on page 4]

ord One No. 14168

This Indenture, Made this 12th day of February in the year of our Lord One Thousand nine Hundred and three, between Otto H. Hertel and his wife Lottie M. Hertel, parties of the first part, and White Pine School Dist. (Dist. 224) parties of the second part,

art, and id part,

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One DOLLARS, to them in hand paid, by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm, unto the said parties of the second part, heirs and assigns forever, the following described Real Estate, situate in the County of Burnett and State of Wisconsin, to-wit:

by the emised, onfirm, anty of

One square acre located in the South west corner of lot 12, (which is the South east 40 of the North west quarter) of Section 4, Town 38 N. Range 15 W. This acre to be used as a cemetery only, by said district, and the parties of the first part reserve their cemetery lot and retain same without further assessment this lot is known as lot 19. This lot to be recorded in the school clerks office in the name of Otto H. Hertel. This acre is 14 Rods from south running north, and 11 3/4 rods East and West = 14 X 11 3/4 rods.

), Six eight eded y

TOGETHER with all and singular, the hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and to all the estate, right, title, interest, claim or demand whatsoever of the said parties of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

all the sion or

To Have and to Hold The said premises as above described, with the hereditaments and appurtenances, unto the said parties of the second part, and to their heirs and assigns forever. And the said Otto H. Hertel & his wife Lottie M. Hertel for their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above described, as of good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all encumbrances whatsoever

re said

in and these itance

and that the above bargained premises in the quiet and peaceable possession of the said parties of the second part, and their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, which will forever WARRANT AND DEFEND.

rs and PEND. ir first

In Witness Whereof, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SEAL) SEAL) SEAL)

Signed, Sealed and Delivered in Presence of Arthur Fletcher, French Baird, Otto H. Hertel, Mrs Lottie M. Hertel

day of

State of Wisconsin, Burnett COUNTY. Be It Remembered, That on the 18th day of Feb. A. D. 1903, personally came before me the above named Otto Hertel and his wife Mrs Lottie M. Hertel.

above

to me known to be the person who executed the above Deed, and acknowledged the same to be their free act and deed, for the uses and purposes therein mentioned. Frank Fabband, Justice of the Peace of Burnett Co.

is Deeds.

Received for record this 25th day of Feb. 1903 at P. M. And. A. Anderson Register of Deeds.

EXHIBIT 2

QUIT CLAIM DEED

412348

BURNETT COUNTY
WISCONSIN

Received and Recorded
January 10, 2011 at 11:40AM

Jeanine Chell
Register of Deeds

Recording Fee \$30.00

Fee Exempt 77.25(2G)

Number of Pages 2

James Orr a/k/a James J. Orr and Claire Orr
a/k/a Claire M. Orr, husband and wife

quit claims to Town of LaFollette

the following described real estate in Burnett County,
State of Wisconsin.

SEE ATTACHED EXHIBIT "A"

Recording Area

Name and Return Address

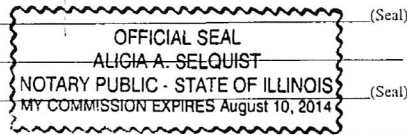
ZUMBRUNNEN LAW OFFICES
PO Box 96
Spooner WI 54801

07-014-2-38-15-04-5 05-
012-011000

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Dated this 3 day of January, 2011
2010



James J. Orr (Seal)
James J. Orr
Claire M. Orr (Seal)
Claire M. Orr

AUTHENTICATION

Signature(s) Alicia A. Selquist
Notary

authenticated this _____ day of _____

Title: Member State Bar of Wisconsin

(If not, _____)

authorized by 706.06, Wis. Stats.)

This instrument was Drafted by

Kathryn zumBrunnen, Attorney at
Law, Spooner, Wisconsin

(Signatures may be authenticated or acknowledged.
Both are not necessary.)

ACKNOWLEDGEMENT

State of Wisconsin, _____ }
County, _____ } ss.

Personally came before me this _____ day of _____

_____ 2010, the above named

James J. Orr, Claire M. Orr

to me known to be the persons _____ who executed
the foregoing instrument and acknowledge the same.

* Alicia A. Selquist
Notary Public, Burlan County, WI IL
My Commission is permanent. (If not, state expiration
date Aug 10 2014)

*Names of persons signing in any capacity should be typed or printed below their signatures.

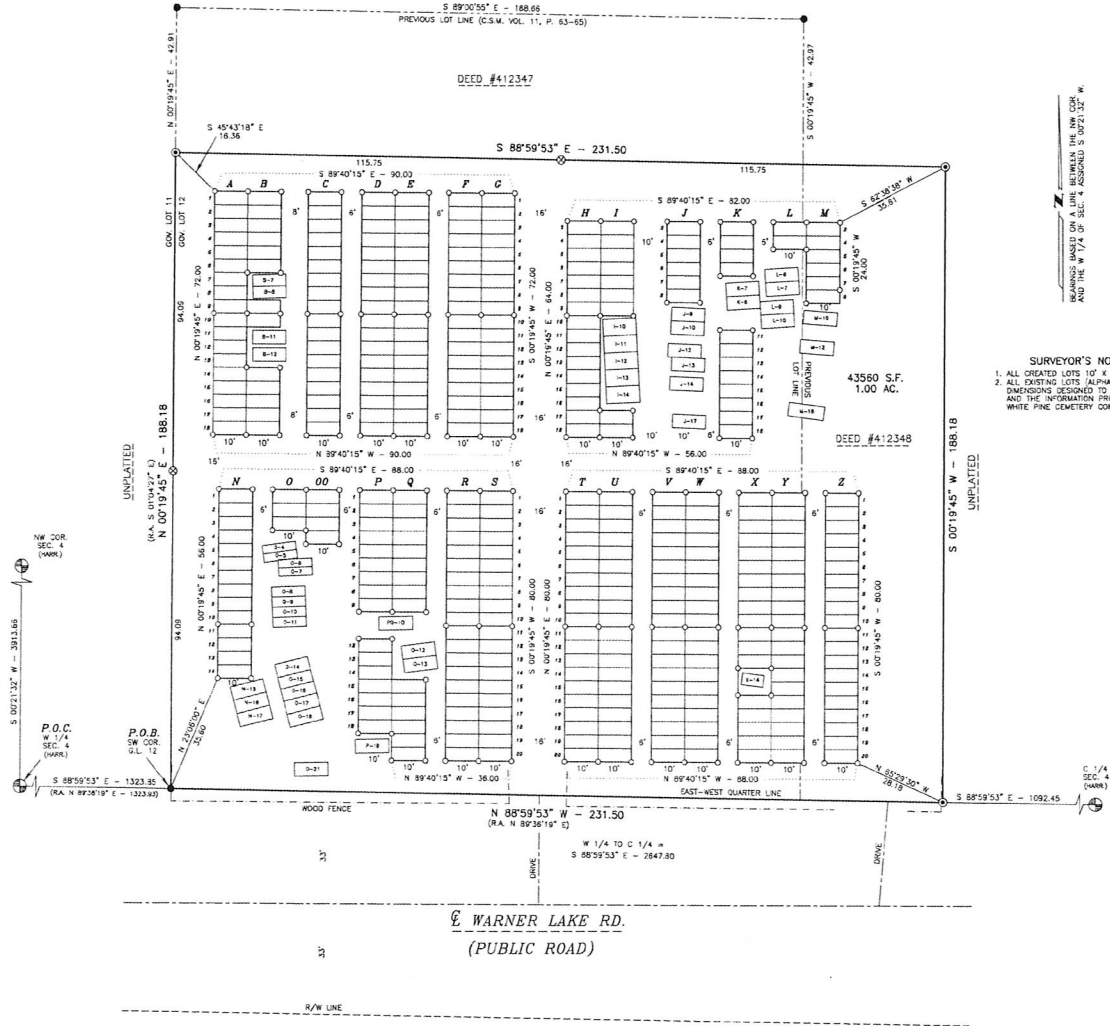
EXHIBIT 2

EXHIBIT A

A parcel of land located in Government Lot 12 of Section 4, Township 38 North, Range 15 West, Town of LaFollette, County of Burnett, State of Wisconsin, and more particularly described as follows: Commencing from the West Quarter Corner of Section 4; Thence S 88 degrees 59'53"E 1512.52 feet along the East-West Quarter Line to the Southeast Corner of Lot 1 of Certified Survey Map Volume 11, Pages 63-65, being the Point of Beginning; Thence N 00 degrees 19'45"E 188.18 feet along the East Line of said Lot 1; Thence S 88 degrees 59'53"E 42.83 feet; Thence S 00 degrees 19'45"W 188.18 feet to a point on the East-West Quarter Line; Thence N 88 degrees 59'53"W 42.83 feet along said East-West Quarter Line to the Point of Beginning.

WHITE PINE CEMETERY PLAT

PART OF LOT 1 OF CERTIFIED SURVEY MAP VOLUME 11, PAGES 63-65.
 LOCATED IN GOVERNMENT LOT 12 OF SECTION 4, TOWNSHIP 38 NORTH,
 RANGE 15 WEST, TOWN OF LA FOLLETTE, BURNETT COUNTY, WISCONSIN.



SURVEYOR'S NOTE:
 1. ALL CREATED LOTS 10' x 4'.
 2. ALL EXISTING LOTS (ALPHA-NUMERIC) HAVE VARIOUS DIMENSIONS DESIGNED TO BEST FIT WHAT WAS FOUND AND THE INFORMATION PROVIDED BY THE LA FOLLETTE WHITE PINE CEMETERY COMMITTEE.

SURVEYOR'S CERTIFICATE

I, MARK E. KRAUSE, DO HEREBY CERTIFY THAT I FULLY COMPLIANCE WITH PROVISIONS OF CHAPTER 157.07 OF THE WISCONSIN STATUTES AND ACCORDING TO THE INSTRUCTIONS FURNISHED BY THE TOWN OF LA FOLLETTE THAT I HAVE SURVEYED THE "WHITE PINE CEMETERY" AND THAT SUCH A PLAT CORRECTLY REPRESENTS ALL EXISTING BOUNDARIES AND SUBDIVISION OF THE LAND SURVEYED.
 A PARCEL OF LAND BEING PART OF LOT 1 OF CERTIFIED SURVEY MAP VOLUME 11, PAGES 63-65, LOCATED IN GOVERNMENT LOT 12 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 15 WEST, TOWN OF LA FOLLETTE, BURNETT COUNTY, WISCONSIN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING FROM THE WEST QUARTER CORNER OF SECTION 4;
 THENCE S 88°59'53" E 1323.85 FEET ALONG THE EAST-WEST QUARTER LINE TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 12 BEING THE POINT OF BEGINNING;
 THENCE N 00°19'45" E 188.18 FEET ALONG THE WEST LINE OF SAID GOVERNMENT 12;
 THENCE S 88°59'53" E 231.50 FEET;
 THENCE S 00°19'45" W 188.18 FEET TO A POINT ON SAID EAST-WEST QUARTER LINE;
 THENCE N 88°59'53" W 231.50 FEET ALONG SAID QUARTER LINE TO THE POINT OF BEGINNING.
 THIS PARCEL CONTAINS 43,560 SQUARE FEET (1.00 ACRES).

DATED THIS 1ST DAY OF FEBRUARY 2011
 Mark E. Krause
 MARK E. KRAUSE, REGISTERED LAND SURVEYOR #19635
 Wagner Surveying Associates, Inc.
 26745 Lakeland Avenue N.
 Webster, Wisconsin 54983
 715-866-4295



TOWN BOARD RESOLUTION

RESOLVED, THAT THE PLAT OF "WHITE PINE CEMETERY" IN THE TOWN OF LA FOLLETTE IS HEREBY APPROVED.
 DATED THIS 14TH DAY OF FEBRUARY 2011
 Dawn Brown Town Chairman
 Dawn Brown, TOWN CHAIRMAN
 I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE TOWN BOARD OF THE TOWN OF LA FOLLETTE.
 Ann & Jeffery, Town Clerk
 Linda Terran, TOWN CLERK

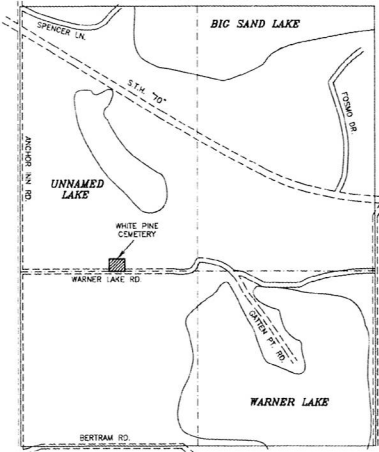
COUNTY BOARD RESOLUTION

RESOLVED, THAT THE PLAT OF "WHITE PINE CEMETERY" IS HEREBY APPROVED BY THE BURNETT COUNTY BOARD OF SUPERVISORS.
 DATED THIS 1ST DAY OF MARCH 2011
 Donald Taylor, COUNTY BOARD CHAIRMAN
 I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COUNTY BOARD OF SUPERVISORS OF BURNETT COUNTY.
 Wanda Hensch, COUNTY CLERK
 Wanda Hensch, COUNTY CLERK

RECEIVED FOR RECORD THIS 9TH DAY OF MARCH, 2011 AT 12:25 O'CLOCK P.M.
 RECORDED IN VOLUME 313 OF PLATS ON PAGE 313 JUL 27 2011
 Elaine Drell, RECORDER OF DEEDS
 BURNETT COUNTY, WISCONSIN

LOCATION SKETCH

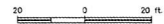
SEC. 4, T 38 N, R 15 W, LA FOLLETTE
 (NOT TO SCALE)



LEGEND

- ⊕ BURNETT COUNTY MONUMENT AS NOTED
- ⊙ 1 3/16" x 18" IRON BAR SET(3.76sq/ft)
- ⊙ 5" STEEL FENCE POST SET(1.44sq/ft)
- ⊙ 1 1/4"(O.D.) IRON PIPE FOUND
- ⊙ 1"(O.D.)x 18" IRON PIPE SET(1.13sq/ft)

SCALE 1" = 20'



Town of LaFollette
Ordinance 2026-001
Town of LaFollette Cemetery Ordinance

Section I – Title and Purpose

The Title of this ordinance is the "The Town of LaFollette Cemetery Ordinance." The purpose of this ordinance is to regulate the construction, management, operation and platting of cemeteries, the burial of human corpses and other cemetery uses and activities of the town.

Section II – Authority

The Town Board of the Town of LaFollette has the specific authority under s.157.5 (2) Wis. Stats. to adopt this ordinance.

Section III—Adoption of Ordinance

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation of the construction, management, operation, and platting of cemeteries and the burial of human corpses and other cemetery uses and activities in the town.

Section IV—Definitions

In this ordinance:

- A. "Burial" means entombment, inurnment, or interment and "bury" means to entomb, inurn, or inter.
- B. "Cemetery" means any location for burial of human remains in the town.
- C. "Human remains" means the body of a deceased individual that is in any stage of decomposition or has been cremated.
- D. "Lot" means a single grave lot platted in accordance with Section VI, whether or not occupied by a grave.
- E. "Outer burial container" means any container that is placed or intended to be placed into the burial excavation of a grave and into which a casket is placed or intended to be placed at the time of burial.
- F. "Sexton" means a town employee or independent contractor employed or retained by the town board to administer, repair, maintain, manage, and operate a town cemetery or any part of the operations of a town cemetery consistent with this ordinance. In the event no person is specifically designated as "sexton" by the town board, "sexton" means any person or committee designated to act administratively and to manage, operate, maintain, and provide care for the town cemetery or any part of the operations or of any town cemetery pursuant to this ordinance.
- G. "Town" means the Town of LaFollette, Burnett County, Wisconsin.
- H. "Town board" means the board of supervisors for the Town of LaFollette, Burnett County, Wisconsin, and includes designees of the board authorized to act for the board.

I. "Town cemetery" means a municipal cemetery owned, operated, and maintained by the Town of LaFollette, Burnett County, Wisconsin, under s. 157.50, Wis. stats., that is located within the town. It does not mean "private" or "tribal" cemeteries.

J. "Town chair" means the chairperson of the Town of LaFollette, Burnett County, Wisconsin.

K. "Town clerk" means the clerk of the Town of LaFollette, Burnett County, Wisconsin.

L. "Town treasurer" means the treasurer of the Town of LaFollette, Burnett County, Wisconsin.

M. "Wis. stats." means the Wisconsin Statutes, including successor provisions to cited statutes.

Section V—Statement of Policy

Every town cemetery is owned, operated, directly controlled, and maintained by the town for the benefit of all citizens. Persons of all denominations of all religions, sexes, creeds, and races, shall be allowed to be buried in a town cemetery. This ordinance, adopted pursuant to s. 157.50 (2), Wis. stats., governs the construction, management, administration, platting, maintenance, and operation of any town cemetery and of any new cemetery or expanded cemetery of any other type in the town, including cemeteries operated by associations, religious orders and societies, and privately owned, controlled, operated, and maintained cemeteries.

Section VI – New Burials, Cemeteries and Cemetery Lots and New or Expanded Cemetery Operations

A. **Platting.** Before any new block of any existing town cemetery or any other new or expanded cemetery in the town is opened for the sale of cemetery lots for burial of human remains after the effective date of this ordinance, the town board or the sexton for a town cemetery and any person or agent for any other cemetery in the town that is subject to s. 157.065, Wis. stats., shall cause the blocks and lots to be platted and recorded in the Office of the Register of Deeds for Burnett County, Wisconsin, in accordance with s. 157.065, Wis. stats.

B. **Single grave section.** The town board or the sexton shall designate, for any town cemetery, certain lots as a single grave section, and the lots within each grave section shall be platted and sold as single-grave lots. Unused portions of grave sections repossessed under ch. 157, Wis. stats., for nonpayment of assessments for care shall likewise be designated and sold as single-grave lots.

C. **Purchase of new lands.** The town board or the sexton shall not purchase any land for cemetery purposes without approval of the electors of the town at a regular or special town meeting.

D. New or expanded cemeteries.

1. No person or authorized agent of any cemetery may conduct any burial, or construct, manage, plat, or operate any new or expanded cemetery of any type in the town, after the date of adoption of this ordinance, without written permit approval of the town board. Approval, approval on condition, or denial of a permit shall only be made after a public hearing with a class 2 notice under ch. 985, Wis. stats. Any new or

expanded cemetery to be approved by the town board shall be, at minimum, properly platted and filed with the town clerk and recorded in the Office of the Register of Deeds for Burnett County, Wisconsin. No cemetery shall be located, established, or dedicated contrary to s. 157.065 or 157.128, Wis. stats. The minimum cemetery acreage must be at least one (1) contiguous acre at platting dedication. No cemetery shall be located, established, or dedicated in violation of a town, county, or other zoning ordinance.

2. After the date of adoption of this ordinance, any place in the town where human remains are buried on private or public land without written permit approval of the town board and not timely removed within fifteen (15) days after receipt of written notice from the town board to remove said remains is declared to be a public nuisance. In addition to commencing an action for penalties as provided in this ordinance, the town may take action to abate the nuisance and recover its costs of doing so, as provided in the town Public Nuisance Ordinance. This paragraph does not apply to any established cemetery or burial site grounds approved, owned, and operated in accordance with ch. 157, Wis. stats., and this ordinance.

Section VII – Purchase of Lots in Town Cemetery

A. Price of lots.

The town board shall from time to time by resolution fix a price on all lots to be sold for burials in any town cemetery.

B. Sales of lots.

1. Persons, or their authorized agents, desiring to purchase a lot in any town cemetery for burial are referred to the town board, town clerk, or sexton. The town board, town clerk, or sexton shall have available suitable plats showing size and price of lots, and any other information that may be required, and render assistance to those desiring to make lot purchases. The town board, town clerk, or sexton shall issue a lot order for a selected lot to the prospective purchaser, or his or her agent, who shall present the order at the office of the town clerk or sexton. Upon receipt of proper payment to the town treasurer, the sexton or the town chair and town clerk shall issue a cemetery lot deed to the lot in the form prescribed by the town attorney. The original deed from the town and the records of the cemetery kept by the sexton or the town clerk or other designee of the town board are the only evidence of title to any lot. The deed shall be signed by the sexton or by the town clerk and town chair or other persons so designated by the town board and sealed and acknowledged so as to entitle the purchaser ownership of the lot.

2. Persons conveying any cemetery lot in any town cemetery shall comply with s. 157.08, Wis. stats., and this ordinance.

Section VIII – Ownership Rights of Lots in Town Cemetery

A. Ownership conditions.

1. The owner of a town cemetery lot, or his or her authorized agent, shall have the right to use a lot or portion of a lot for burial purposes only in accordance with the terms of this ordinance or any town cemetery bylaws and regulations.

2. Upon full payment by any person of the purchase price of a town cemetery lot, the sexton or the town clerk and town chair shall issue a cemetery lot deed, under seal, as provided in Section VIII, subsection B., and a copy of the deed shall be filed in the records of the town as evidence of ownership of the lot. Lots for which lot deeds have been issued by the town may not be subdivided except by consent in writing of the town board.

3. All repossessed vacant lots in any town cemetery when resold are subject to the same fees and charges as other unoccupied lots.

B. Burial.

1. In this subsection, “relative” means a parent, grandparent, child, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law or sister-in-law, uncle or aunt, and nephew or niece.

2. Any lot owner at any town cemetery acquires the lot solely for the purpose of burial of the owner at the time of the owner’s death, and if the lot is owned jointly by spouses, either spouse is entitled to burial at that lot. The lot owner may grant written permission, which must be notarized and filed with sexton or the town clerk, for the burial of specific persons other than the owner and the owner’s spouse. If more than one person has an ownership interest in the lot, the written consent of all persons having an ownership interest in the lot is required to permit the burial of a person other than an owner or owner’s spouse.

3. Unless otherwise directed in a writing filed with the sexton or the town clerk by the lot owner under paragraph 2, the town board or the sexton shall permit the burial of persons at any town cemetery lot at the request of any interested person upon proof of eligibility for burial at the cemetery lot as follows:

a. The lot owner, and surviving spouse of the lot owner, have the first right to burial or to direct the right of burial.

b. When there is no surviving spouse, the devisees or heirs of the owner may, by agreement in writing of all the heirs or devisees, determine who shall have the right of burial or direction for burial, which agreement shall be filed with the sexton or town clerk.

c. If no agreement under subdivision b. is filed, the town board or the sexton may determine use, giving preference to relatives in the order listed in paragraph 1, above.

C. Ownership rights.

All burial rights in the cemetery lots located at any town cemetery and purchased from the town shall occupy the same position as real estate at the death of the owner. Only persons whose names appear on the cemetery records of the town will be recognized as owners or part owners

general fund for the perpetual care of the town cemeteries and the proceeds from these funds used by the town as provided in this subsection. The town board shall operate and maintain the town cemetery to provide proper and decent care of town cemeteries and the graves, and it may employ a sexton, staff, and any independent contractor necessary to provide such care.

C. Costs of care fixed. The town board shall annually fix, as required under s. 157.11 (5), Wis. stats., a sum necessary for the proper and decent care of graves and unoccupied cemetery lots and improvement of any town cemetery to be paid from the following sources as determined by the town board:

1. Payments from Burnett County to the town for veteran's graves under subsection F and s. 45.84, Wis. stats.
2. Income from the sale of cemetery lots.
3. A tax levied by the town board from the town's general operating budget.

D. General improvements. The town board shall direct and administer all improvements and maintenance within the cemetery before and after any burials. The town board shall be responsible for determining proper and decent care of the cemetery. All graves shall be sodded and mowed, when determined necessary by the town board or the sexton. The grade of the cemetery lots shall be determined by the town board or the sexton. The corners of all cemetery lots shall, when purchased, if possible, be permanently marked by the town board or the sexton. Resodding of existing graves or following disinterment will be done when determined necessary by the town board or the sexton.

E. Veterans graves.

Pursuant to s. 45.85, Wis. stats., the town board shall at all times see that the graves and tombstones of all veterans, including women's auxiliary organizations created by act of Congress, who shall at any time have served in any branch of the armed forces of the United States, and of the spouses or surviving spouses of all those veterans, receive proper and decent care, and may employ all necessary assistance to carry out this section.

Section X – Privileges and Restrictions in Town Cemeteries

A. Bylaws and regulations. The town board may adopt bylaws and regulations for the management and care of any town cemetery and may enforce those bylaws and regulations under s. 157.11 (2), Wis. stats.

B. Mounds prohibited. No person may raise the level of the earth over any grave in a town cemetery above the general level of the cemetery lot.

C. Limitations on structures and urns.

1. In this subsection "urn" means a vessel for the display of flowers or plants that is attached to a lot or is of such weight, as determined by the town board or sexton, that it cannot be readily moved from its placement on the lot. "Urn" does not include a vessel containing cremated human remains properly inured on the lot.

2. No structures, hedges, fences, railings, embankments, depressions, or other enclosures of any kind are permitted on or around lots in any town cemetery. Wooden boxes, wire containers, glass jars, bottles, toys, cans, memorials, memorabilia, personal items, and other similar objects may not be placed on lots without written approval of the town board or the sexton, and if so placed may be removed by the town board or the sexton without oral or written notice. Urns are not permitted at any town cemetery on lots sold after the passage of this ordinance. Urns existing in town cemeteries prior to the passage of this ordinance shall be removed by the town or the sexton as they become unsightly or deteriorated and shall not be replaced. Before an urn is destroyed or discarded, the last owner of record of the lot on which it is located shall be notified by registered or certified mail with return receipt requested by the town clerk that the urn has been removed from the lot and will be destroyed or discarded unless the owner of the urn claims it within 30 days after mailing of such letter.

D. Landscaping. All landscaping, mowing, and general care of lots, and other work, construction or maintenance in the town cemetery shall be performed by the town by its officers, employees, independent contractors, or agents, including any sexton, unless otherwise provided in writing by the town board.

F. Access to lots; opening and closing of burial places. The town reserves the right for its officers, employees, contractors, and agents, including the sexton and the town board, necessary to the performance of normal town cemetery operations to enter upon or cross over any lot in any town cemetery in the performance of any duties or work necessary under this ordinance. The town board, by its officers, employees, contractors, and agents, including the sexton, has the sole right to the opening and closing of burial places used or to be used for burial of human remains in the town cemetery, unless so ordered by a court of record to open or close such places.

G. No assumption of liability for damages. The town, and its officers, employees, contractors, and agents, including the sexton and the town board, assume no liability for damages to property or person, or for physical or mental suffering arising out of the performance of its normal operations related to the construction, management, operation, maintenance, care, and platting of any town cemetery, including care of the cemetery, any lot, and the graves, or for loss by vandalism or other acts beyond its reasonable control at a town cemetery.

H. Altering physical conditions. The town board reserves the right to alter, change, or close alleys, roadways, walkways, water mains, and other physical public properties at any town cemetery.

I. Enforcement of regulations and ordinance. The town board may appoint, with citation issuance and service powers, any employee or agent of the town, including the sexton, to administer and enforce its town cemetery bylaws and regulations and this ordinance.

Section XI – Town Cemetery Burials

A. **Daylight burials.** Burials at any town cemetery shall be made only during daylight hours, unless with written approval of the town board or the sexton.

B. **Outer containers.** All burials and reinterments, at any town cemetery, shall be made in a permanent outer burial container not constructed of wood.

C. **Grave digging.** All graves at a town cemetery and any other cemetery in the town to be used for burials shall be opened and dug at no cost or expense to the town, but shall be under the direction of the town board or the sexton. The minimum depth of graves shall be established by the town board from time to time and all graves shall be dug in strict conformity with the town board policy then in effect. The town board or the sexton may charge the full cost for any grave digging and opening service provided by the town at any town cemetery, including the fees for the sexton or other designee of the town board, for staking the plot, if the town board has authorized the town or its officers, employees, contractors, or agents, including the sexton or other designees, to provide grave staking, grave openings, or digging services. The town board or the sexton may also establish charges for snowplowing and seasonal additional access costs to the lot owner incurred by the town to provide for burial or interment services. Arrangements for any disinterment or burial services, including payments due to the town, shall be made with the town clerk, the sexton, or other person designated by the town board at least 48 hours in advance of the service. The time for any disinterment or burial service shall be arranged so that the grave shall be properly filled and all surplus earth removed before 4:30 p.m. on the day of the disinterment or burial service, unless that requirement is specifically waived in writing by the town clerk or the sexton.

D. **Burial permit.** No burial in the town cemetery shall be permitted until a legal burial permit has been issued by the town clerk or the sexton.

E. **Maintenance of flowers, wreaths, and other personal items at burial sites.** There shall be no responsibility on the part of the town, its officers, employees, contractors, or agents, including the sexton or other designees of the town board, for the protection and maintenance of flowers, wreaths, plants, emblems, urns, family or personal items, memorials, or similar items used or placed at any town cemetery in conjunction with funerals or burials, including disinterments, or memorial events. The town board shall place or cause to have placed a notice of disclaimer of responsibility consistent with this subsection at vehicle access locations to each town cemetery.

F. **Number of graves per lot.** No lot at any town cemetery may be used for the burial of more than one body except in the following circumstances:

1. Three remains from cremation shall be allowed in one lot with one headstone placed at the head of the lot and two flat markers to be placed only in line with other stones at the foot of the lot.

2. One full body and two remains from cremation shall be allowed in one lot, with one headstone or two flat markers to be placed only in line with other stones at the foot of the lot.

3. All cremation remains shall be placed in a permanent outer burial container not constructed of wood.

G. Seasonal burial; duty to bury. The town board or the sexton shall provide for cemetery services and burials at any town cemetery during each season, including winter, whenever practicable, in compliance with s. 157.114, Wis. stats. However, the town has no duty to bury, remove any human remains, or allow the burial or removal of any human remains, unless those requesting burial or disinterment are or will be in full compliance with this ordinance, state law, and any bylaws and regulation established by the town board. The town board may, at its discretion, charge additional costs to the person requesting burial in order to provide safe and timely access to and from the grave or burial site during burial services.

Section XII – Town Cemetery Monuments and Markers

A. Setting grave markers.

1. Grave markers, monuments, and foundations at any town cemetery may be set only after the person desiring to set the marker, monument, or foundation obtains a permit therefor from the office of the town clerk or the sexton. Grave markers, monuments, and foundations at any town cemetery may be set by monument company employees or agents or other persons authorized by the lot owners, but not the town board or the sexton. Except as otherwise provided in this ordinance, under no conditions will the town board or the sexton construct monument or marker bases or erect monuments or markers on bases.

2. All markers and monuments must have a cement foundation. The construction of a foundation shall be of such size and design as will provide ample insurance against settlement or injury to the monument or marker as determined by the town board or the sexton. The top of the foundation shall be constructed flush with the ground line. Whenever possible, all markers shall be set with, at minimum, a 5-inch margin from the outer edges of the foundation.

3. The setting of grave markers, monuments, and foundations, and the transportation of all tools and related materials, within any town cemetery is subject to the supervision and control of the town board or the sexton. Unless special arrangements are made in writing with the town board or the sexton, such work shall be conducted between the hours of 7:00 a.m. and 8:00 p.m., Mondays through Saturdays, except national holidays. Truck operation is not permitted within any town cemetery when, in the opinion of the town board or the sexton, the truck operation may cause damage to the driveways or other town cemetery property. Except with written permission of the town board or sexton, all work in the setting of grave markers, monuments, and foundations shall be completed promptly and debris removed immediately.

B. Limitations. All of the following apply to monuments and markers in town cemeteries:

1. The town board or the sexton may refuse permission to erect any monument, marker, or foundation not in keeping with the good appearance of the grounds at a town cemetery. The size of any monument or stonework must be provided to the town board or the sexton and approved before any work related to any monument, marker, or foundation will be permitted on a lot in a town cemetery.

2. Only one non-flush monument or marker shall be allowed per lot. All others must be flush with the ground.

3. No foundation marker or monument may be larger than the width of the lot or group of lots purchased minus ten (10) inches (five inches on each side). All monuments and foundations must be set in line with other monuments so far as possible as directed by the

town board or the sexton. Government service monuments or markers shall be surface mounted or attached to the monument or marker. No monument or marker may be more than 2 feet in height.

4. Temporary markers shall be removed or replaced with a permanent marker within one year of burial.

5. A preneed marker may be placed on a lot or group of lots before burial.

6. No materials other than granite, marble, or standard bronze may be used for outside and above-ground portions of any marker or monument.

7. Within one year after burial, a marker or monument identifying the burial shall be placed at the grave site. The town board or the sexton may require, at minimum, prior to burial, a deposit of \$1,000 payable to the town treasurer to insure timely placement of a proper marker or monument. The town reserves the right to place a marker or monument and to assess any surviving owners of the lot for the costs of the marker or monument placed and the costs of installation of such marker or monument.

C. Removal of monuments. A marker or monument, once placed at a town cemetery on its foundation, may not be removed, except by written permission of the town board or the sexton.

D. Payment. Any lot at a town cemetery must be paid in full to the town treasurer or sexton before markers, monuments, and foundation are set and before any cemetery deed conveyance. All outstanding charges due the town must be paid prior to burial.

Section XIII — Town Cemetery Vaults and Mausoleums

Construction of vaults and mausoleums in any town cemetery is prohibited unless approved in writing by the town board.

Section XIV – Trees, Shrubs and Flowers at the Town Cemetery

A. Tree and shrub planting. The planting at any town cemetery of trees and shrubs on newly purchased lots or parts of lots is prohibited except by written consent of the town board or the sexton.

B. Tree removal. Lot owners may not remove trees on or adjacent to cemetery lots in any town cemetery that hinder the full usage of the lot. Only the town can remove trees. Tree removal will be at the discretion of the town board or sexton to ensure the safety and aesthetics of the cemetery and its visitors.

C. Fresh flowers and flags. All flower baskets at grave or lot sites at a town cemetery shall be removed by October 15 of each year. Fresh cut flowers may be used in any town cemetery at any time. Containers for cut flowers are to be of a type that is level with the ground surface and not holding water when not in use; or of the type to be disposed of when flowers are removed. All flags placed on graves for Memorial Day shall be removed by the day following Flag Day of that year.

D. Potted plants. Potted plants at any town cemetery may be set on lots, without disturbing the sod, if removed within 5 days after being set. If a potted plant is not removed within 5 days of being set on the lot, the potted plant may be picked up and destroyed by the town board or the sexton of the town or removed and preserved for planting within the town cemetery.

E. Artificial flower decorations; baskets. Artificial flower decorations are prohibited in any town cemetery unless in a vase or pot and when so used will be treated as potted plants. Unfilled or unsightly baskets will be removed from the lot by the town board or the sexton.

F. Flower beds. Individual flower beds or growing plants other than trees or shrubs are not permitted at any town cemetery.

G. Plant or flower removal. Plants or flowers planted in a town cemetery may not be taken up or removed by any person, nor cuttings removed therefrom, without written consent from the town board or the sexton.

H. Vine, wreath, and memorial removals. Vines that interfere with the proper care of lots or graves or injure or damage the grass will be removed from any town cemetery by the town board or the sexton when found objectionable. No real or artificial wreaths, temporary or permanent, nor memorial or personal memorabilia items will be allowed on lots or graves without written consent of the town board or the sexton.

Section XV – Miscellaneous

A. Neglected lots. It is urged that lot owners interest themselves in the present and future care of their lots, as a single neglected lot mars the beauty of the entire town cemetery. The town board or the sexton may notify, or attempt to notify, in writing a lot owner that any lot, or monument or marker thereon, is being neglected and that failure to comply with this ordinance and town cemetery bylaws and regulations regarding proper care and management, or failure to correct a neglected lot, may be cause for imposition of forfeitures under s. 157.11 (2), Wis. stats.

B. Schedule of payments. A schedule of the fees and charges for any town cemetery, as established by the town board by resolution shall be on file in the office of the town clerk. The town board may by resolution change the schedule from time to time without advance notice to conform the fees and charges to current economic conditions.

C. Fee payment location. All fees and charges for any town cemetery in the current schedule of fees and charges adopted under subsection B are payable to the town treasurer at the office of the town clerk, where receipts will be issued for the amounts paid.

D. Sexton. The town board, by resolution, may designate, retain, or employ a person as sexton or may designate any other person or committee to act administratively and to manage, operate, maintain, and provide care for the town cemetery or any part of the operations or of any town cemetery pursuant to this ordinance. The sexton may be a town employee or may, with proper insurance and indemnification protection for the town, its officers, employees, and agents, be an independent contractor or agent retained under written contract for a fixed time of years. The town board, consistent with this ordinance, shall designate the authority, responsibility, and duties to the sexton by written resolution. The town board shall be responsible for proper supervision of the sexton.

E. Amendment of ordinance. The town board reserves the right to amend this ordinance to conform with newly developed cemetery practices or any other legal purpose that the town board deems necessary and appropriate. Before this ordinance is amended, a public hearing shall be held on the proposed amendment before the town board. Notice of the public hearing shall be published in a local newspaper at least 10 days prior to the hearing.

Section XVI – Effective Date

This ordinance is effective on publication or posting.

The town clerk shall properly post or publish this ordinance, as required under s. 60.80, Wis. stats.

Adopted this _____ day of _____, 2026.

Attested by:

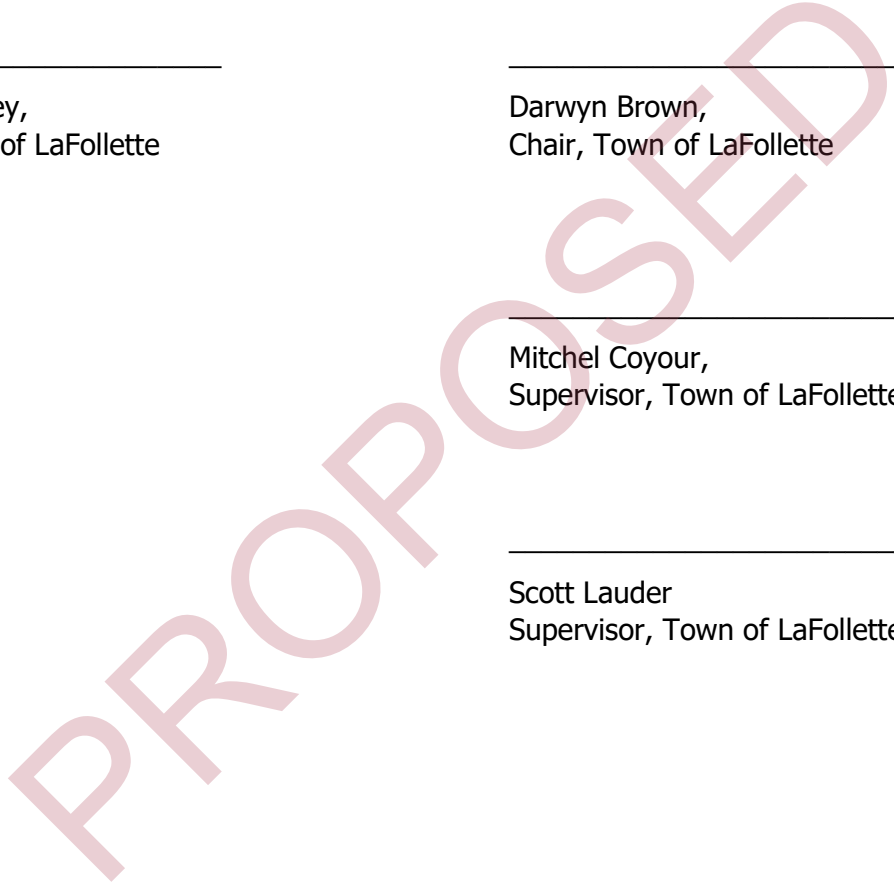
Approved by:

Sandy Hinkley,
Clerk, Town of LaFollette

Darwyn Brown,
Chair, Town of LaFollette

Mitchel Coyour,
Supervisor, Town of LaFollette

Scott Lauder
Supervisor, Town of LaFollette



MEETING MINUTES TOWN OF LAFOLLETTE

Cemetery Ordinance 2026-001

Tuesday, April 28th, 2026

Attendance: Chair Darwyn Brown, Supervisor Scott Lauder, Supervisor Mitch Coyour, Treasurer Karen Mangelsen, Clerk Sandy Hinkley

Residents: 2

Meeting Start: 6:31

Verification of Posting: Agenda/Notice posted on website, at Town Hall and Coomer on 4/13/26

Verification of Ordinance Posting: Ordinance 2026-001 was posted on website, at Town Hall and Coomer on 4/13/26. Ordinance remains posted until 5/11/26

- Review, Discussion and Adoption of Ordinance 2026-001
 - Town of LaFollette Cemetery Ordinance
 - Ordinance was drafted from a sample cemetery ordinance, follows State Statutes. Scott tailored to fit Town of LaFollette requirements.
 - Ordinance details have been discussed during previous town meetings.
 - Ordinance was reviewed by two separate law firms, Eckberg Lammers and Knute Norenberg.
 - Ordinance 2026-001 applies to cemeteries administered by the Town of LaFollette, currently and any future due to abandonment.
 - Ordinance 2026-001 will be effective immediately, 4/28/2026

Darwyn makes motion to adopt Ordinance 2026-001, motion seconded by Mitch and approved by Scott. Ordinance passed, signed and posted.

Scott made a motion to adjourn, seconded by Mitch and approved by Darwyn.

Adjourn: 6:35 pm

Sandy Hinkley
Town Clerk