

PROCEEDINGS OF THE TOWN OF VERNON ANNUAL MEETING OF THE ELECTORS

Wednesday, April 9, 2008

7:00 PM

At the Vernon Town Hall in the Meeting Room
W249 S8910 Center Drive

1. Call meeting to order with the pledge to the Flag.

Chairman Brian Paff called the meeting to order with the pledge to the Flag and a moment of silence at 7:00 p.m. Present: Chairman Brian Paff, Supervisors Gary Finch, Bill Ludwig, Mark Tylinski, Joe Reilly, Treasurer Marie Kumershek and Clerk Jamie Nelson.

2. Chairperson states the order of business.
Chairman Paff read the order of business.

3. Swearing in of Newly Elected Officials.
Chairman Paff swore in Supervisor Reilly and Supervisor Finch. All elected officials accepted and signed their oaths of office.

4. 2007 Financial Report with Town Auditor.

Auditor Wendi Unger explained the unqualified audit opinion to the residents. She stated that all of the numbers are in along with the documentation.

Auditor Wendi Unger stated she would like to thank the Town personnel during the audit process we are very disruptive and the staff does not have time to do their day to day operations. She stated there was a change of personnel in the clerk's office and again she thanked the personnel for their cooperation. She stated due to the change in the personnel there was some reconstructing of duties in the Clerks office and because of these changes new implementations and controls were put into place and are functioning property. Jerry Goff asked if an error is found from a previous year is it brought forward. She stated yes the issue is listed in the report and how it was addressed.

Auditor Wendi Unger was present and reviewed the 2007 financial highlights with the Town Board and the electors. **Clerk's Note: The 2007 Financial Highlights are attached to the minutes.**

5. Presentation of Service Awards.
 - a. Rodell Singert - 12 years – Waukesha County Board Supervisor

Chairman Paff thanked Waukesha County Supervisor Singert for his years of service and representing the Town of Vernon. Rodell Singert was presented a plaque for his 12 years of service as a Waukesha County Board Supervisor. Sherriff Dan Trawicki stated there were actually few times that we agreed but every time he was at a meeting he looked out for the citizens he represented. Rodell Singert stated it has been his privilege and this was not work, it was representing the people. He has his own values and took values of Sterling peck, Eddie Raht and Forest Drews. He stated he is a proud resident of the Town of Vernon.

Chairman Paff stated another service award goes to Doug Salentine for 10 years of service in the Department of Public Works Department. He presented DPW Director Salentine a service award of \$37.00.

6. Presentation from Waukesha County Sheriff's Department regarding Contract Proposal.

Sheriff Dan Trawicki stated that he has been asked to come speak about the service that many other counties have taken advantage of. He stated It's like having your own Sheriff's Department. He stated contracting for law enforcement services has become a great cost saving service. Other communities for example: Village of Sussex, Town of Waukesha Town of Delafield, Town of

Merton, Village of Merton, and Town of Lisbon have all contracted services. He stated he has been with the department for 32 years and believes in the company. He stated benefits include local control, local identity, 24 hour supervision, liability, personnel matters are taken out of the Towns hands, the Town maintains revenue from citation, and squad/equipment-maintenance and replacement is handled by the department. Local control, law enforcement services are specially tailored to fit the community's unique needs. He stated the hours have flexibility to meet the needs of the Town. Sherriff Trawicki stated there is more patrol for business, subdivisions; etc... The Town can change the hours to accommodate special events when needed. The Sheriff's Department is responsible for recruiting, training, hiring, labor negotiations, discipline and related personnel issues. He stated Sheriff's personnel monitor police activities throughout the County. He stated many of these services are included through tax dollars but more is supplied when contracted out. Sherriff Trawicki stated he believes in this and the Town might want to contact the Town of Lisbon and see how it is working for them.

Sheriff Dan Trawicki presented the contract proposal to the Town of Vernon residents. **Clerk's Note: Presentation is on file in the Clerk's Office.**

7. Legislator's Comments.

Senator Lazich explained the legislative session and where it is now and what session starts next. She stated that everyone is invited to be part of her legislative advisor group. She stated this lets you know what will be happening in the up coming week. She stated she has a blog and people can get to it from a few places like the City of New Berlin's and City of Muskego website. She stated tomorrow she will be taping fourth street forum show and anyone can come and participate the topic tomorrow will be are taxes too high in Wisconsin. She stated she agrees they are too high. She stated around June 1 those representatives that are up for election will be out circulating the odd number seats are up this time. She stated her seat is up this year. She thanked both of the Waukesha County Supervisors and wishes them well. A resident asked her, for her email address. Senator Lazich stated to Google Senator Wisconsin and it will be on there. Bill Craig stated the Town of Vernon jumped into storm water and he asked if anyone spoke with her about it, he explained what he understands it to be. Senator Lazich explained the smart growth and storm water management. Bill Craig stated the regulations are confusing and difficult to understand. Rodell Singert stated he reviewed the legislation and voted last Tuesday on it. He explained why he voted the way he did and because of our census the Town was included. Waukesha County Supervisor Kolb stated that in 2010 if the plan is not in order the municipality will lose the monies. He asked when the veto power that was taken away from the governor goes into effect. Senator Lazich stated it is now. Senator Lazich explained the compact and who is affected the most and Wisconsin is at stake.

8. Waukesha County Elected Officials Comments.

Waukesha County Supervisor Walter Kolb thanked everyone for the opportunity to represent the Town of Vernon. He stated one of the items is the Town has wanted there own zoning and to remove themselves from County zoning. He stated he is behind that 100 percent. The Towns are the entity at the County Board and need to be strongly represented because the Towns are not a majority the Village and Cities are the majorities so we have to fight a little harder there. He stated he would like to thank Rodell for the year he has been on the Board and has always done his homework and he will be missed. He stated there is something he wants to pursue and he feels it is an advantage to the Town of Vernon and the Town of Waukesha, for almost three years he has asked Tom Henan head of the Federal Library committee to release the figures on the percentage

of how many people in one year use the Town library. County Supervisor Kolb stated the prior County executive Dan Finley and the current County Executive have both fought for the Town because if the Town is not the one with the facility than they do not have a say on capital issues. Questions: Jerry Goff asked if the County is going to be aggressive trying to acquire park land. He stated he hopes not, the County does have a plan of how much they would like but he does not represent the County he represents the Town and its officials. Len Kressin asked about the City of Waukesha water situation. County Supervisor Kolb explained the ways the radium can be removed from the water.

9. Elected Officials reports.

Supervisor Reilly stated he has missed two Boards meeting in two years and regrettably he was not at the last one. He stated on the agenda tonight is the discussion and action to change the Clerk's position from elected to appointed. He stated he gave the Chairman and Supervisors a letter that stated he would like to put the item on the April 3, 2008 Town Board meeting, he stated he wanted to assure that all the residents of Vernon had a say in this decision not just a select few. He stated he wanted to have a discussion and it took place this Thursday at the Town Board meeting. Supervisor Reilly stated he wanted the Board to hold an advisory referendum so the Board could be advised by the electors preference by largest Town of Vernon residents. He stated his rational for placing this item on the agenda was so there would be a call and subsequent binding action. He stated the democratic process would be for all 5,500 residents to vote on how they want their Town Clerk and Treasurer chosen. He stated the two issues that are a concern are the cost of the referendum and educating the people. Supervisor Reilly stated there is not a huge cost to put the referendum on the November 4, 2008 election. Supervisor Reilly explained how long it has taken to get this matter to a referendum and educating the residents of the Town of Vernon. He stated that Chairman Paff, who was supervisor four years ago, sent emails to other Towns that have appointed Clerk and Treasurers to find out how they convinced the residents to vote for an appointed Clerk and Treasurer instead of having the positions being elected. Supervisor Reilly stated at that time Chairman Kunert stated having a referendum would be the fairest way to see if the residents would want this change. He stated Diane Herried wanted more information, a study done and Chairman Kunert promised the study would be done by April 2006 on appointed vs. elected. He stated that in 2005 a committee was supposed to be formed by Diane Herried, Terry Pisarek and Doug Salentine. He stated they volunteered to serve on a citizens committee to put all the information together and get it to the people to educate them. Supervisor Reilly asked why the Chairman who had four years did nothing and now all this money has been spent on the attorney to get this information, and it could have been done over the last four years and not cost the Town all that money.

Supervisor Tylinski stated he would like to thank Rodell Singert for all his years of service and it will be sad not seeing him on the Waukesha County Board and also he thanked everyone for giving him the opportunity to serve the Town for another year. He stated the first thing he would like to do is point out something from the minutes of the last meeting that is concerning to him. He stated Shirley Goff stated that condoms where found in the back parking lot. He stated the area is a concealed area that is hidden by the foundation of the previous compactor. The Board had deferred the issue to the Department of Public Works Committee and the issue died, Department of Public Works Committee stated putting in a gate would be costly and a union employee would have to come and open and close the gate at events. He stated the foundation could be torn down to expose the area, more Sherriff patrol was added but that did not work. He stated last summer he found dozens of used syringes back there and something needs to be done. Supervisor Tylinski stated this is a liability to the Town and he felt stonewalled on the issue. Supervisor Tylinski stated he wants the residents to direct the Department of Public Works and the Town Board to tear down

the foundation. Supervisor Tylinski made a motion to tear down the wall and expose the area within 30 days. Chairman Paff stated to Supervisor Tylinski that this is not a Town Board meeting and he can't make a motion. A resident made a motion to tear the wall. Chairman Paff, the Board and residents discussed the issue of the wall.

Shirley Goff stated that she and a friend were walking in the back and found 20 to 30 used condoms. She stated the gate should be locked. Department of Public Works Director Salentine stated he has not heard of any issues since the meeting last year. Supervisor Tylinski stated the kids know they can go there and they do because they get away with it. Department of Public Works Director Doug Salentine, Supervisor Tylinski and the residents discussed the safety of the park.

A resident stated this is a health issue any child could pick that up a needle and could get sick or even die, and what if drugs are being dealt back there or someone brings a gun. She stated a life is worth more than the cost, she stated this needs no more discussion and needs immediate attention. She stated the Board is allowing crime in the community.

MOTION Kurt Barikmo moved to tear down the back wall within 30 days, seconded by Jerry Goff, motion carried.

Supervisor Finch stated Deputy Clerk Christine Stefanich is very ill and we don't know when she will be coming back and wishes her well. Supervisor Finch stated he agrees with Supervisor Reilly on the Advisory referendum. He stated tearing down the wall should be put on the next Town Board and he thanked the people for voting for him and he thanked Rodell Singert and Walter Kolb.

Supervisor Ludwig stated he has been learning a lot in the past year and it went by very fast, and is looking forward to another year.

Chairman Paff stated he would like to send Deputy Clerk Christine Stefanich wishes to get well soon and to come back soon. He thanked Treasurer Kumershek for her help in the Clerk's office and also Judy Porter and Carol Annonson. He stated it has been a difficult time in the Clerk's office. He stated he did not say the people could not be educated about appointed verses elected he said you can't force feed the information.

Clerk Nelson stated she would like to thank Treasure Kumershek, Judy Porter and Carol Annonson for their assistance in the Clerks office and she also wishes Deputy Clerk Christine Stefanich well. She also stated that she would like to thank the election inspectors for their work and a job well done at both the February and April election and she looks forward to working with them in the next election. She stated if you have any questions or comments please contact the Clerk's office.

Treasurer Kumershek read into the statement her report. **Clerk Note: Treasurer's Annual Report is attached to the minutes.** She stated she would like to thank Deputy Treasurer Ruth Kastello for all her help and Pat Stumpner for taking care of the dog licensing. Clerk Gresch and Deputy Clerk Nelson for their help during tax season. She stated she would like to give special thanks Deputy Clerk Christine Stefanich for working above and beyond when the Clerk and Deputy Clerk could not be there during the busiest week of tax season. She stated she wishes Deputy Clerk Christine Stefanich a quick recovery and wishes her back soon. She also thanked Rodell Singert for all his work.

Supervisor Reilly thanked Rodell Singert and he would like to make it a rule that any Supervisor that is at a Plan Commission meeting could ask a question and offer input from beginning to end so they don't have to wait until the end to offer input. He stated there was a situation with the Plan Commission where in the early stages voted to put all the condos in Fox River Woods on a single sanitary system. He stated he would like to be able to ask a question or offer an opinion to protect the contingency and to protect the community. He stated he would like someone to make a motion to give the Supervisors the right to speak and offer an opinion. He stated he wants this done formally not off the record were it does not count.

Motion Barb Lederer moved that any Supervisor has the right to go to a Plan Commission meeting and have the right to ask a question, get a response and there by have input into the process of shaping things, not to have a vote and that goes on the record, seconded by Judy Porter. This motion was withdrawn.

Fred Michalek asked why the number of supervisors changed on the Plan Commission. Chairman Paff explained why another Supervisor was not appointed after Al Kunert did not run for office. Supervisor Finch explained why the Plan Commission had only a Chairman and not a Supervisor. He stated at that time Brian Paff was a Supervisor and was elected as Chairman, and Al Kunert did not run for any position, but he had been on the Plan Commission for so long he remained on it, so that is how only one Board Member was on the Plan Commission.

MOTION Fred Michalek moved to go back to two Board Members, the Chairman and One Supervisor, on the Plan Commission committee at the May 31 expiration of the Plan Commission member appointment, seconded by Rodell Singert, passed unanimously.

Carl Fortner stated in the past the theory to having a second Board member on the Plan Commission was to have another view when the issue was taken to the Town Board meeting, so that not only one person's perception of the issue was explained to the Board.

MOTION Kurt Barikmo moved for any Supervisor to have the right to go to the Plan Commission meeting and have the right to ask a question in the meeting but not have a vote, seconded by Bill Craig, motion passed by majority.

Rodell Singert stated a Supervisor can go to a Plan Commission meeting the Chair will recognize the supervisor and that is legal. He stated there is a law allowing that, if a supervisor goes to a Plan Commission meeting that person can take notes and then bring the concerns or comments back to the Town Board. He stated under public policy you can make some comments like yes or no, but a Supervisor cannot get into a lengthy discussion. He stated to stay away from Supervisor Reilly's motion, a quorum needs to be avoided.

Motion Kurt Barikmo moved to withdraw for any Supervisor to have the right to go to the Plan Commission meeting and have the right to ask a question in the meeting but not have a vote, seconded by Bill Craig, motion passed by majority.

10. Town Residents concerns.

Terry Klimek stated there was a lot of talk over the wall incident and he said we have a Public Health and Safety Committee that should of received reports when there are problems in areas. He asked why this issue has not been brought up earlier. Chairman Paff stated the problem went to the Department of Public Works and it was determined that the Sherriff's Department was to patrol the

area more. Supervisor Tyliniski stated the Public Health and Safety Committee has not been receiving the Sherriff's reports on a regular basis so that needs to change. Terry Klimek asks if there is a light in the area. Supervisor Tyliniski stated there is not but you still could not see the area. Fred Michalek stated when he was a Supervisor a situation arose that high capacity wells were going to be put in for a power plant. He explained to the Town Board and residents about the test sites and the studies that need to be done. He stated when he left as Chairman nothing was pursued and the Town lost six years of data. Chairman Paff and Supervisor Ludwig stated there is a committee being put together for a water study. Supervisor Reilly stated that Fred Michalek, Kurt Barikmo, and Tom Bird have volunteered to be on the advisory water committee. Kirt Barikmo stated he has a problem with the GZA because they had not filed a report but are representing Payne & Dolan. He stated the Town needs to find a new engineering firm since they stole from the Town.

11. Discussion and action to change the Clerk's position from elected to appointed.

Chairman Paff read into the minutes his letter of opinion on the Clerk's position from elected to appointed into the record. **Clerk Note: Letter is attached to the minutes.**

Kurt Barikmo stated that he was sorry Chairman Paff misrepresented the truth. Kurt Barikmo stated he was put on a salary committee to compare the salaries of all of the towns and similar, the Town of Vernon was way below the average. So raising the Clerk's and Treasures salary was something that needed to be done to keep the Town in line with other Towns. He stated without a substantial increase the position would not be very attractive. Kurt Barikmo asked why Chairman Paff did not disclose that he contacted the legal council of the Wisconsin Town Association and they recommended against an appointed Clerk/Treasurer position.

Fred Michalek stated to take the memo Chairman Paff had and put Supervisor in place of the Clerk/Treasurer and see how that sounded having appointed Supervisors as apposed to elected Supervisors. Supervisor Finch stated it sounds like everyone would want a binding referendum, someone could make a motion to make it a binding referendum in the November election with the idea of having educational information on both arguments for the people to educate themselves on the difference of appointed and elected. Supervisor Ludwig stated the Attorney stated if the board passed an ordinance; it would automatically send it to a binding referendum. The Town residents and the Board discussed the process on how to continue with the appointed/elected issue.

MOTION Fred Michalek moved for a binding referendum for November election question for the clerk position be appointed or elected, seconded by Dan Millies, passed with three opposed.

MOTION Fred Michalek moved for a binding referendum for the November election question for the treasurer position to be appointed or elected, seconded by Dan Millies, passed with three opposed.

12. Set 2009 Annual Meeting Date – Wednesday, April 15, 2009 at 7:00 p.m. @ the Vernon Town Hall.

MOTION Sandy Porter moved to set the 2009 Annual Meeting Date as Wednesday, April 15, 2009 at 7:00 p.m. at the Vernon Town Hall, seconded by Rodell Singert, motion carried unanimously.

13. Approval of Prior Year's Minutes:
 - a. 2007 Annual Meeting Minutes

MOTION Randy Craig moved to approve the 2007 Annual Meeting Minutes, as printed, seconded by Dan Millies, motion carried unanimously.

14. Motion for adjournment.

MOTION Sandy Porter moved to adjourn, seconded by Sue Fischer, motion carried unanimously.

Meeting adjourned at 10:51 p.m.

Jamie Nelson
Town of Vernon Clerk
Waukesha County

APPROVED BY ELECTORS ON: _____

Brian Paff, Chairperson

Waukesha County



2007 Financial Highlights
Presented to the Town Board
of the Town of Vernon
April 9, 2008

Presented by:
Wendi M. Unger, Senior Manager



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Audit Results

- **Audit Objective**

- The objective of our audit was to express our opinion on the financial statements of the Town of Vernon as December 31, 2007.

- **Our Opinion**

- An unqualified audit opinion has been issued on the financial statements for the fiscal year ending December 31, 2007.
- The financial statements are fairly presented in accordance with generally accepted accounting principles.
- All accounting principles have been applied consistently with prior years.
- All appropriate disclosures have been properly reflected in the financial statements.



Summary Financial Information

Results of Operations

	General Fund	Fire Department Fund	Debt Service Fund	Nonmajor Governmental Funds	Stormwater Utility
Revenues and other sources	\$ 2,513,626	\$ 427,049	\$ 298,358	\$ 121,583	\$ 290,663
Expenditures and other uses	<u>2,304,816</u>	<u>427,049</u>	<u>298,358</u>	<u>207,977</u>	<u>37,375</u>
Excess (deficiency)	208,810	-	-	(86,394)	253,288
Fund balance Beginning of year	<u>317,454</u>	-	-	<u>214,624</u>	-
End of year	<u>\$ 526,264</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 128,230</u>	<u>\$ 253,288</u>
Fund Balance consist of:					
Reserved	\$ 85,163	\$ -	\$ -	\$ 117,930	\$ -
Unreserved					
Designated	243,354	-	-	1,861	253,288
Undesignated	<u>197,747</u>	-	-	<u>8,439</u>	-
Total	<u>\$ 526,264</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 128,230</u>	<u>\$ 253,288</u>



Conclusion and Questions

It is a pleasure to serve you. While we work with the Town's management and staff in reviewing the financial data and preparing the financial statements, our contract is with the Board and our responsibility is to report to the Board. Accordingly, if any Board member has any questions or comments concerning our audit, the financial statements, any of the information presented, or any thing else covered, please contact me at 414.777.5423 or wunger@virchowkrause.com.



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TREASURER'S ANNUAL REPORT

April 11, 2007

TOTAL 2006 TAX ROLL ~ 3,421 Tax Parcels	\$10,957,688.09
TOTAL COLLECTIONS	\$8,498,837.56
POSTPONED DELINQUENT	\$945,973.76
ISSUED LOTTERY CREDIT	CREDIT ~ \$222,584.27
STATE SCHOOL TAX CREDIT	\$974,135.78
TOWN'S SHARE	\$1,256,839.54
MUKWONAGO SCHOOLS	\$4,750,675.34
WCTC	\$728,127.71
COUNTY	\$1,348,550.17
STATE	\$115,360.11

- **Interest rates from 4.16% to 5.25%**
- **Town's money is invested in the Wisconsin State Investment Pool & Citizen's Bank of Mukwonago.**
- **Licensed four 4 kennels in the Town of Vernon.**
- **Licensed 20 hobby kennels in town.**
- **599 dogs are licensed up to date.**

Tax time went extremely well this year. Thank Ruth Kastello, my Deputy Treasurer for a job well done. She did an outstanding job and has accepted the invitation to return next year as Deputy Treasurer.

Also thank you to Pat Stumpner and Judy Porter for taking care of the dog licensing answering phones and in general whatever it takes to keep the office running smoothly. Also thank you the Clerk, Gina Gresch, Deputy Clerks, Jamie Nelson, and Chris Stefanich, for all their support with the added burden at tax time.

Thank you Al Kunert for the many years of service. And many thankless hours you have put in as Town Chair. I personally thank you for commitment and service to the town. I commend you on a job well done.

I also congratulate Brian Paff as Chair, you've got some big shoes to fill and I am sure you are up to the challenge. If there is anything I can do for you just contact me I am more than willing to help. Although Bill Ludwig is not here tonight I congratulate him also! Welcome Aboard. Welcome back Mark Tylinksi, and Gina Gresch. Thank you to everyone that showed their support for me by voting for me. I consider it a privilege to work for the people of this town. If anyone has any questions or comments for me I can always be reached at the Town Hall on Tuesdays and Thursdays. Thank you

Respectfully Submitted
Marie V. Kumershek

Clerk-Elected or Appointed

This is my opinion on the Town Clerk being elected or appointed. I feel that having the ability to appoint a clerk based on qualifications and ability is much better than electing one based on a popularity contest with the only qualifications needed being 18 years old and a town resident. When you vote to approve the budget and the salaries for the next two years, you are basing that salary amount on who is in office now. You have no way of knowing if this person will be elected next April. If someone new is elected, then they receive that salary whether or not they deserve it. This happened when Marilyn Gauger asked for a huge raise for the clerk and the town denied it but agreed to a substantial increase from what it was. Marilyn quit shortly after that and Gina received the raise based on the fact that you approved x amount of dollars for the Clerk's salary and she became the Clerk. She didn't have Marilyn's years of experience or her knowledge but she was paid what you agreed to pay Marilyn. The town is now in the same type of situation where our Clerk has quit and who ever fills that position will receive the salary that you approved over a year ago. The difference now is that we can do interviews for candidates and choose one based on qualifications and ability, knowing that we have to pay them \$41,830 plus benefits. Once we appoint a Clerk they have the job until the next election. At that time if the position remains elected, that person will need to file papers and run for office. At the next town meeting if the position remains elected, you will set the salary of the next Clerk not knowing who it will be or what their qualifications are. You can base it on the current Clerk but there is no guarantee they will be elected or even choose to run for the position. The reason so many communities are changing to appointed Clerks and Treasures is to be able to hire someone who is qualified and be able to pay them accordingly without the requirement that they live in the Town. That being said, I don't believe that this is the meeting where this decision should be made. I believe we should use the next six months to educate ourselves on the benefits and drawbacks of changing this position. I don't believe we should take this to a referendum as suggested by Supervisor Reilly because most of the people voting will not have taken the time to educate themselves on this issue. I believe those that are willing to take the time to educate themselves on this issue will be more than happy to come to the next Town meeting and cast their vote.

Brian Paff
Chairman
Town of Vernon