

**PROCEEDINGS OF THE TOWN OF VERNON BOARD OF SUPERVISORS**

**Thursday, April 30, 2009**

**7:00 p.m.**

Vernon Town Hall Meeting Room

W249 S8910 Center Drive

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1. CALL TO ORDER. Chairman Michalek called the meeting to order.
2. PLEDGE TO FLAG. Town Board recited the Pledge of Allegiance.
3. MOMENT OF SILENCE. Town Board had a moment of silence.
4. ROLL CALL. Department of Public Works Director Salentine, Deputy Clerk Mellor, Chairman Michalek, Supervisors Reilly, Craig, Bird, Finch, Clerk Kumershek and Attorney Macy.
5. OPEN MEETING LAW COMPLIANCE CHECK. Chairman Michalek asked the Clerk if the agenda was properly noticed. Clerk Kumershek stated the Town of Vernon is in compliance pursuant to the open meetings law requirement.
6. Town Chairman announces possible closed session at the end of meeting.
7. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

Chairman Michalek stated to please address comments to the Town Board as a body. He also stated questions directed to a specific supervisor or staff person will be deemed out of order by the Town Chair. As to whether a question will be answered will be determined by the Town Chair if addressed to the body or, if addressed to an individual, by that individual. No response will be made; however, until after the individual has finished his or her comments and returned to their seat. Please present all comments, questions, or concerns in a respectful, professional manner.

**MOTION Supervisor Finch moved to open the meeting to public comments, seconded by Supervisor Craig, motion carried.**

**Brian Paff, W237S6810 Fernwood Cr.,** Mr. Paff expressed his concern regarding a five man Plan Commission.

**Mike Doble, W249S7180 Center Dr.,** Mr. Doble stated he would be happy to continue to serve on the Fire Board. He also stated he has no problem with fireworks in the Town and the Town should encourage new businesses and revenue in the Town.

**Heather Siegel, W228S7080 Enterprise Dr.,** Mrs. Siegel stated she would like to stay in the Town of Vernon and build their dream. She also stated they have done everything the Town has asked of them.

**Vince Siegel, W228S7080 Enterprise Dr.,** Mr. Siegel addressed the board regarding fireworks sales in the Town of Vernon.

**Richard Hart, 207 East Buffalo St.,** Mr. Hart stated that he is the attorney for the Siegel's, and if there are any concerns, please inform him so they can be addressed. Their permit is on file in the clerk's office. Mr. Hart reassured the Board of his and his client's willingness to work with the Town of Vernon. He stated he was in attendance to reassure the Board they are willing to work together.

**Ron Schumann, W238 S6845 Millbrook Cr.,** Mr. Sherman stated he is for allowing fireworks in the Town and the Town of Vernon would benefit by increased business. The Town needs to get more good businesses.

**Tim Gill, 8314 W. Montana Ave,** Mr. Gill stated he has worked for American Fireworks for the last 5 years and emphasizes that businesses bring employment into the Town.

**Corey Schmidt, 2185 S. 76<sup>th</sup> St.,** Mrs. Schmidt stated her son has worked for Vince and Heather Siegel for quite a few years. Mrs. Schmidt also stated she loves this area and would like to keep this business running.

**Jeff Pohlhammer, 33038 Sunburst Ct, Waterford,** Mr. Pohlhammer stated he has a business on Enterprise Drive and has no problem with fireworks in the Town.

**Ty Barber, W232 S6750 Millbrook Cr.,** Mr. Barber stated he doesn't think fireworks should be the crowning jewel of Vernon and personally could do without them.

**Thomas Hein, Eagle, Wisconsin,** Mr. Hein stated he has a fireworks stand in Town and believes that you can sell fireworks all over the country. Mr. Hein also stated he is for the fireworks business and it is his livelihood.

**Ben Wagel, 14401 W. Cleveland Ave.,** Mr. Wagel stated the Siegel's are very hardworking and there is nothing more American than Fireworks.

**Todd Wage, Willow Court in Big Bend,** Mr. Wage stated he purchases his fireworks from the Siegel's. Mr. Wage stated Mr. Seigel is showing a profit and should give him a chance.

**Randy Craig, S96W25275 Mound Ave.,** Mr. Craig stated he was on the Plan Commission when the Siegel's fireworks store was discussed. He stated Mr. Siegel has the right to sell this product legally according to the law.

**Patty Zimmermann, W237S6815 Fernwood Dr.,** Mrs. Zimmermann stated there are caps on damages and there are immunities for municipalities and we have a policy of insurance. She stated she doesn't see where there would be increased liabilities on the Town.

**Ron Gasser - 6330 W. Guthrie Dr.** Mr. Gasser stated he is a third generation resident in the Town of Vernon and feels businesses should be able to flourish and contribute to the Town of Vernon.

**Cathy Bronk - S83 W24275 Artesian Ave.** Mrs. Bronk stated that Mike Doble and Marilyn Gauger have done a phenomenal job on the Fire Board. She stated Mr. Doble is an asset to the Fire Board and thanked both of them for a great job.

**MOTION Supervisor Reilly moved to close public comments, seconded by Supervisor Finch, motion carried.**

8. REVIEW OF RECENT CORRESPONDENCE.

- a. Chairman Michalek's memo to the board regarding fireworks. Chairman Michalek's memo is attached to the minutes.
- b. Resignation of Vince Budiac' from the Park and Recreation committee. Resignation is attached to the minutes.
- c. Resignation of Gary Wilde from Big Bend/Vernon Fire Commission. Resignation is attached to the minutes.
- d. Big Bend/Vernon Fire Board – Audit 2008.
- e. We Energies, Update.
- f. Deluca Annexation.

Chairman Michalek briefly reviewed each item of correspondence with the Town Board.

9. MISCELLANEOUS MATTERS. The following matters will be discussed and possible action taken by the Town Board:

- a. Discussion and possible action on Ordinance 2009-06 to repeal and recreate Section 160-24 entitled Fireworks.

There was discussion regarding the commitment the Town has towards the Siegel's and the wording of the Fireworks Ordinance.

**MOTION Supervisor Reilly moved to adopt ordinance 2009-06 to repeal and recreate Section 160-24 entitled Fireworks to the Town of Vernon with the modifications that were read into the record, seconded by Supervisor Bird, motion carried by Roll Call Vote**

**Supervisor Craig - No  
Supervisor Finch - No  
Supervisor Bird - Yes  
Supervisor Reilly - Yes  
Chairman Michalek - Yes**

**(The modifications noted above are as set forth on Exhibit A. Attached hereto: and incorporated herein Exhibit A – Final Ordinance.)**

There was additional discussion regarding when the ordinance should take effect. Discussion pursued between the Town Board and the Town Attorney on clarification of the start date of the ordinance.

**MOTION Chairman Michalek moved to amend ordinance 2009-06 to repeal and recreate Section 160-24 entitled Fireworks to be effective August 1, 2009, motion failed for lack of second.**

- b. Discussion and possible action for Ordinance 2009-07 to repeal and recreate section 9-6 of the Town of Vernon municipal code creating the Finance Committee and Eliminating the Opting out of County Zoning Committee

Chairman Michalek stated that the Opting Out of County Zoning Committee has been inactive and should be eliminated. Chairman Michalek indicated a need to establish a finance committee. The Finance Committee would be set up with outside individuals with CPA's to oversee the Town's financial status.

**MOTION Supervisor Reilly moved to adopt ordinance 2009-07 to repeal and recreate section 9-6 of the Town of Vernon municipal code creating the Finance Committee and Eliminating the Opting out of County Zoning Committee, seconded by Supervisor Bird, motion carried.**

Supervisor Finch requested to re-visit the Fireworks Ordinance 2009-06. Chairman Michalek agreed to re-visit the Ordinance.

**MOTION Chairman Michalek moved to amend the adopted Fireworks Ordinance 2009-06 to modify Section 3 to read as follows: "This ordinance shall take effect upon passage and posting or publication as provided by law but no sooner than August 1, 2009", seconded by Supervisor Finch, carried by Roll call vote.**

**Supervisor Craig - yes  
Supervisor Finch - yes  
Supervisor Bird - yes  
Supervisor Reilly - yes  
Chairman Michalek - yes**

- c. Discussion and possible action for Ordinance 2009-08 to Repeal and Recreate Section 9-2 entitled Plan Commission of the Town of Vernon Municipal Code.

Chairman Michalek discussed the advantages and disadvantages of changing the configuration of the Plan Commission from a seven man board to a five man board.

**MOTION Supervisor Reilly moved to adopt ordinance 2009-08 to Repeal and Recreate Section 9-2 entitled Plan Commission of the Town of Vernon Municipal Code, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

- d. Discussion and possible action for Ordinance 2009-09 to create Section 9-7 of the Town of Vernon Municipal code entitled Water Monitoring Committee.

**MOTION Supervisor Reilly moved to adopt ordinance 2009-09 to create Section 9-7 of the Town of Vernon Municipal code entitled Water Monitoring Committee, seconded by Supervisor Craig, motion carried.**

- e. Discussion and possible action to remove members of the Town of Vernon Plan Commission.

Chairman Michalek recommended the removal of Brian Paff from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Brian Paff from the Town of Vernon Plan Commission, seconded by Supervisor Bird, motion carried.**

Chairman Michalek recommended the removal of Bill Ludwig from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Bill Ludwig from the Town of Vernon Plan Commission, seconded by Supervisor Bird, motion carried.**

Chairman Michalek recommended the removal of Bob Bartholomew from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Bob Bartholomew from the Town of Vernon Plan Commission, seconded by Supervisor Craig, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the removal of Mark Benkowski from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Mark Benkowski from the Town of Vernon Plan Commission, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the removal of Randy Craig from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Randy Craig from the Town of Vernon Plan Commission, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the removal of Al Kunert from the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to remove Al Kunert from the Town of Vernon Plan Commission, seconded Supervisor Bird, motion carried.**

- f. Discussion and possible action to appoint members to the Town of Vernon Plan Commission.

Chairman Michalek recommended appointment of Chairman Fred Michalek to the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to appoint Chairman Michalek to the Town of Vernon Plan Commission, seconded by Supervisor Finch, motion carried. Chairman Michalek abstained.**

Chairman Michalek recommended appointment of Supervisor Thomas Bird to the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to appoint Supervisor Tom Bird to the Town of Vernon Plan Commission, seconded by Supervisor Finch, motion carried.**

Chairman Michalek recommended appointment of Supervisor Bill Craig to the Town of Vernon Plan Commission.

**MOTION Supervisor Finch moved to appoint Supervisor Craig to the Town of Vernon Plan Commission, seconded by Supervisor Reilly, motion carried.**

Chairman Michalek recommended reappointment of Rodney Johnson to the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to reappoint Rodney Johnson to the Town of Vernon Plan Commission, seconded by Supervisor Finch, motion carried.**

Chairman Michalek recommended appointment of Dan Nowak to the Town of Vernon Plan Commission.

**MOTION Supervisor Reilly moved to appoint Dan Nowak to the Town of Vernon Plan Commission, seconded by Supervisor Craig, motion carried.**

**MOTION Supervisor Reilly moved that Elected Officials serve for a two year terms and the two appointed citizens for a three year term, motion denied due to lack of second.**

**MOTION Chairman Michalek moved to allow Brian Paff to speak, seconded by Supervisor Finch, motion carried. Supervisors Reilly and Bird opposed.**

Brian Paff stated that according to state statutes changing the length of terms and the number of members is illegal, and stated he will send information to the Town Chairman.

**MOTION Supervisor Reilly moved that Elected Officials serve for a two year term and the two appointed citizens for a three year term to stagger the terms if it is legal to do so Supervisor Finch seconded, motion carried.**

The Plan Commission will go into effect when the Ordinance is signed and posted.

- g. Appointment of John Maney to the Big Bend/Vernon Fire Commission.

Chairman Michalek recommended appointment of John Maney to the Big Bend/Vernon Fire Commission.

**MOTION Supervisor Reilly moved to appoint John Maney to the Big Bend Vernon Fire Commission Supervisor Finch seconded, motion carried.**

- h. Discussion and possible action to remove and appoint members to the Fire Board.

Chairman Michalek recommended appointment of Marilyn Gauger and Mike Doble to the Big Bend/Vernon Fire Board.

**MOTION Supervisor Reilly moved to appoint Marilyn Gauger to Big Bend Vernon Fire Board, seconded by Supervisor Finch, motion failed. 3-2. Supervisor Craig, Bird, Reilly opposed.**

Supervisor Craig stated his concerns with the Fire Department and the Fire Board. Chairman Michalek stated he would like to see Marilyn Gauger and Michael Doble reappointed.

**MOTION Supervisor Craig moved to appoint Dr. Sean Halpin to Big Bend Vernon Fire Board, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

**MOTION Chairman Michalek moved to reappoint Mike Doble to Big Bend Vernon Fire Board for a three year term, seconded by Supervisor Finch, motion carried, Supervisor Craig opposed.**

- i. Fire commission appointment was under section 9G.
- ii. DPW Committee,

Chairman Michalek recommended removal of Supervisor Gary Finch from the DPW Committee.

**MOTION Supervisor Reilly moved to remove Supervisor Finch from the DPW Committee, seconded by Supervisor Bird, motion carried.**

Chairman Michalek recommended the removal of Phil Mainwaring from the DPW Committee.

**MOTION Supervisor Reilly moved to remove Phil Mainwaring from the DPW Committee, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the removal of Al Kunert from the DPW Committee.

**MOTION Supervisor Reilly moved to remove Al Kunert from the DPW Committee, seconded by Supervisor Bird, motion carried.**

Chairman Michalek recommended the removal of Ron Westphal from the DPW Committee.

**MOTION Supervisor Reilly moved to remove Ron Westphal from the DPW Committee, seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the removal of Doug Salentine from the DPW Committee.

**MOTION Supervisor Reilly moved to remove Doug Salentine from the DPW Committee seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the appointment of Supervisor Craig to the DPW Committee.

**MOTION** Supervisor Reilly moved to appoint Supervisor Craig to the DPW Committee seconded by Supervisor Finch.

**MOTION** Supervisor Reilly moved to take a ten minute break, seconded by Supervisor Bird, motion carried.

Chairman Michalek called the meeting back to order.

**Supervisor Reilly withdrew his motion and Supervisor Finch withdrew his second to appoint Supervisor Craig to the DPW Committee.**

Chairman Michalek recommended Gary Finch, Paul Herrenbruck, Jerry Goff, Ed Moline Randy Saddy, John Stumpner, Leroy Titze and Doug Salentine as a non voting member.

**MOTION** Supervisor Finch moved to appoint Supervisor #3 to a one year term, Paul Herrenbruck to a one year term, Jerry Goff for a two year term, Ed Moline to a three year term, Randy Saddy to a two year term, John Stumpner to a three year term, Leroy Titze to a one year term, Doug Salentine as a non-voting member of the DPW Department, seconded by Supervisor Reilly, motion carried.

iii. Public Health & Safety Committee,

Chairman Michalek recommended the removal of Mary Jo Grosskreutz from the Public Health and Safety Committee.

**MOTION** Supervisor Reilly moved to remove Mary Jo Grosskreutz from the Public Health and Safety Committee, seconded by Supervisor Bird, motion carried.

Chairman Michalek recommended the removal of Supervisor Reilly from the Public Health and Safety Committee.

**MOTION** Supervisor Finch moved to remove Supervisor Reilly from the Public Health and Safety Committee, seconded by Supervisor Bird, motion carried.

Chairman Michalek recommended the appointment of Supervisor Craig, Len Kressin, Carol Annonson, Diane Tylinski, and Dan Scherbarth to the Public Health and Safety committee.

**MOTION** Chairman Michalek moved to appoint Supervisor Craig to a two year term as Committee Chair, Len Kressin to a two year term, Carol Annonson to a two year term, Diane Tylinski to a three year term Dan Scherbarth to a two year term, to the Public Health and Safety Committee, seconded by Supervisor Reilly, motion carried.

**MOTION** Supervisor Craig moved to remove Dan Scherbarth from Public Health and Safety, seconded by Supervisor Bird, motion carried.

**MOTION** Supervisor Craig moved to appoint Ron Reinke to the Public Health and Safety to a two year term, seconded by Supervisor Finch, motion carried.

iv. Water Committee,

Chairman Michalek recommended the removal of Chairman Michalek from the Water Monitoring Committee.

**MOTION** Supervisor Reilly moved to remove Chairman Michalek, from the Water Monitoring Committee, seconded by Supervisor Finch, motion carried. Chairman Michalek abstained.

Chairman Michalek recommended the appointment of Theresa Kelly to the Water Committee.

**MOTION Supervisor Reilly moved to appoint Theresa Kelly to the Water Monitoring Committee for a one year term, seconded by Supervisor Bird, motion carried.**

v. Ordinance Committee,

Chairman Michalek recommended the removal of Supervisor Finch from the Ordinance Committee.

**MOTION Supervisor Reilly moved to remove Supervisor Finch from the Ordinance Committee seconded by Supervisor Craig, motion carried.**

Chairman Michalek recommended the removal of Jamie Salentine from the Ordinance committee.

**MOTION Supervisor Reilly moved to remove Jamie Salentine from the Ordinance Committee, seconded by Supervisor Bird, motion carried.**

Chairman Michalek recommended the removal of Bob Bartholomew from the Ordinance Committee.

**MOTION Supervisor Reilly moved to remove Bob Bartholomew from the Ordinance Committee seconded by Supervisor Bird, motion carried. Supervisor Finch opposed.**

Chairman Michalek recommended the appointment of Joe Reilly, Mark Schlottko, Tom Bird, Kurt Barikmo, Jim Slawny, Randy Craig, Terry Klimek are presently on the Ordinance Committee.

**MOTION Supervisor Reilly moved to appoint Supervisor Reilly to Chair the Ordinance Committee for a one year term, Supervisor Bird to a two year term, Mark Schlottko to a three year term, Jim Slawny to a two year term, Randy Craig has one year left on his term, Terry Klimek has two years left on his term, Kurt Barikmo to a three year term, to the Ordinance Committee, seconded by Supervisor Craig, motion carried. Supervisor Finch opposed.**

vi. Park & Recreation Committee,

Chairman Michalek recommended the appointment of Bill Craig, Kevin Nault, Bill Ludwig, Jim Arnold, and Robin Faust to the Park and Rec Committee.

**MOTION Supervisor Reilly moved to appoint Supervisor Craig to Chair the Park & Rec Committee to a two year term, Kevin Nault to a one year term, Bill Ludwig to a three year term, Robin Faust to a two year term, Jim Arnold to a two year term, to the Park & Recreation committee, seconded by Supervisor Finch, motion carried.**

vii. Southeast Wisconsin Fox River Commission

Chairman Michalek recommended the reappointment of Randy Craig and Don Scott to the Southeastern Wisconsin Fox River Commission.

**MOTION Supervisor Finch moved to reappoint Randy Craig to a two year term, Don Scott to a three year term to the Southeast Wisconsin Fox River Commission, seconded by Supervisor Reilly, motion carried.**

viii. Weed commissioner

Chairman Michalek recommended the appointment of Tom Krischan for Weed Commissioner.

**MOTION Supervisor Finch moved to appoint Tom Krischan for Weed Commissioner for a one year term, seconded by Supervisor Reilly, motion carried.**

- i. Discussion and possible action to appoint Theresa Kelly as camera and computer operator.

Chairman Michalek recommended the appointment of Theresa Kelly as camera and computer operator for the Town of Vernon meetings.

**MOTION Supervisor Reilly moved to appoint Theresa Kelly as camera and computer operator for the Town of Vernon meetings, seconded by Supervisor Craig, motion carried.**

- j. Position of Town of Vernon Board on Citizens group, contacting individuals who have "Annexed out of the Town of Vernon".

Chairman Michalek stated this citizen group is not endorsed by the Town Board and is not a Town committee.

- k. Approval of the 2009 Road Program.

Director Salentine reviewed the process of the contract and stated that the paving program came in under budget by \$32,000.

**MOTION Supervisor Finch moved to accept the 2009 Road Program, seconded by Supervisor Bird, motion carried.**

Discussion of memorials for elected and appointed officials, volunteers, commissioners and committee members.

There was discussion regarding the Town's policy for elected, appointed and volunteers who have served the Town. Attorney Macy stated many communities do not send flowers and feel it inappropriate to spend the tax payer's money. He also stated cards and resolutions are more appropriate.

**Clerk's Note Ordinance 2009-06 the creation of the Finance Committee, there was a typo. The body of the ordinance had 9-7 and has been corrected to 9-6.**

10. ANNOUNCEMENTS. The following individuals will be given the opportunity to make announcements at the meeting in regards to activities they have undertaken since the last meeting on behalf of the Town, future activities and citizen contacts. It is not contemplated that these matters will be discussed or acted on but referrals to the appropriate committees and/or individuals will be made.

- a. Town Board, Department of Public Works Director, Town Clerk, Town Treasurer and Building Inspector.

- Chairman Michalek stated a need of more volunteers to serve the Town, and thanked the former committee members for their service. Chairman Michalek stated the Town has open book on May 4, 2009. Supervisor Finch, Clerk Kumershek, Supervisor Reilly, Chairman Michalek, and Deputy Clerk Mellor are trained for Board of Review on June 1, 2009 at 6pm. The Spring Newsletter has

been mailed out. We are still looking for volunteers to participate in the Well Monitoring program of the Water Committee.

- Supervisor Reilly - nothing at this time.
- Supervisor Bird - nothing at this time.
- Supervisor Finch thanked everyone who served on committees and had volunteered their time.
- Supervisor Craig – had questions on First Dollar Credit. Clerk Kumershek explained that the State initiated this credit and should be applied to all residential parcels. This was the first year the credit was applied to residents property tax.
- Department of Public Works Director Salentine stated that the river is cresting and he will be monitoring the situation. Chairman Michalek directed DPW Salentine to ask the Big Bend Village Police Department for a “No Wake Sign”. Department of Public Works Director Salentine stated that crack filling is finished and brush pick up will begin. He also stated the FEMA grant check was sent out and we should be receiving it soon.
- Clerk Kumershek stated Stacy Tuhaus from Foth Engineering will be presenting a Stormwater Management Presentation on May 21, 2009; she also thanked her deputy clerks for all their hard work in this transition period.
- Treasurer Porter was not in attendance.

11. REPORTS. Information on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

- a. Building Inspection-Monthly Building Inspection Report (if applicable)
- b. D.P.W. Committee – no report at this time.
- c. Fire Department – no report at this time.
- d. Ordinance Committee – no report at this time.
- e. Park & Recreation Committee – no report at this time.
- f. Plan Commission – no report at this time.
- g. Public Health & Safety – no report at this time.
- h. Water Monitoring Committee
  - Supervisor Bird stated water testing is progressing, and welcomed Theresa Kelly to the Water Committee.
- i. School Board - no report at this time.
- j. SE WI Fox River Commission - no report at this time.
- k. Treasurer's Monthly Report – no report at this time.
- l. Village of Big Bend Agendas & Minutes – none available at this time.
- m. Village of Mukwonago Agendas & Minutes – none at this time.

- n. Big Bend Vernon Fire Board Agendas & Minutes- none at this time
- o. Big Bend Vernon Fire Commission Agendas & Minutes - none at this time
- p. County Board Supervisor(s) – none at this time.

12. FINANCES.

None at this time.

13. MINUTES.

None at this time.

14. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Sections 19.83(2) and 19.84(2) of the Wisconsin Statutes, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson’s discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

**MOTION Supervisor Reilly moved to open the meeting to public comments, seconded by Supervisor Craig, motion carried.**

**Ronald Reinke, S95 W23475 Forest Home Avenue,** Mr. Reinke commented on the Plan Commission configuration and asked for clarification on why the Town went to the five man commission; he also thanked the Town Board for appointing him to the committee. Chairman Michalek stated that if the Plan Commission worked the way it had several years ago, the Town Board would have had no problem with it.

**MOTION Supervisor Craig moved to close public comments, seconded by Supervisor Reilly, motion carried**

15. Consideration and possible action on a motion to convene into executive session under Wis. Stats. 19.85(1) (g) when conferring with legal counsel for the governmental body who is rendering oral or Written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with respect to the DeLuca/Bahl annexation ordinance. In attendance in closed session will be the Town Board, Town Clerk and Town Attorney.

**MOTION Supervisor Finch moved to go into closed session, seconded by Supervisor Reilly, motion carried.**

**ROLL CALL VOTE:**

**Chairman Michalek: Yes  
 Supervisor Reilly: Yes  
 Supervisor Bird: Yes  
 Supervisor Finch: Yes  
 Supervisor Craig: Yes**

Reconvene in open session to take action on those matters discussed in closed session including but not limited to direction to Town Attorney in the Deluca/Bahl annexation matter.

**MOTION Supervisor Finch moved to re-convene into Open Session, seconded by Supervisor Reilly, carried by Roll Call Vote.**

**ROLL CALL VOTE:**

**Chairman Michalek: Yes  
 Supervisor Reilly: Yes**

**Supervisor Bird: Yes**  
**Supervisor Finch: Yes**  
**Supervisor Craig: Yes**

**MOTION Supervisor Finch moved to direct the Town Attorney to research the legality of the Deluca/Bahl annexation, seconded by Supervisor Bird, motion carried.**

**MOTION Supervisor Finch moved to adjourn, seconded by Supervisor Bird, motion carried.**

**Meeting adjourned at 11:39**

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Marie Kumershek  
Town of Vernon Clerk  
Waukesha County

APPROVED:

As printed ( )  
With amendments ( )

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Frederick Michalek, Chairman

Date: \_\_\_\_\_