

PROCEEDINGS OF THE TOWN OF VERNON BOARD OF SUPERVISORS

May 21, 2009 at 7:00 p.m.
Vernon Town Hall Meeting Room
W249 S8910 Center Drive

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. Chairman Michalek, Supervisor Reilly, Bird, Finch, Craig, Fire Chief Bucholtz, DPW Director Salentine Clerk Kumershek.
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. 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 please address all of your comments to the Town Board as a body. In all likelihood 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.

There were no public comments.

7. REVIEW OF RECENT CORRESPONDENCE.
 - a. Time Warner information of analog to digital switch on June 12, 2009
 - b. Governor Doyle's Proclamation for Emerald Ash Borer Awareness Week May 17-23, 2009
 - c. Wisconsin Towns Association - Town Lawyers Conference.
 - d. Stormwater discharge permit.
 - e. Resolution supporting the elimination of State Shared Revenues to Towns in Exchange for Permanent Boundaries
 - f. Posted ordinances 2009-06, 2009-07, 2009-08 May 11, 2009, and 2009-09 posted and published on May 27, 2009.

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

8. MISCELLANEOUS MATTERS. The following matters will be discussed and possible action taken by the Town Board:
 - a. Presentation of Storm Water Permit requirements and updates.
 - i. Town Engineer Tom Ludwig, Stacy Tushaus, and Mike Liebman presented the storm water permit presentation to the Town Board. The handout (Stormwater Management and MS4 Permitting) was also reviewed. **NOTE: The report is on**

file in the clerk's office and attached to the minutes.

- b. Discussion and possible action to appoint members to the Finance committee.
 - i. **MOTION** Chairman Michalek moved to appoint Carl Fortner to the Finance Committee, seconded by Supervisor Reilly, motion carried.
 - ii. **MOTION** Chairman Michalek moved to appoint Tom Tomasik to the Finance Committee, seconded by Supervisor Reilly, motion carried.
- c. Discussion and possible action to appoint School Board Liaison (non voting - attendee only).
 - i. **MOTION** Supervisor Reilly moved to appoint Gary Finch as the School Board Liaison, seconded by Supervisor Craig, motion failed.

Supervisor Finch respectfully declined the position.
 - ii. **MOTION** Chairman Michalek moved to appoint Supervisor Reilly as the School Board Liaison, seconded by Supervisor Finch, motion carried.
- d. Discussion and possible action to appoint a South Eastern Wisconsin Fox River Committee Liaison (non voting – attendee only)
 - i. **MOTION** Supervisor Reilly moved to appoint Randy Craig to the South Eastern Wisconsin Fox River Committee Liaison, seconded by Supervisor Finch, motion carried.
- e. Discussion and possible action to appoint a Fire Board Liaison (non voting – attendee only).
 - i. **MOTION** Chairman Michalek moved to appoint Bill Craig as the Fire Board Liaison, seconded by Supervisor Reilly, motion carried.
- f. Discussion and possible action to appoint a Fire Commission Liaison (non voting – attendee only).
 - i. **MOTION** Chairman Michalek moved to appoint Bill Craig as the Fire Commission Liaison, seconded by Supervisor Reilly, motion carried.
- g. Discussion and possible action of the removal of Rodney Johnson from the Planning Commission.
 - i. **MOTION** Chairman Michalek moved to remove Rodney Johnson from the Planning Commission, seconded by Supervisor Reilly, motion carried.
- h. Discussion and possible action to appoint Rodney Johnson to the Planning Commission.
 - i. **MOTION** Supervisor Reilly moved to appoint Rodney Johnson to the Planning Commission, seconded by Supervisor Craig, motion carried.
- i. Discussion and Possible action to raze and rebuild the Town Barn Building.

Chairman Michalek stated we need to review the option of razing the barn, he also questioned if it were possible to have a controlled burn for the Fire Department. Department of Public Works Director Salentine reviewed five plans with the Town Board and recommended Plan 2 as the most viable. Department of Public Works Director

Salentine stated the concerns about the placement of the Barn with the Town Codes. Chief Bucholtz stated that he has concerns about the asbestos in the building and will proceed to apply for a permit from the Department of Natural Resources.. Clerks: The Town Barn replacement plans are attached to the minutes.

MOTION Chairman Michalek moved to raze the Town Barn building with a cost of not to exceed \$1,000, seconded by Supervisor Reilly, motion failed

MOTION Chairman Michalek moved to raze the Town Barn building with prices to be available by the next meeting, seconded by Supervisor Reilly, motion carried.

- g. Discussion and Possible action to reappoint or replace David Nowicki as a Fire commission member.

MOTION Chairman Michalek moved to remove David Nowicki as a Fire Commission member, seconded by Supervisor Craig, motion carried.

MOTION Chairman Michalek moved to appoint Jeff Seefeld as a Fire Commission member, seconded by Supervisor Craig, motion carried.

MOTION Supervisor Finch moved to take a break, seconded by Supervisor Craig, motion carried.

Chairman Michalek called the meeting of the Town of Vernon back to order.

- h. Recommendation from Plan Commission to approve final Certified Survey Map for George and Carol Maciosek for the property located at W216S9905 Crowbar Dr., subject to all Planners, Engineer and Attorney conditions.

Supervisor Craig stated his concerns that Lot #2 did not have adequate frontage on Cartwright Cr. and Lot #1 only had access by a shared driveway easement. Chairman Michalek stated that we should table this issue until we resolve the questions about the shared driveway and split lots.

MOTION Chairman Michalek moved to table the Certified Survey Map for George and Carol Maciosek for the property located at W216S9905 Crowbar Dr until the next town board meeting, seconded by Supervisor Reilly, motion carried

- i. Recommendation from Plan commission to approve final Survey Map for Ronald and Dorma Reinke for the property located at S95W23475 Forest Home Ave., subject to all Planners, Engineer and Attorney conditions.

MOTION Chairman Michalek moved to approve final Certified Survey Map for Ronald and Dorma Reinke for the property located at S95W23475 Forest Home Ave, subject to all Planner, Engineer and Attorney conditions, seconded by Supervisor Reilly, motion carried.

- j. Approval of Operators license for Nancy Lee Fedie.

MOTION Supervisor Finch moved to approve operator's license for Nancy Lee Fedie, seconded by Supervisor Bird, motion carried.

- k. Approval of Operators license for Rebecca Senn.

MOTION Supervisor Finch moved to approve operator's license for Rebecca Senn, seconded by Supervisor Craig, motion carried.

Approval of Operators license for Elizabeth Fedie.

MOTION Supervisor Finch moved to approve operator's license for Elizabeth Fedie, seconded by Supervisor Reilly, motion carried.

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

- Supervisor Reilly Nothing at this time.
- Supervisor Bird Nothing at this time
- Supervisor Craig stated he has no biases with the Fire Department, but has several legitimate concerns about the Fire Board and the Fire Department. Supervisor Craig reviewed his concerns which ranged from the Fire Board hiring a consultant that was not in the budget, excessive money spent on attorney's bills, the rules and regulations of the Fire Department, transferring of funds within the Fire Department without Town Board and Village Board approval, excessive paid staff at Fire Board meetings, and a conflict of interest within the department. He stated that he feels there has been lack of due diligence within the department.
- Supervisor Finch stated there is a saying 'lead, follow, or get out of the way'. I am submitting my resignation as of June 4, 2009. ***Supervisor Finch's resignation is on file in clerk's office and attached to the minutes.***
- Chairman Michalek stated that he felt Supervisor Finch was an independent thinker, and requested Supervisor Finch to stay on board until the position can be filled. Chairman Michalek informed the residents that Michael Wilde's, Gary Wilde's son passed away extremely unexpected last Sunday. He stated services will be held next Tuesday. Chairman Michalek stated Gary Wilde has been a diligent servant for the Town for quite a few years. Chairman Michalek offered his condolences to Gary and Barbara Wilde and their family.
- Chief Bucholtz stated that Gary Wilde was a representative to the Town and Village Big Bend Vernon Fire Department and also a Captain in charge of the EMS program.
- Clerk Kumershek stated the clerk's office has received \$744 in scholarships for attending the Municipal Clerks Association, with the scholarships she stated that the Town Clerk and both Deputy Clerks would be able to attend the meeting and stay under budget.
- Treasurer Porter stated there has been a smooth transition in the Treasurer's office.
- Department of Public Works Director Salentine stated that the chip and seal on Maple Drive failed so we are working on getting Maple Drive redone in the next week or so at no cost to the Town. He stated Brush pickup is presently on going on the west side of Town and all park employees are starting next week.

10. 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 Supervisor Finch stated there was no meeting.
- c. Fire Department – Fire Chief Bucholtz thanked everyone that was involved in this process of finalizing the rules and regulations also the Fire Chief reviewed his report and are attached to the minutes.
- d. Ordinance Committee Supervisor Reilly will have an agenda drawn up.
- e. Park & Recreation Committee - No meeting at this time.
- f. Plan Commission – May 28 meeting has been canceled.
- g. Public Health & Safety- No meeting at this time.
- h. Water Monitoring Committee - Supervisor Bird stated that there are 17 applicants ready to start the water study. He also encouraged anyone else who would like to volunteer, to send their application in as soon as possible.
- i. School Board – Supervisor Reilly stated he has been very busy with other meeting. The School Board is focused on the budget, and the maintenance of the building.
- j. SE WI Fox River Commission – no report at this time.
- k. Treasurer's Monthly Report - Treasurer Porter reviewed her report with the Town Board. **The report is on file in the Clerk's office is attached to the minutes.**
- l. Village of Big Bend Agendas & Minutes.
- m. Village of Mukwonago Agendas & Minutes.
- n. Big Bend Vernon Fire Board Agendas & Minutes.
- o. Big Bend Vernon Fire Commission Agendas & Minutes.
- p. County Board Supervisor(s).
- q. Chief Buchholtz reviewed his report with the Town Board.

11. FINANCES.

- a. Motion to approve Accounts Payable.

MOTION Supervisor Finch moved to approve accounts payable in the amount of 34,896.89, seconded by Supervisor Craig, motion carried. Supervisor Bird opposed.

- b. Motion to recognize Financial Statement.

MOTION Supervisor Finch moved to recognize the Financial Statement, seconded by Supervisor Reilly, motion carried.

- c. Motion to approve manual checks – none at this time.

12. MINUTES.
a. Motion to approve previous minutes.
i. March 19, 2009 Town Board

MOTION Supervisor Finch moved to place the March 19, 2009 minutes on file, seconded by Supervisor Reilly, motion carried.

- ii. May 7, 2009 Town Board

MOTION Supervisor Finch moved to approve the May 7, 2009 minutes as printed, seconded by Supervisor Reilly, motion carried.

13. 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.)

There were no public comments.

- 14 MOTION FOR ADJOURNMENT.

MOTION Supervisor Finch moved to adjourn, seconded by Supervisor Craig, motion Carried.

Adjourned at 10.13 p.m.

Marie Kumershek
Town of Vernon Clerk
Waukesha County

APPROVED:

As printed ()
With amendments ()

Frederick Michalek, Chairman

Date: _____