

PROCEEDINGS OF TOWN OF VERNON BOARD OF SUPERVISORS

Thursday, June 18, 2009

7:00 PM

Vernon Town Hall Meeting Room
W249S8910 Center Drive

1. CALL TO ORDER. Chairman Fred 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, Supervisors Reilly, Bird, Craig, Attorney Macy will be joining us for closed session, Clerk Kumershek, Department of Public Works Director Salentine and Chief Buchholtz. Treasurer Porter is absent. Supervisor Finch was excused by Chairman Michalek.
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. Chairman Michalek announced their will possibly be a closed session after tonight 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 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 Reilly moved to open the meeting to public comments, seconded by Supervisor Craig, motion carried.

Kevin Giffin W255SS8545 Hilo Dr. - Mr. Giffin stated he had concerns about the condition of the pet cemetery on Hilo Dr.

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

8. REVIEW OF RECENT CORRESPONDENCE.
 - a. Waukesha County Town Hall Meetings.
 - b. Senator Lazich reports.
 - c. WCTC - 2010 budget

MOTION Supervisor Reilly moved to read updated correspondence into the record, seconded by Supervisor Bird, motion carried.

- d. Waukesha County Executive Awards Program
- e. Computer Basics - Workforce Development.

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 to issue a for Class A Beer and Liquor License for the 2009-2010 licensing year for Jim Hunn d/b/a New Era Marketing, LLC.

The Town Board reviewed information and permits concerning New Era Marketing, LLC.

MOTION Chairman Michalek moved to approve the Class A Beer and Liquor License for the 2009-2010 licensing year for Jim Hunn d/b/a New Era Marketing, LLC, seconded by Supervisor Reilly, motion carried.

- b. Discussion and possible action to issue a Class B Beer & Liquor License for the 2009-2010 licensing year for Julie Beronja d/b/a Jimmy Wade's Heaven City Restaurant.

The Town Board reviewed information and permits concerning Jimmy Wade's Heaven City Restaurant.

MOTION Chairman Michalek moved to approve the Class A Beer and Liquor License for the 2009-2010 licensing year for Julie Beronja d/b/a Jimmy Wade's Heaven City Restaurant, seconded by Supervisor Reilly, motion carried.

- c. Discussion and possible action on razing the Vernon Town Barn.

Department of Public Works Director Doug Salentine, reviewed the costs of razing the Vernon Town Barn with the Town Board. Chief Bucholtz explained the costs of removal of the asbestos and the safety concerns of razing the Town Barn.

MOTION Supervisor Reilly moved to approve a controlled burn on razing the Vernon Town Barn at costs not to exceed \$3,700 excluding the asbestos abatement, seconded by Supervisor Craig, motion carried.

Department of Public Works Doug Salentine reviewed the electrical, gutters, and equipment rental for a new Storage Building and stated the cost of a new storage building would be approximately \$30,000.

- d. Discussion and possible action to take over the utility payment of two street lights currently being paid by Hidden Lakes Homeowners Association along county Hwy ES until it is determined if they are in the town's right-of-way.

The Town of Vernon Supervisors discussed and reviewed the precedent of taking over the cost of the lights and the safety issue of removing the lights.

MOTION Supervisor Reilly moved to table the Town of Vernon taking over the utility payment of two street lights currently being paid by Hidden Lakes Homeowners Association along county Hwy ES to the next Town Board Meeting, seconded by Supervisor Bird, motion carried.

- e. Discussion of procedures and possible action to recognize prior service of elected and appointed individuals.

The Town of Vernon Board discussed the different expressions of appreciation for Town Board, Plan Commission, and Committees.

MOTION Supervisor Reilly moved to issue plaques or certificates for retiring members of the Town Board, Plan Commission, and Committees, seconded by Chairman Michalek, motion carried.

- f. Discussion and possible action on memorials for elected, appointed and employees of the Town of Vernon etc.

The Town of Vernon Board discussed the financial commitment

MOTION Chairman Michalek moved to present a card by the Town of Vernon with no financial commitment at the demise of elected, appointed, or employees of the Town of Vernon, seconded by Supervisor Reilly, motion carried.

- g. Discussion, interviewing and possible action on filling Fire Board position.

The Town of Vernon Board reviewed and discussed the application of Dan Scherbarth for Fire Board Member.

MOTION Supervisor Reilly moved to appoint Dan Scherbarth to the Fire Board for a two year term, seconded by Supervisor Bird, motion carried.

- h. Discussion, interviewing and possible action on filling Supervisor #3 position.

The Town Board welcomed two of the three candidates, Rodell Singert and Kurt Barikmo. Carl Fortner the third candidate was absent because of family issues. Chairman Michalek read into the record Kurt Barikmo's resume, Rodell Singert's letter, and Carl Fortner's letters. Chairman Michalek stated we have three very good candidates, he also stated that he felt because of his background and experience that Carl Fortner was his choice.

Clerks Note: All candidates' resumes, letters of considerations are on file in the clerk's office.

MOTION Supervisor Bird moved to suspend the rules to allow the two candidates to address the Board, seconded by Supervisor Reilly, motion carried.

Kurt Barikmo S77W22180 Eleanor St. – Mr. Barikmo reviewed his resume and also explained his experience with the Water Committee and the Salary Committee. He stated that he has many concerns including cluster subdivisions, street lights, and septic systems going bad. He stated he has concerns about the tax burden to the residents of the Town, and has concerns about the relationship between the Town and the Village of Big Bend. Chairman Michalek stated Mr. Barikmo is extremely professional and a man of character and he certainly would be a strong asset to the town.

Rodell Singert W254S7890 Hilo Dr. - Mr. Singert stated his years of experience and reviewed his accomplishments as a County Board Supervisor. He stated he has been a servant to the community. Mr. Singert reviewed his finance experience with the budgets at the county and school level. He stated the most pressing issue is the continued pressure of annexations, and we should be protecting our township. Chairman Michalek stated that Mr. Singert is a man of integrity and felt that he also would be an asset to the Town Board.

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

Chairman Michalek stated that it was unfortunate that Carl Fortner could not be here tonight because of a personal matter. Chairman Michalek highly recommended Mr. Fortner and reviewed his experience with the Town Board.

MOTION Chairman Michalek moved to appoint Carl Fortner to fill the term of Supervisor #3 of the Town of Vernon Board of Supervisors, seconded by Supervisor Reilly, motion failed.

The Town Board discussed the procedure on picking a candidate for the supervisor position. The Town Board decided that a straw poll vote should be taken. Supervisor Reilly voted for Kurt Barikmo, Supervisor Bird voted for Kurt Barikmo, Supervisor Craig voted for Kurt Barikmo, Chairman Michalek voted for Carl Fortner, Clerk Kumershek voted for Rodell Singert.

MOTION Supervisor Reilly moved to appoint Kurt Barikmo to fill the term of Supervisor #3 of the Town of Vernon Board of Supervisors, term ending April 13, 2010, seconded by Supervisor Bird, motion carried.

Chairman Michalek stated that we were fortunate to have three individuals that have stepped forward with that caliber they have. He stated when looking at the background of the three individuals He truly believes that Carl Fortner would be the best candidate, and that is not a disparaging remark to the other two individuals. Chairman Michalek asked for this to be in the public record.

- i. Discussion and possible action regarding the Town Hall roof proposal.

Department of Public Works Director Salentine reviewed the roof repairs and the roof proposal with the Town Board. The Town Board reviewed briefly the expense of the roof proposal

Chairman Michalek moved to deny repair of the Town Hall Roof, seconded by Supervisor Bird, motion carried.

- j. Discussion and possible action to review Big Bend Vernon Fire Departments Mutual Aid to/from other departments.

Chief Buchholtz reviewed the Big Bend Vernon Fire Departments Mutual Aid report with the Town Board.

- k. Review, discussion and possible action on the Fema Grant.

The Town of Vernon Board reviewed the FEMA GRANT with Department of Public Works Department Director Douglas Salentine.

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.

- Supervisor Reilly explained that the rules and regulations committee has been working very hard to get the rules and regulations done. He stated that there should be a committee for the revision of the Fire Board's policies and procedures, which will give them the guidance that they need.
- Supervisor Bird stated he had nothing at this time.
- Supervisor Craig announced that he was in touch with a person who wanted to organize a Neighborhood Watch Group in Heather Ridge Subdivision. He stated there will be a meeting at the Town Hall on Monday, June 22, 2009 at 6:30.
- Chairman Michalek stated he sent out an email about a joint meeting with the Fire Board, Village of Big Bend, and the Town Board, Chairman Michalek thanked Supervisor Finch for his service on the Town Board, he also thanked Mike Doble for his time and effort on the Fire Board.
- Department of Public Works Director Salentine stated the paving program was finished today with the two subdivisions. He stated ditch work is ongoing throughout the town, and there was a preconstruction meeting concerning Falcon View and there anticipated start date was June 29, 2009.
- Clerk Kumershek had nothing at this time.

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). Chairman Michalek stated there is no report at this time.
- b. D.P.W. Committee – Department of Public Works Director Salentine has a question who will be the Chairman of the Department of Public Works Committee now that Supervisor Finch has resigned.
- c. Fire Department – Chief Buchholtz reviewed the Fire Department report with the Town Board.
- d. Ordinance Committee – Supervisor Reilly stated the committee meets next on Thursday June 24, 2009 at

7:00 p.m.

- e. Park & Recreation Committee – Supervisor Craig stated there is no report at this time.
- f. Plan Commission – Chairman Michalek stated there was no meeting June 11, 2009, and he stated the next meeting is scheduled for Thursday, June 25, 2009 at & 7:00p.m.
- g. Public Health & Safety Committee – Supervisor Craig committee meets next on Wednesday June 23, 2009 at 6:30 p.m., which has been moved to June 30, 2009 at 6:30 p.m.
- h. Water Monitoring Committee – Supervisor Bird stated June 8, 2009 Mark Schlottke and Supervisor Bird met Dr. Cherkow in Richfield to be trained on how to collect data.
- i. School Board – Supervisor Reilly reviewed the maintenance issues of the School Board Report. He also stated that finances are a concern this year because of the State Budget running in a deficit.
- j. SE WI Fox River Commission – Chairman Michalek stated the report was in the file.
- k. Treasurer's Monthly Report – Clerk Kumershek reviewed the treasurer's monthly report with the Town Board for Treasurer Porter.
- l. Village of Big Bend Agendas & Minutes – Chairman Michalek stated there were none.
- m. Village of Mukwonago Agendas & Minutes – Chairman Michalek stated there were none.
- n. Big Bend Vernon Fire Board Agendas & Minutes – Chairman Michalek stated that there were two for your review.
- o. Big Bend Vernon Fire Commission Agendas & Minutes – Chairman Michalek stated there were none at this time.

12. FINANCES.

- a. Motion to approve Accounts Payable.

MOTION Chairman Michalek moved to approve the Accounts Payable in the amount of \$34,818.99, seconded by Supervisor Reilly, motion carried.

13. MINUTES.

- a. Motion to approve previous minutes.

- i. April 16, 2009.

MOTION Supervisor Reilly moved to approve the April 16, 2009 Town Board minutes as printed, seconded by Supervisor Craig, motion carried.

- ii. April 30, 2009.

MOTION Supervisor Reilly moved to approve the April 30, 2009 Town Board minutes as printed, seconded by Supervisor Craig, motion carried.

- iii. May 21, 2009.

MOTION Supervisor Reilly moved to approve the May 21, 2009 Town Board minutes as printed, seconded by Supervisor Bird, motion carried.

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 Bird, motion carried.

Kurt Barikmo S77W22180 Eleanor St. Mr. Barikmo stated that he would like to thank the Town Board for appointing him to Supervisor #3 position and he will do his best to serve the town. He also stated that he certainly believes that the two other candidates would have served the Town very well.

MOTION Supervisor Reilly moved to close public comments, seconded by Supervisor Craig, 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 not likely to become involved with respect to the DeLuca/Bahl annexation ordinance. In attendance in the closed session will be the Town Board, Town Clerk and Town Attorney. Motion needs a roll call vote.

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

ROLL CALL VOTE:

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

16. Reconvene in open session to take or not 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 Reilly moved to re-convene into Open Session, seconded by Supervisor Bird, carried by Roll Call Vote.

ROLL CALL VOTE:

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

MOTION FOR ADJOURNMENT.

MOTION Supervisor Reilly moved to adjourn, seconded by Supervisor Craig, motion carried.

Meeting adjourned at 11:02 p.m.

Marie V. Kumershek
Town of Vernon Clerk
Waukesha County

APPROVED:

As printed ()
With amendments ()

Frederick J. Michalek, Chairman

Date: _____