

**TOWN OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN  
APPROVED MINUTES OF FEBRUARY 16, 2015**

**CALL TO ORDER & DECLARATION OF OPEN MEETING:** Chair Gartman called the meeting to order at 6:07 p.m. Posting in accordance with open meeting law was confirmed and the meeting was declared an open meeting.

**ROLL CALL:** Roll call was taken with the following members present: Town Board Chair David Gartman, Supervisor Dale Sommer, Supervisor Dan Rostollan, and Supervisor Nancy DesJardins, Supervisor David Senkbeil was absent and excused. **Also in attendance:** Town Interim Clerk Georgene Lubach, Treasurer Laurie Pankratz and Maintenance/Road Supervisor Rick Meyer.

**PLEDGE OF ALLEGIANCE:** was declared.

**PUBLIC COMMENT SESSION:** Chair Gartman called for public comment.

**Jane Zabrowski, 212 White Tail Lane** – Requested to be placed on the next agenda explanation of the meeting that took place between Chairman Gartman and Herbert Kohler at the home of David Gartman in March of 2013 this meeting should be addressed and has never been addressed. Asking the board to review Chapter 12.05 (e) and disclose any other private meetings with Kohler representatives including the Dec. 2014 conversation with Michael Belot be placed on the next agenda.

**Mary Faydash, 5631 Driftwood Lane** – Last month I asked disclosure of Chairman Gartman's meeting with Herbert Kohler placed on tonight's agenda & heard Supervisor DesJardins ask to have this topic on this agenda. Reviewing Wilson's Board procedures 12.05 (e) questioning 12.05 (r) and questioning 12.05 (k) citizen input. We are disappointed Supervisors, Rostollan, Senkbeil and Sommer for failure to follow up on our requests. Also addressing refusal of this board following adopted procedures for residents to provide input other than the 3 minute rule and discussing the appropriateness of Town Chairman to have a meeting with a developer that has a CUP before the Town. I read this as a representative for the Friends of the Black River Forest.

**Arletta Giese, 314 W. Evergreen Drive** - I have been here before saying you are not listening. I asked to please appoint a committee to investigate the cost of our lawyer. I was here questioning two referendums which turned down the appointment of the clerk and treasurer, it did not matter. You are asked to explain private meetings that should be made public. Listen to your constituents.

**Nancy DesJardins, 706 Panther Ave** – When I ran for this office I wanted to be involved and get more people involved. Instead I pulled away as I did not want to appear associated with them because of the difference of the Golf Course. I was accused of standing to close to their sign the night of the Plan Commission meeting which I attended as a First Responder standing on a ramp watching for handicap people. The Friends of the Black River Group are good people and I would like to I apologize to all my friends for not saying anything sooner.

**APPOINTMENTS / NEW & OLD BUSINESS:**

**Approval of minutes**

- a. January 19, 2015; Town's Attorney Minutes regarding Kinship Companions CUP topic; Motion by DesJardins second by Rostollan to approve the Town Board minutes from the kennel portion of the January 19, 2015 Town Board meeting. On roll call vote, all members present voting aye, Senkbeil absent motion carried.
- b. February 2, 2015; Motion by DesJardins with the following change to the 4<sup>th</sup> paragraph, "Three letters have been written to the Town Chairman and the Board and no updates have been given to the Town." It should read "Three letters have been written the Town Chairman and the Board and no answers have been given to the Friends of the Black River Forest". Also undisclosed meetings and communications were given and explanations were requested by the Friends of the Black River Forest. Second by Rostollan, on roll call vote, all members present voting aye, Senkbeil absent motion carried.

**Attorney John St. Peter, Town Attorney will be in attendance and participate in the following;**

- a. **The Board intends to convene into closed session pursuant to Wis. Stats. Sec. 19.85(1)(g) to consider oral or written advice from the Town attorney regarding pending litigation with Wilson Land Holdings. - Attorney St. Peter shared closed session was not needed. He provided an update on the court action last week the Judge heard brief argument on issue whether the deed restriction was separate from the \$135,000 payment that the contract**

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requires to be paid if the land is annexed and the judge took it under consideration and did not provide a deadline on when he would review and said he would be in touch.

- b. **The Town Board intends to convene into closed session pursuant to Wis. Stat. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data for any public employee over which the Town has jurisdiction or exercises responsibility. This concerns matters relating to the Appointed Clerk and Appointed Treasurer contracts. Motion by Sommer, second by DesJardins to move into closed session on roll call vote, Supervisor Rostollan – aye, Supervisor Sommer – aye, Supervisor DesJardins – aye, Chairman Gartman – aye and Supervisor Senkbeil absent. Motion carried to move into closed session.**
- c. **Possible action on matters described in paragraphs 2.b. above – The board resumed into open session by resolution. Motion by DesJardins to approve as written the contracts for Appointed Town Clerk and Town Treasurer including the exhibits attached. Motion failed lack of 2<sup>nd</sup>. Motion to defer action until a March board meeting when the entire board was present and carried 4 – 0, no action taken on the contracts.**
- d. **Johns St. Peter update on Kinship Companion CUP – January 29, 2014 Order was served on the Kennel and certified on February 2, 2014. A letter received this evening from Attorney Cincotta asking the Town Board to stay while advising Kinship to appeal the Town Board's decision in circuit court. Attorney St. Peter recommended wait for the appeal time to run the 30 days. Discussion concerning the Town's action to non-renew the Kennels CUP permit, they cannot operate the Kennel, under the Town's Zoning Ordinance. It was decided the board has made their decision, they will allow the appeal time to run.**

**Wilson-Lima Road Bridge Bid Award; Dave Pantzlaff via conference call, Ayres Associates recommendation – Via telephone Dave Pantzlaff shared the bids could be higher due to the timber prices going up. Pantzlaff reviewed, rehabilitation could give 20-30 service years to the bridge. The board discussed the present load capacity of the bridge and other construction options, estimating future costs and funding possibilities if they waited. Motion by Rostollan, Second by Sommer to award the bid to Radtke Contractors Inc. of Winneconne, WI for the sum of \$184,725 to rebuild the surface structure of Wilson Lima Road Bridge subject to legal review of the permitting to make sure everything is in place. On roll call vote all members present voted aye, Senkbeil absent, motion carried Pantzlaff reviewed the contract will be sent to the board in about one month, dates of the construction; completion time once they started is 6 weeks, open to the traffic October 1.**

**Snow Plowing Report –Road Supervisor Meyer shared to date 123 tons of salt has been used, snow plowing total \$27,154.13.**

**WTA Sheboygan County Unit membership renewal – Motion by Rostollan, second DesJardins to approve the renewal, on roll call vote all members present voted aye, Senkbeil absent motion carried.**

**Scheduled date for the Town of Wilson Annual Meeting – Motion by Rostollan, second by DesJardins to hold Town of Wilson Annual meeting on April 21, 2015 at 7:00 pm on roll call vote all members present voted aye, Senkbeil absent, motion carried.**

**Reports:**

- a. **Maintenance Report – Meyer shared several updates for next board meetings.**
- b. **Constable – Reports were presented and reviewed**
- c. **Treasurer – Tax Checking Account Register, Cash Summary Report and Unclaimed Funds Report were submitted**
- d. **Clerk – None**
- e. **Town Board – Discussion provided for future agendas**

**Disbursements:**

- a. **Checks on hold – No checks on hold**
- b. **Black River Fire Department – Motion by Rostollan, second by Sommer to approve Black River Fire Department disbursements check numbers 17949 – 17952 for \$3,530.33 on roll call vote all members present voted aye, Senkbeil absent, motion carried.**

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- c. Town of Wilson First Responders – None
- d. Town of Wilson – Motion by Rostollan, second by DesJardins to approve Town of Wilson disbursements check numbers 17953 – 17979 for \$58,257.76 and a motion that claim forms for unclaimed funds submitted by the County Treasurer be paid for out of the Tax Account upon receipt, on roll call vote all members present voted aye, Senkbeil absent, motion carried.
  - i. **Discussion possible action for the Sheboygan County invoice concerning the prevailing wage for Paradise Lane/Valley Court Paving** – Last year Road project the County assisted a mistake was made it was selected as a single trade instead of a multi trade, County workers should have been paid the prevailing wage for that project. Rick Meyer was directed to ask Bernie Rammer to attend a future meeting.

ADJOURN: Motion by Rostollan, second by Sommer, to adjourn at 7:55 pm. On voice vote, all members present voting aye, motion carried.

Respectfully Submitted, Georgene Lubach, Interim Clerk

UNOFFICIAL