

TOWN OF CLAYTON  
Town Board of Supervisors  
Meeting Minutes

7:00 p.m. on Wednesday, May 16, 2018

Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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I. Call to Order:

A. Notice, Verification, Roll

1. Town Board Chairman Geise called the meeting to order
2. Pledge of Allegiance.
3. Verification of Notice
4. Roll

a. Board of Supervisors

|                     |         |
|---------------------|---------|
| Chair Geise         | PRESENT |
| Supervisor Lettau   | PRESENT |
| Supervisor Grundman | PRESENT |
| Supervisor Schmidt  | PRESENT |
| Supervisor Reif     | PRESENT |

b. Staff

|                                |         |
|--------------------------------|---------|
| Administrator Johnston         | PRESENT |
| Asst Admin/Treasurer Straw     | PRESENT |
| Deputy Clerk Stevens           | PRESENT |
| Town Engineer – Mary Jo Miller | PRESENT |
| Town Attorney – Rod Streicher  | PRESENT |

II. Public Hearing(s) and/or Public Information Meeting(s): NONE

III. Approval of Minutes:

A. Approval of the Wednesday, May 2, 2018 Town Board Meeting Minutes.

**MOTION:**

Motion by unanimous consent to approve the May 2, 2018 minutes as presented.

IV. Open Forum – Town-related Matters not on the Agenda:

A. Richard Fisher, 8685 Oakwood Ave, Neenah, WI 54956

1. When crack sealing the town roads, why has the cracks between the road and the driveway aprons not been sealed?
  - Administrator Johnston explained that customarily the main travel lanes on roads are crack sealed, not the cracks between the road and the driveway aprons due to the increase in the cost of the project
2. With the recent rate increase of the Storm Water Management fee, the monies collected should be used strictly for the Storm Water Management projects, not to fund the ditch mowing.

- Administrator Johnston explained that the cost of mowing the Town’s ditches has been funded by the Storm Water Management Utility since the utility was created. Mowing the ditches is part of the Town’s storm water maintenance.

V. Correspondence:

- A. A copy of the Winnebago County Solid Waste Management Board 2018 Recycling Tonnage Report for the month of April of CY 2018.
- B. A copy of the Minutes of the Oshkosh Public Library Board meeting of March 29<sup>th</sup>, 2018.
- C. A copy of the Habitat for Humanity Restore list of donated materials from the Town owned home at 8989 Clayton Avenue.
- D. Fox Valley Technical College notice of public hearing for their budget.

VI. Discussion Items (No action will be taken):

- A. County Supervisor Report
  - NO REPORT
- B. Winnebago County Sheriff’s Department – Public Concerns and Issues
  - Supervisor Grundman asked about the bar patrons parking in the Town parking lot on the weekends.
- C. Clayton Fire Rescue Department (First Meeting of the Month)
  - Chair Geise reviewed the report provided to the Town Board by Chief Rieckmann.
  - Administrator Johnston updated the Town Board on the May 16, 2018 grass fire at Pioneer Road and Medina Junction.
- D. Larsen-Winchester Sanitary District
  - NO REPORT
- E. Administration Comments
  - Engineer Mary Jo Miller
    - Updated the Board on the Rosemoon Way project – the contractor will be grading the road and laying the first layer of asphalt on Monday, May 21, 2018.
    - Updated the Board on the Rosemary Lane project – the first layer of asphalt should be laid soon.
  - Administrator Johnston
    - Continuing meetings with the Town’s attorneys regarding Town issues.
    - The staff is continuing to work on the Liquor License process.
    - The Recycling Grant of \$7,147.36 was received on Tuesday, May 15, 2018.

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
  - i. Thomas S. Barlament
  - ii. Ruben A. Amestoy
- B. Renewal:
  - i. No Renewal Licenses Issued

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals (second Town Board meeting of the month):

- A. Plan Commission recommendation to the Town Board on a 2-Lot Certified Survey Map submitted by Pete Vanden Heuvel, 6074 Green Valley Road, Oshkosh, WI 54904, for property owned by the Erdmann Trust, 7453 CTR “T” Oshkosh WI 54904; specifically described as Part of Tax ID# 006-0834, being a part Section 33, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Staff Recommendations on the CSM Application:**

Staff recommends approval of the proposed re-zoning application subject to the following conditions:

1. That Lot-2 of the proposed CSM be re-zoned from A-1 (Agribusiness District) to A-2 (General Agriculture District).
2. The Surveyor providing the Town with a recorded copy of the CSM.
3. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction.
  - Commissioner Linsmeier questioned the map’s notations regarding the acreage split, noting that as marked, the acreage does not add to the full 40 acres of the parent parcel.
  - Chair Knapinski reported there was a Public Hearing held before the Plan Commission Meeting on May 9, 2018. The re-zoning fits the Town’s Comprehensive Plan.
  - Chair Knapinski reported to the Board that the road right-of-way dedication acreage was added to the parcel acreage to get to the full 40 acres of the parent parcel.
  - Plan Commission recommends approval with staff recommendations.

**MOTION:**

Motion by unanimous consent to approve the 2-Lot Certified Survey Map as presented.

- B. Plan Commission recommendation to the Town Board on a Re-zoning Application submitted by Pete Vanden Heuvel, 6074 Green Valley Road, Oshkosh, WI 54904, for property owned by the Erdmann Trust, 7453 CTR “T” Oshkosh WI 54904; specifically described as part of Tax ID# 006-0834, being a part Section 33, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone a portion of the property from A-1 (Agribusiness District) to A-2 (General Agricultural District).

**Staff Recommendations on the Re-zoning Application:**

Staff recommends approval of the proposed Re-zoning application from A-1 (Agribusiness District) to A-2 (General Agricultural District) for Lot-2 subject to the following conditions:

- Documentation of the approval of the proposed Re-zoning Application by any overlying unit of government having jurisdiction.
  - Plan Commission recommends approval with staff and Plan Commission recommendations.

Mandy Vanden Heuvel, 6074 Green Valley Road, Oshkosh, WI 54904

- Asked for clarification as to why the property needed to be rezoned.
- Chair Knapinski explained that if a residence is on the parcel it must be at least 5 acres in order to stay within the agricultural zoning
- Administrator Johnston explained that a 5 acre parcel can be zoned either A1 or A2, but the zoning of the parcel should match its active use. Mr. Johnston reviewed the Town’s Zoning Code and the State Statutes relative to the zoning of property.
- Chair Knapinski stated that by re-zoning now, the property will be properly zoned for future use and/or future property owners.

**ACTION TO BE TAKEN AS TOWN BOARD BUSINESS ITEM “I”**

- C. Plan Commission recommendation to the Town Board on a Site Plan Amendment Minor for additional parking at Quietwoods RV Sales and Service, 9042 Campers Way, Neenah, WI 54956. Property owned by DKG Holdings LLC, Sturgeon Bay, WI 54235, specifically identified as Tax ID# 006-0336, being a part Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Staff Comments:**

The Minor Site Plan Application, as presented, is complete and accurate. Staff has no questions relative to the application as it relates to the Town’s Site Plan Ordinance.

Conditions for approval:

1. That the Applicant obtains any and all Building Permits required for the project.
2. That the Applicant obtains any required Outagamie County Airport Overlay Zoning Ordinance Approval for the proposed project.
3. That the Applicant signs a Site Plan Approval document drafted by Town staff.
4. That the project is approved by any and all overlying units of government having jurisdiction prior to the start of construction.
5. That the Applicant agrees to any additional conditions placed on the project by the Plan Commission and the Town Board.
  - Chair Knapinski reported that the expansion is due to the success of the business. The plan fits within the impervious surface percentages allowed.
  - The Plan Commission recommends approval with all staff and plan commission recommendations
  - Supervisor Reif inquired about requiring a berm with vegetation around the new area.
  - Chair Knapinski stated that the berm with vegetation was a condition of the recommended approval, but only around the new area and not around the whole facility.

**MOTION:**

Motion by unanimous consent to approve the Site Plan Amendment Minor for additional parking at Quietwoods RV Sales and Service with the following conditions:

1. That the Applicant obtains any and all Building Permits required for the project.
2. That the Applicant obtains any required Outagamie County Airport Overlay Zoning Ordinance Approval for the proposed project.
3. That the Applicant signs a Site Plan Approval document drafted by Town staff.
4. That the project is approved by any and all overlying units of government having jurisdiction prior to the start of construction.
5. That the Applicant add, around the border of the new parking area, a berm with grass and/or vegetative cover that is maintained by mowing and/or grooming.
6. That the Applicant agrees to any additional conditions placed on the project by the Town Board.

IX. Business referred by the Green Space Committee:

Town Board receipt, review, and consideration of Green Space Committee Referrals (second Town Board meeting of the month):

A. Discussion/Recommendation: Update to the Green Space Committee on replacing the damaged and deteriorated monuments at Royer Cemetery.

- Project is progressing

**NO BOARD ACTION TAKEN**

B. Discussion/Recommendation: Update to the Green Space Committee on winter damage to the Clayton Park Pavilion well and water system.

- The Committee reported that piping at Clayton Park froze and broke over the winter because the line was not completely drained last fall.
- Repairs have been made at no charge to the Town due to the cause of the damage resulting from the plumber not fully draining the line.

**NO BOARD ACTION TAKEN**

C. Discussion/Recommendation: Update to the Green Space Committee on the signage and plantings at Olsons' Rest on the Friendship Trail.

- The Committee reported that Mark Luebke has contacted the Town and will be donating a memorial tree in honor of his mother at Olsons' Rest
- Staff noted that while meeting with Mr. Luebke regarding the tree, it was realized that the Olsons' Rest Sign is very worn and in need of replacement
- Committee Member Owensby suggested incorporating historical information regarding the park as part of the signage.

**NO BOARD ACTION TAKEN**

X. Business:

- A. Discussion/Action: Town Board review and consideration of a request by the Emerald Valley Owner’s Association to have the Town assume the responsibility and cost of maintaining the storm water management systems of the Plat of Emerald Valley and the First Addition to the Plat of Emerald Valley.

The Board reviewed a copy of the request from the Emerald Valley Home Owners Association to transfer the Out Lots containing the Plat’s storm water management system to the Town. The Administration advocated for municipal ownership of storm water management devices and, with some trepidation, the Administration continues to advocate that the Town should own the storm water management devices. The trepidation was based on concerns with comments made by area residents relative to mowing. In most cases, Town ownership of the storm water management devices improves the functionality and appearance of the facilities; however, some residents want the Town to routinely mow roadside ditches within the Plat. The Administration advised the Board that should they agree to assume the responsibility for mowing the out lots and storm water management devices in the plat, it should not include mowing roadside ditches. Staff also informed the Board that taking ownership of the storm water management devices would not significantly impact the workload of the Town’s mowing staff. The responsibility for mowing would be assigned to the individual who mows the Town’s roadside ditches. The addition of the storm water management devices would add approximately 5-hours per week to the work load. The Administration recommended that the Board accept ownership of the Out Lots in the two phases of the Emerald Valley Plat under the following conditions:

1. That the Town set the mowing standards based on Town Ordinances.
  2. That the residents be advised that the Town does not mow roadside ditches in residential subdivisions.
  3. That the residents understand that the Town is only taking ownership of the Out Lots not drainage and trail easements on private property.
  4. That the transfer legally occur on January 1<sup>st</sup>, 2019.
  5. That the transfer fee be paid by the Owner’s Association.
  6. That there is no cost to the Town associated with the transfer.
- Administrator Johnston stated that it is his opinion that historically Home Owner’s Associations fail. That it is in the Town’s best interest to own and maintain storm water management devices within the Town. It would serve the community as a whole better to take over and maintain the storm water management devices before they fail.
  - Chair Geise expressed his concern relative to the deficit in the Storm Water Management Utility Fund and the cost of maintaining additional devices.
  - Supervisor Grundman expressed her concern relative to the cost of maintaining the additional storm water management devices and the impact of that cost on the residents of the entire Town.
  - Administrator Johnston explained that these types of systems are part of what the Storm Water Utility should maintain. If these systems are maintained and working

properly, they benefit not only the subdivisions they are located in, but also the property down stream of the systems as well by slowing the flow of the water.

- Chair Geise expressed concern about setting a precedent by accepting these outlots.
- Administrator Johnston stated that the Board could possibly look at accepting subdivision storm water management systems over a period of time. If the systems are properly constructed and designed the only additional maintenance and cost would be to mow the swales.
- Supervisor Reif suggested that prior to accepting these systems, the Town needs to research/evaluate the impact – how many systems would the Town be taking over and the cost of taking the systems over.
- Chair Geise asked if these systems had any known serious defects that would impact the cost of repairing and maintaining the systems.
- Administrator Johnston stated that these particular systems just were not being mowed enough.
- Supervisor Schmidt expressed her concern with the privately owned systems that residents have planted trees, placed fencing, etc. near or within the storm water management systems. Prior to the Board taking over these systems there should be a requirement to have all defects repaired.
- Supervisor Reif suggested that the Board table this item.

**MOTION:**

Motion by Chair Geise

Second by

Motion to direct staff to have the Town Attorney prepare the transfer documents for Board approval.

**No second, MOTION FAILED**

**MOTION:**

Motion by Chair Geise

Second by Supervisor Reif

Motion to table this item until more information becomes available on the cost of assuming ownership of the Out Lots in the two phases of the Emerald Valley Plat.

Motion carried by unanimous voice vote.

B. Discussion/Action: Town Board review and consideration of the following retail fireworks permit application(s):

- a. Application submitted by Ted Bemis for T&G Fireworks, 8386 STH “76”, Suite D, Neenah, WI 54956.
- b. Application submitted by Charles Krause for Fireworks Mart, 2896 Breezewood Lane, Neenah, WI 54956.

The Board reviewed the applications for the above referenced Fireworks sales permit(s). The applicant(s) have had a sales site(s) in the Town in prior years. The Application(s) are complete and the application fees have been paid. Both sellers will be keeping their sales

sites in the same locations they used in CY 2017. Since there are no significant changes from the CY 2017 application(s) staff recommended approval of the Fireworks Sales Permits subject to the following conditions:

- 1) That the Applicants provide the Town Treasurer with a copy of their respective proof of insurance documents.
- 2) That the Applicants provide the Town Treasurer with a copy of their respective Sellers Permits.
- 3) That the Applicants provide the Town Administrator with a site plan for their respective locations.
- 4) That the Applicants request the required Fire Department Inspection of the sales facility and location.
- 5) That the Applicant(s) provide the Fire Chief with a list of their inventory as required by Section 5 of the Town’s Application.
- 6) That the Applicants abide by the Town’s Sign Ordinance for any and all signage for their sites.

**MOTION:**

Motion by unanimous consent to approve the Fireworks Sales Permits with the noted conditions for the following applicants:

- a. Application submitted by Ted Bemis for T&G Fireworks, 8386 STH “76”, Suite D, Neenah, WI 54956.
  - b. Application submitted by Charles Krause for Fireworks Mart, 2896 Breezewood Lane, Neenah, WI 54956.
- Mr. Krause asked about the date of ClaytonFest relative to a donation.

- C. Discussion/Action: Town Board review and consideration of transitioning Public Works Employee Brian Suprise to a full-time regular Public Works Employee following the end of his probationary period.

The Administration reported that Public Works Employee Brian Suprise (Brian) would be completing his 6-month probationary employment period at the end of May of CY 2018. The Administration had reviewed Brian’s performance to date with the Public Works Foreman and both recommend that the Board transition Brian for a probationary employee to a regular full-time represented Public Works Employee as of June 30<sup>th</sup>, 2018. The delay until the end of June was intended to allow Brian to complete his CDL testing because he had had some issues completing the CDL testing process during the winter months.

**MOTION:**

Motion by unanimous consent to transition Brian Suprise to a full-time represented Public Works Employee as of Saturday, June 30<sup>th</sup>, 2018.

- D. Discussion/Action: Town Board review and consideration of the award of the Bid for the Town’s annual Pulverizing and Paving Projects:
- a. Pulverize, Pave, and install Curb Returns on the following:
    - i. Pulverize, pave, and install curb returns on Holiday Court.

- ii. Pulverize, pave, and install curb returns on West American Drive from STH “76” through the intersection of Campers Way.

The Board reviewed paving proposals received by Staff from Northeast Asphalt at a cost of \$101,925.00 and from MCC at a cost of \$114,600.00. The low bidder for the work was Northeast Asphalt, W6380 Design Drive, Greenville, WI 54942 at an aggregate cost of \$101,925.00. The Northeast Asphalt proposal included an additional \$2,535.00 to match the existing pavement width (24-feet and 23-feet) on West American Drive and Campers Way. Funding for the Holiday Court, West American Drive, and Campers Way re-paving projects was intended to come from the Town’s CY 2018 Public Works Paving Line Item funded in the amount of \$100,000.00. Staff advised the Board that the Holiday Court Project would require that the Town remove and repave two concrete driveway aprons at an estimated cost of \$10,000.00. This part of the project would require that Town staff remove the concrete aprons and the contractor grade and pave the aprons with asphaltic material. The Administration’s recommendation was to award the project to Northeast Asphalt at a cost of \$104,460.00 plus the estimated \$10,000.00 for the asphalt aprons on Holiday Court.

**MOTION:**

Motion by unanimous consent to award the project to Northeast Asphalt at a cost of \$104,460.00 plus the estimated \$10,000.00 for the asphalt aprons on Holiday Court, with the funding to come from the Town’s CY 2018 Public Works Budget, Paving, Line Item, and the Town’s Storm Water Management Utility Budget.

- E. Discussion/Action: Town Board review and consideration of improving public access to the Town’s Assessment Roll by placing the Roll on the Associated Appraisal Consultants, Inc internet site and providing a link from the Town’s Home Page to the Assessment Roll.

Several years ago, the Board expressed an interest in having the Town’s Assessment Roll available on the Town’s Web Page. Associated Appraisal Consultants, Inc now has the capacity to place the Town’s Assessment Roll on its Web Page at a relatively nominal cost (\$0.015 per parcel). Once the Assessment Roll is on the Associated Appraisal Consultants Web Page, the Town can then place a link to that site on its page. The monthly cost for this service would be \$44.79 (\$0.015 per parcel x 2986 Parcels = \$44.79), the yearly cost would be \$537.48 (\$44.79 x 12 = 537.48). In addition to making the Town’s Assessment Roll more easily accessible to the public, this process would allow realtors and appraisers to access assessment information without having to call Town staff for the information.

**MOTION:**

Motion by unanimous consent to contract with Associated Appraisal Consultants, Inc to place the Town’s Assessment Roll on its Web Page and then place a link to that site on the Town’s Web Page with funding for the project to come from the Town’s CY 2018 General Fund Budget, Assessment Line Item.

- F. Discussion/Action: Town Board review and consideration of approving the Town’s newly updated Minimum Road Standards Ordinance.

The Board reviewed copies of the Town’s existing (CY 2011) Minimum Road Standards Ordinance, a copy of the revised Minimum Road Standards Policy, as well as a copy of a spreadsheet identifying the changes in format for the revised document. The first thing staff would need to do is change the name on the revised document from Policy to Ordinance and verify the adoption methodology. The Administration gave the Board both the existing copy, and a revised copy of the document for comparison purposes. The bulk of the changes to the document was in the formatting. The balance of the changes incorporated the past years of experience implementing the Standards.

**MOTION:**

Motion by unanimous consent to approve the revised Minimum Road Standards Policy as presented and to direct staff to report to the Board on the adoption process and any corrections that may be needed to properly implement to Board’s direction.

- G. Discussion/Action: Town Board review and consideration of the allocation of funds from the Storm Water Management Utility to hire a part-time summer mowing operator.

The Administration worked with staff to create a schedule for the work projects planned for the Public Works Department (DPW). Based on that activity, the Administration had become concerned with the DPW being able to complete the work on the schedule. Specifically, the Administration was concerned with the ability of DPW staff to keep up with ditch mowing and all of the other work projects on the schedule. The Administration was comfortable with the ability of staff to keep up with mowing in the parks and the cemeteries, however, the ditch mowing takes significantly more time than one person can dedicate to the project. Based on a conversation with the Town Chair, the Administration looked at re-allocating funds in the Storm Water Management Utility to fund a part-time summer employee at a full burden cost of \$5,500.00. The Board reviewed a copy of the CY 2018 Storm Water Management Utility Budget with the proposed re-allocations.

**MOTION:**

Motion by unanimous consent to approve the re-allocation of the Storm Water Management Utility Budget funds as presented to fund a part-time summer employee to perform ditch mowing.

- H. Discussion/Action: Town Board review and direction to staff relative to cleaning of the navigable waterway that extends from Oakwood Avenue to Pioneer Road on the north side of CTR “II”.

The Administration and the Town Engineer had many discussions relative to this project and were of the opinion that Board direction was needed before providing any reasonable advice to the Board. Specifically, the Department of Natural Resources (DNR) requirements for permitting were going to drive the costs of developing the project. The DNR is requiring that the Town provide cross sections of the ditch area to be cleaned. The cost of this work is dependent on how much of the ditch the Town would like to cleaned. The Board reviewed photographs of the ditch course and determined the areas that are most in need of cleaning are the area on the west side of Oakwood Avenue and the western third of the ditch as it approaches Pioneer Road.

- Administrator Johnston recommended that the Town clean area just west of Oakwood
- Engineer Miller stated that the Town would need to get permission from the property owners

Richard Fisher, 8685 Oakwood Ave, Neenah, WI 54956

- Mr. Fisher stated that the farm fields East of Oakwood Ave have a negative grade from the fields to the ditch
- He is willing to allow the Town to enter through his property with the mini backhoe to remove canary grass and to store the removed fill on his property.

Patricia Fisher, 8685 Oakwood Ave, Neenah, WI 54956

- Ms. Fisher stated that she would withhold permission until she had more information.

**DIRECTION TO STAFF:**

The Board directed staff to develop and provide cost estimates for the project, what the benefits to the Town Residents would be and to send letters to the property owners directly adjacent to where the Town would be cleaning the waterway.

- I. Discussion/Action: Town Board review and consideration of Ordinance 2018-002 approving a Re-zoning Application submitted by Pete Vanden Heuvel, 6074 Green Valley Road, Oshkosh, WI 54904, for property owned by the Erdmann Trust, 7453 CTR “T” Oshkosh WI 54904; specifically described as part of Tax ID# 006-0834, being a part Section 33, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone a portion of the property from A-1 (Agribusiness District) to A-2 (General Agricultural District).

**Staff Recommendations on the Re-zoning Application:**

Staff recommends approval of the proposed Re-zoning application from A-1 (Agribusiness District) to A-2 (General Agricultural District for Lot-2 subject to the following conditions:

1. Documentation of the approval of the proposed Re-zoning Application by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by Supervisor Grundman

Second by Supervisor Schmidt

Motion to approve Ordinance 2018-002 as presented.

**ROLL CALL VOTE:**

|                     |     |
|---------------------|-----|
| Chair Geise         | Aye |
| Supervisor Lettau   | No  |
| Supervisor Reif     | Aye |
| Supervisor Grundman | Aye |
| Supervisor Schmidt  | Aye |

Motion carried by a vote of 4-1 with Supervisor Lettau voting No.

XI. Town Board Reorganizational Business:

A. Additional Appointments:

a. Zoning Board of Review: (2 positions serving 3-year term each with all terms effective May 1<sup>st</sup>, of the calendar year).

- i. Name to be presented by the Town Chair
- ii. Name to be presented by the Town Chair
- iii. Confirm the terms of all current members

b. Town Constable: (1 position: 1-year term; term effective May 1<sup>st</sup>, of the calendar year).

- i. Name to be presented by the Town Chair

**NO ACTION TAKEN**

XII. **CLOSED SESSION OF THE TOWN BOARD:**

A. Discussion/Action: Town Board Review and Consideration of moving into a Closed Session Pursuant to WI Statute 19.85(1)(e) and 19.85(1)(g).

- i. **19.85 (1)(g)** - 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.

The Town Board of the Town of Clayton will consider a Motion to Adjourn to a Closed Session to deliberate negotiation, terms, and confer with legal counsel regarding a potential Agreement with the State Department of Natural Resources.

**MOTION:**

Motion by Chair Geise

Second by Supervisor Schmidt

Motion to adjourn to a Closed Session to deliberate negotiation, terms, and confer with legal counsel regarding a potential Agreement with the State Department of Natural Resources.

**ROLL CALL VOTE:**

|                     |     |
|---------------------|-----|
| Supervisor Reif     | Aye |
| Supervisor Grundman | Aye |
| Supervisor Lettau   | Aye |
| Supervisor Schmidt  | Aye |
| Chair Geise         | Aye |

Motion carried by a vote of 5-0

Convened to closed session at 8:20 p.m.

Board reconvened to open session at 9:07 p.m.

- i. **Town Board Discussion and Possible Action on Closed Session**  
**Deliberations:** Town Board review and consideration of authorizing the Town’s Legal Counsel to sign a settlement agreement with the State Department of Natural Resources.

**NO ACTION TAKEN IN OPEN SESSION**

- XIII. Review of Disbursements
- XIV. Review of General Fund Budget Update (Second Town Board meeting of the month)
- XV. Upcoming Meeting Attendance:
  - Board of Review, June 7, 2018
- XVI. Board Member Requests for Future Agenda Items:
- XVII. Adjournment:

**MOTION:**

Motion made by unanimous consent to adjourn at 9:12 p.m.

Respectfully submitted,  
Holly Stevens, Deputy Clerk