

Monthly Town Board Meeting: January 14, 2013

This meeting was properly posted according to Wis Statutes and Open Meeting Law. The building is handicap accessible. It was posted at the Landing, County Y, Schaefer's Wharf, County L, and the Nokomis Town Hall posting boards.

**Attendees:** Bette Stillman, Supervisor  
Kurt Kopacz, Supervisor  
Gary Baier, Chairman  
Wendy Smith, Clerk  
Mary Schewe, Treasurer

**Call to Order:** Bette Stillman, Supervisor, called meeting to order in accordance with the open meeting law at 6:00 p.m., noting that the meeting notice had been properly posted and that the building and meeting room are handicap accessible. 1. M/M Bette 2. M/M Kurt All in favor

**Approve Agenda:** 1. M/M Bette 2. M/M Kurt All in favor

**Approve Check and Vouchers Void Check 11836:** 1. M/M Kurt void check 11836 and approve checks and vouchers 2. M/M Bette All in favor

**Approve December Financial:** \$1,711,854.88 1. M/M Bette 2. M/M Kurt All in favor

**Approve Minutes 11/13/12 and 11/19/12:** 1. M/M Bette 2. M/M Kurt All in favor

**Resolution to Rescind Resolution 01-14-08C Road Supervisor:** Introduction of Greg Harold. Explanation that an employee was removed of position and another was appointed as shop foreman. Question on if another resolution needs to be drafted to rescind original. Town chairman is now road supervisor and question on if the town chairman always needs to hold this position. Attorney recommends rescinding resolution. Typically chairman communicates with one employee. Question as to why it wasn't rescinded prior to this. Per chairman changes were made to stop lawsuit, things weren't done right and he made the change. 1. M/M Gary to rescind resolution 01-14-08C Road Supervisor 2. M/M Kurt All in favor

**Approve minutes of 12/10/12 and 12/19/12:** Question on brush mowing vs. ditch mowing. Also question regarding overtime over 32 hours that were in the minutes. 1. M/M Bette 2. M/M Kurt Gary abstains as was absent.

**Fire Department Update:** Waiting on title for the truck. Truck is coming along. Request from Wausau MDA to have a ride May 18 with a stop at the park for lunch. Kurt will look at date and confirm. 1. M/M Bette to approve use if date is open 2. M/M Gary All in favor

**Cemetery/Deeds Update:** Plot sale. Interest in purchasing strip of land next to cemetery. Will need to add to cemetery agenda. Meeting on 1/22/13 at 1:00 pm.

**Update on Road Construction and Road Issues:** Swamp Lake Rd bid process did get grant. Will be joint with Cassian. No ATV trail on side of the road when complete

**Park Updates:** Looking at 2 baseball tournaments. Mike DeBels interested in meeting and reviewing keeping fields in shape.

**County Issues:** New Register of Deeds Kyle Franson

**ATV Club 2012 Race Donation:** 1. M/M Gary to give \$300 to ATV club for running lawnmower race. 2. M/M Kurt all in favor. Money to come from park fund.

**WTA Meeting January 23, 2013 at Woodboro:** Leave at 6:00.

**Menards Authorized Purchasers:** 1. M/M Bette for road workers, Bob and Wayne from FD and Gary to be authorized purchasers. 2. M/M Kurt All in favor

**Discuss cut back on employee hours/overtime:** Met in closed session and hours were cut for 2 employees to balance budget. Taking money from long term plans for budget balancing. Question on why employees aren't treated fairly. Statement that wage wasn't cut and didn't want to fire. Question on if this was the board's decision. Attorney addressed. Question on how many closed sessions there have been. There have been 9. What is the justification of cutting hours of senior employees and giving a one year employee a raise and not cut his hours. Had to put him to Jim's wages. Statement that Jim had 10 years on the job to get the wages he is making. Resident states the budget had already been set before the cutbacks were made. Multiple questions and available for audio review.

**Dates for Brush site/Who to work:** Dates for brush site established. If Eddy would like to work or they can rotate however Chairman asks that the foreman gives the hours to the two employees that hours were cut. Clerk needs schedule for website. Question on when overtime applies. The only way overtime would apply other than 40 hours is if was by contract. Attorney doesn't recommend. At this time the board chooses not to pay overtime until 40 hrs are reached.

**Discussion ditch mowing roads:** Discussion of Ditch mowing vs. boom mower. Could be used now. Discussion of repair after 5 seasons of use. Cost was \$5,000. Asked for ditch mower to be purchased and got this year.

**WIPFLI Contract:** 1. M/M Kurt to enter into contract 2. M/M Bette All in favor

**Operator License:** 1. M/M Bette 2. M/M Kurt All in favor

**Mary Schewe letter on decision not to run:** Letter read

**Estimate for Town Hall flooring:** Tiles are coming up. Bob Weinberger \$8,710 and for just the kitchen \$2,300. Will get other estimates. Carryover.

**Jim DeBiase Demotion/Attn Greg Harold Attending:**

Q1; less than 1 week before the October 9<sup>th</sup> decision of my removal as road supervisor there was employee reviews. Were any general or specific concerns or dissatisfactions with my job performance brought to my attention and discussed with me?

Answer: No

Was the potential for removal as supervisor brought up during that review?

Answer: No

Have I ever, in the 10 years I have been an employee for the Town of Nokomis, received a verbal warning about my job performance?

Answer: No

Have I ever received a written warning?

Answer: No

Q 2; Kurt were you aware of the decision to remove me as supervisor prior to October 9?

Answer: No

Q3; Bette were you aware of the decision to remove me as supervisor prior to October 9<sup>th</sup>?

Answer: No

Q4; the decision was then made without full town board approval?

Answer: Statement was made doesn't need full town board approval

Q5; Is there a town board resolution or any other documentation stating that the Town Chairman has the authority given by the board to make unilateral hiring/firing/demotion decisions in regards to employees without a vote of the full board ?

Statues of chairman duties read by attorney.

Discussion of board duties.

If so, where and when was this authority given? I would like a copy.

Q6; what is currently in my employee file and what will it show? I would like a copy of my entire employee file.

Verbal request is all that is needed.

**Future Agenda Items and Dates:** Cemetery meeting  
Purchase land for cemetery  
WTA meeting  
Bids for Town hall flooring

**Public Comments:** Question on if employee resume is public record. Per attorney as long as confidential information is hidden.

**Adjourn Meeting:** 1. M/M Bette 2. M/M Kurt All in favor

NOTE a complete recording of town board meetings are available for residents review in the clerk's office.