

Special Board Meeting Minutes
Amended to Thursday, April 29, 2021 9:00am
E913 Prairie View Ln
Waupaca, WI 54981
www.farmington-waupaca.com

Call to Order: Meeting was called to order at 8:55am. Chair Caroline Murphy presided. The opening statement was given. Notices were properly posted but not given to the press due to amended date.

Roll Call: Caroline Murphy - Chair, Craig Nelson - Supervisor I, Mark Jensen - Supervisor II, John Miller - Chair Town of Dayton; Timothy Wilz - Waupaca County Sheriff, and Todd Rasmussen - Captain Sheriff's Department.

Approve Agenda: A motion by Craig Nelson, seconded by John Miller to approve the agenda. Motion carried by unanimous voice vote.

New Business:

1) Discuss/Approve plans regarding water patrol presence on the Chain O'Lakes
Caroline Murphy received a notice from Dayton Town Chair, John Miller, stating that Dayton Supervisor Jim Peglow decided to give the boats to the Sheriff.

John Miller - At the Dayton board meeting there was no discussion even though he had asked for additional time to think about this. Supervisors didn't want to discuss the utilization or the need for water patrol. It was a forced vote of 2-1 with Chair Miller voting against. All the agenda stated was discussion/approval on 2022 water patrol but it ended up being totally different. Supervisors Peglow and Barlow are planning on giving their 38% share to the Sheriff's department.

Craig Nelson - Can they even do that?

John Miller - Technically we have a motion that is not legal. You can't gift or sell an asset. That has to be done at an annual town meeting of the electors. So technically, we have a motion that passed and was not at the appropriate time.

Mark Jensen - John, have you contacted the Towns Association? Does Peglow and Barlow still want water patrol, just not the boats?

John Miller - I think Jim Peglow thinks we don't need an agreement with the Sheriff's department, and that the sheriff's department will patrol the lakes without the agreement.

Farmington believes an agreement is needed and will continue the way it has been established.

John Miller - The 38% would be for both boats, shore stations, trailers and everything else water patrol related.

Sheriff Wilz - How does a person take % of a possession?

John Miller - I thought there was an earlier discussion where the Sheriff's Department said they didn't want the boats

Sheriff Wilz - We don't want the boats or added expense. The discussion I had with Jim Peglow was that Jim doesn't want the boats. I can't tell you that you have to provide boats for us. We would do the water patrol even if we didn't have boats and we had to buy our own. The DNR actually has some responsibility here too. We are not sure how much they work the Chain.
John Miller - Water patrol is imperative because of the safe ty issues.

Caroline Murphy - Asked the sheriff if we didn't have boats how often would they bring a boat to the Chain.

Sheriff Wilz - It would not be as often. I received a call from one of Dayton's town residents. The resident voiced concern about this whole vote. He was confused because he was told by Jim Peglow that Sheriff Wilz didn't want the towns money. I didn't discuss money with anybody. It seems that the Town of Dayton citizens are not informed on how this agreement works. That money doesn't come to the sheriff's department.

John Miller - The board didn't even get a chance to talk about money. I have numbers that go back seven years to see how much Dayton paid. In 7 years, the highest out of pocket (after grant reimbursement) was \$8000 and the lowest was almost \$2000. I don't understand why there was no consultation by either Peglow or Barlow with myself first before going to their board meeting.

Caroline Murphy - Jim Peglow doesn't have the authority to say he is giving the boats to the Sheriff.

Sheriff Wilz - That's good to know because I don't want your boats or your buoys.

John Miller - I think Jim Peglow and Jeff Barlow don't like anything to do with the Chain

Mark Jensen - What they did was illegal. Where do we go from here?

John Miller - I think the proper way to approach this would have been to go to the constituents and say we have water patrol and we are looking at getting rid of it and get their feedback. How can we, as towns, not get boats when we have this grant that will pay for them? This allows the Sheriff's department to patrol in a convenient way and, at a minimal cost to our constituents. Maybe there is not enough acknowledgment from the towns or the public in regards to the water patrol.

Sheriff Wilz - I remember Jim Peglow discussed this at our last meeting and he is still confused over the fact that we supply boats for the Wolf River way back when the towns came up with the present agreement.

Caroline Murphy - I wonder if Jim Peglow is aware that Dayton needs to submit a letter to get out of the agreement. The agreement does list the equipment.

Craig Nelson - Wouldn't we have the right of refusal before anyone could give away their share at the depreciated value?

Mark Jensen - You would think so. It isn't written that way but you would think so.

John Miller - As a general business practice, I would say yes. It is a confusing issue and it is on Dayton now because we are upsetting the cart which was running smoothly.

Sheriff Wilz - I can't tell my guys they can't go past this line (into Dayton waters). There would be no way to enforce that either.

John Miller - We are asking Farmington to take on all the burden in a sense.

Caroline Murphy - That is not going to happen. Dayton will pay.

Mark Jensen - We would invoice you at the end of the year.

Craig Nelson - I am sure that would be more than what the cost is now.

Mark Jensen - Asked John Miller what percentage of your taxes come from the Chain?

John Miller - About 40% of Dayton's taxes are from the Chain properties.

Mark Jensen - The room tax would probably cover your water patrol cost

Sheriff Wilz - I don't want to get in the middle. Water patrol will go on as normal this year.

John Miller - But Dayton does have a motion to give you the boats

Farmington Board members all stated that was done illegally.

Mark Jensen - Is it a void issue then? Maybe talk to the Towns Association and get their take on it.

John Miller - The Motion says that Dayton doesn't want anything to do with the boats or any water patrol expenses.

Caroline Murphy - If Dayton pulls out, Farmington still wants the agreement. We would create a new agreement. If the patrol has to make a call to an area of a lake in Dayton, we will invoice Dayton.

Sheriff Wilz - Wondered what if it costs more than what they pay now? For us to keep track of what town we are in on the lakes could be cumbersome on our officers.

Craig Nelson - It is a lesson learned. It probably will be more because they will no longer get grant money.

John Miller - The easiest way to charge back expenses would be looking at the officer's activity recording for time date and place. You have all the information, just send it to Caroline. The Sheriff's department doesn't need to do anything with it.

Mark Jensen - You guys have 38% of the lakes, you get 38% of the expenses. Difference is you don't get any of the grant money. We would take the boats and charge you 38% of water patrol costs.

Caroline Murphy - Max from Amherst Marine gave her the value of both boats combined. The Dayton 38% share would range from \$8000 to \$10,000 for both boats

Sheriff Wilz - You need to talk to the state before any money is exchanged because money was received from the state for those boats in grant funds.

Adjournment: A motion by Mark Jensen, seconded by John Miller to adjourn at 9:42am. Motion carried by unanimous voice vote.

Submitted by Danielle Taggart

**Posted May 3, 2021 @Farmington Town Hall
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