

Town Board Meeting

March 11, 2009

The meeting was called to order to order by Chairman Leon Schraufnagel at 6:30 P.M. A motion was made by Ed Emmer and seconded by Jeff Faber to adopt the agenda. The motion carried.

A motion was made by Jeff Faber and seconded by Ed Emmer to approve the minutes of the last month meeting and dispense with the reading. The motion carried.

There was discussion regarding a complaint by Tom Zangl concerning a dog owned by Scott and Chris Dettmering running at large. A complaint was also made against John Thill of dogs running at large. The Clerk was asked to send letters to the owners of the dogs advising them of the ordinance prohibiting this and that Dodge County Sheriff would be notified if it continued.

The Clerk was asked to explain to the Board members the issue of payment of rescinded taxes to Quad/Graphics so we can proceed with some sort of settlement agreement. The Department of Revenue has not furnished the Town of Lomira with a copy of the Settlement Stipulation that had been reached. Based on a decision incorporated in the budget bill, Quad/Graphics prevailed on an appeal which made the High Density Sequencing System "work in progress" retroactive to 2006. Taxes that Quad/Graphics paid for that period were \$223,977.44 too high and must be paid back to Quad. The Clerk was asked to explain how Quad/Graphics will recoup the tax money they (Quad) feels was overpaid for 2006. A Settlement Stipulation process was drafted by the Revenue Department stating this amount. The Town of Lomira did not receive a copy of the Settlement Stipulation directly from the State but received a copy from Lisa Gilmore, Department Attorney for the Department of Revenue. The Settlement Stipulation directed that the Respondent (Town of Lomira) shall modify the 2006 Lomira Personal Property Assessment to reflect that the Original Full Value of \$22,219,600 must be corrected to \$7,745,400, an adjustment of \$14,474,200. This of course is at Market Value. In 2006, the Average Assessment Ratio was 84.97%. The adjusted value then became \$12,298,727.74. The net assessed value rate in 2006 was .018211431, so the tax to be refunded to Quad/Graphics is \$223,977.44. This will be paid over a 3 year period, without having to pay interest to Quad for the period. The Town Treasurer will have to file a PC 201 Inquiry Related to Rescinded or Refunded Taxes by October 1, 2009 with the Department of Revenue Local Government Services Section for 1/3 of that total, or \$74,660.64. They in turn will determine the amount of tax dollars that the various taxing entities will have to pay the Town of Lomira that amount in January of 2010. By October 1 of 2010, the Town of Lomira Treasurer will again file a PC 201 with the Department of Revenue Local Government Services Section for another 1/3 of the amount, or \$74,660.64, and the various taxing entities will have to pay the Town of Lomira the determined amount in January of 2011. In like manner, by October 1 of 2011, the Town of Lomira Treasurer will file a PC 201 with the Department of Revenue Local Government Services Section for the final 1/3 or \$74,660.64 which the various taxing entities must pay to the Town of Lomira in January of 2012. One thing that must be noted is that according to the Department of Revenue, the Town of Lomira will not be allowed to adjust their levy limit by the amount it must pay back to

Quad/Graphics, even if it was not responsible for the mistake which caused the payback to be required. Based on the discussion, the board made a decision to get Attorney John St. Peter involved in the matter.

There was discussion regarding a salt contract for the next winter season. A motion was made by Jeff Faber and seconded by Ed Emmer to contract with the Wisconsin Department of Transportation for 175 ton of salt for that period. The motion carried. No price is available yet. Randy will take care of getting the contract in on time.

There was discussion regarding an Annual Holding Tank Agreement. The Clerk was instructed to change the Service Provider to Dean Septic Service and make out a check to Dodge County in the amount of \$10.00.

The Clerk asked that the antennae for the high speed wireless internet remain attached as was agreed to when first installed. The Chairman had asked that the Clerk check with the WTA attorney to make sure this was legal. They advised that once an employee or member of the board is no longer serving in that position, the equipment may be disposed of as the Board desires. Since there is almost no value to it because of age and removal may cause damage to the roof where it is fastened, the board authorized it to remain where it is.

A motion was made by Jeff Faber and seconded by Ed Emmer to pay bills and payroll in the amount of \$573,801.96, through check number 13563. The motion carried.

Marcia Valle presented the Treasurer's report. The Assessor did not have any permits to present.

There being no further business, a motion was made by Ed Emmer and seconded by Jeff Faber to adjourn the meeting. The motion carried and the meeting adjourned at 7:45 P.M.