

**VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN**  
(Official Minutes)

SPECIAL JOINT CLOSED SESSION MEETING  
of the  
VILLAGE BOARD OF TRUSTEES and CDA  
**Friday, January 27, 2006**

President Howell called the special joint meeting of the Village Board and CDA to order at 8:30 am in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Bromfield, President Howell, Petersen, Pollitt, O'Connell, Larson (arrived at 8:32 am)

**Trustee absent:** Turner

**CDA Commissioners present:** Roll call vote: Chanson, Hibbard, Wilson, Petersen

**CDA Commissioners absent:** Turner, Bliss, Fisk

**Also present:** Attorney Steve Compton, Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Village Attorney Dale Thorpe

**Announcement for Board of Trustees and CDA to Consider Going Into Closed Session -**

President Howell

Trustee Petersen/Trustee Bromfield 2<sup>nd</sup> made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats., for the purpose of "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," specifically the Writ of Mandamus filed by Robert Sandy, and the roll call vote followed:

Petersen - Yes

Larson - Yes

Pollitt - Yes

O'Connell - Yes

Bromfield - Yes

President Howell - Yes

The motion carried 6-0, with Turner absent.

CDA Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION for the CDA to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats., for the purpose of "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," specifically the Writ of Mandamus filed by Robert Sandy, and the roll call vote followed:

Petersen - Yes

Chanson - Yes

Hibbard - Yes

Wilson - Yes

The MOTION carried on a 4-0 vote, with Turner, Bliss and Fisk absent.

**Adjournment of Closed Session**

Trustee Petersen/Trustee O'Connell 2<sup>nd</sup> made a MOTION to adjourn the closed session of the Village Board and to reconvene in open session at 9:46 am, and the MOTION carried without negative vote.

CDA Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to adjourn the closed session of the CDA and to reconvene in open session at 9:46 am, and the MOTION carried without

negative vote.

**Open Session**

The Village Board and CDA members came to the unanimous consensus in closed session that the Village Board should approve a Substitution of Counsel from Crivello, Carlson & Mentkowski, S.C. to Thorpe, Compton & Christian, S.C. in the matter of Fontana Residents For Open Government, Inc., and Robert W. Sandy v. Village Board for the Village of Fontana and Trustees of the Village of Fontana on Geneva Lake. The Village Board and CDA also directed Dale Thorpe to pursue and make every effort to negotiate a settlement offer with Sandy and Fontana Residents For Open Government.

Trustee O'Connell/Trustee Bromfield 2<sup>nd</sup> made a MOTION to approve the Substitution of Counsel from Crivello, Carlson & Mentkowski, S.C. to Thorpe, Compton & Christian, S.C. in the matter of Fontana Residents For Open Government, Inc., and Robert W. Sandy v. Village Board for the Village of Fontana and Trustees of the Village of Fontana on Geneva Lake, and the MOTION carried without negative vote.

**Adjournment**

Trustee Bromfield/Trustee Larson 2<sup>nd</sup> made a MOTION to adjourn the meeting at 9:50 am, and the MOTION carried without negative vote.

CDA Commissioner Wilson/Commissioner Chanson 2<sup>nd</sup> made a MOTION to adjourn the meeting at 9:50 am, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board and CDA the official minutes will be on file in the Safe Room at the Village Hall.

APPROVED: VB - 02/07/06  
CDA - 02/08/06