

**Town of Grant  
9011 County Road WW  
Special Town Board Meeting  
January 7, 2011**

Present: Schwab, Kertis, Goska, Zimmerman, Brian Formella (Town Attorney), Lee and Julie Lampert.

Chairperson Schwab called meeting to order at 2:19pm.

Schwab provided some background:

- Lee & Julie Lampert were billed \$1,000.00 for a woodland fire on their property on April 26, 2010. The bill was not paid and therefore put on their tax bill as a Special Assessment.
- The Lamperts felt they should not have been billed because of a misinterpretation of Ordinance I-95.
- A Fire Protection Committee was working on an updated Fire Ordinance at the time.
- Schwab pointed out that there are number of outdated ordinances on the books, and the Plan Commission is working to update them.
- An **Advisory Vote** was taken at the Annual Town Meeting on April 13th, 2010, to rescind I-95 Ordinance. The Town Board did not meet until after Lampert fire, and the Fire Committee was working on finalizing a new ordinance.
- It was suggested that the rescinded Ordinance be retroactive to Jan. 1, 2010, but was not recommended by Legal Counsel and Wis. Towns Association.
- A petition and Letter were presented to the Town Board, from Lee & Julie Lampert to take action on this Fire Charge and a letter was drafted by legal counsel and sent to the Lamperts that the charges still stand and are legal.
- Attached to these minutes are 14 reasons why the Lamperts feel they should not have to pay this bill.

Brian Formella, Town Attorney, indicated that he is holden to the Town Board and is to give legal opinions and doesn't have anything to say about policies. He was asked to draft a letter to the Lamperts, after they had sent a letter to the Town Board.

Lee and Julie Lampert:

- Lee indicated that he wasn't the one to cause the fire that a friend of his, who also served in Iraq, was cutting wood and spark started the fire and felt he shouldn't have to pay the bill and couldn't ask his friend to pay either.
- Submitted another petition with 102 names indicating that they should not have to pay bill
- They pleaded their case based on the 14 reasons included with these minutes.
- Julie indicated that 8-grass fires won't billed from 2007-2009. The Clerk looked up the 8 fires she was referencing and found that: 4- were on Right-a-ways, 2- had no particular address-within block, 1-investigation only and 1- dispatch notified that fire was out.
- Julie said they have 14 strong points, a petition, right thing to do is eliminate bill, that's what people want, to find a solution.

After a lengthy discussion, that was just repeating the same things over and over.

Goska asked the Lamperts if they had anything else to say.

- He wanted them to speak their piece, and hear all points they wanted to get across
- Lamperts brought up about inconsistencies on CO2 calls and ambulance runs and Goska said we are here to only discuss Fire Runs.
- They didn't have property loss and shouldn't have been billed the \$1,000.00 the same as someone that has lost their homes.

- Julie asked Goska his opinion on the matter
- Goska remarked: he felt this was done on a timely manner, since he has been on board how slow things move and likes to do his homework and not make decision on the spot and talk to different people and get their opinions. (In this case residents he talked to felt Lamperts should pay the \$1,000.00 bill). There are holes in everything , and it is time consuming to redo ordinances that were correct at time initialed, when you're dealing with Ordinances on the books that are 10-30+ years old.

Brian Formella concluded that the Town Board takes on a fair amount of labor, are part time elected officers, and asked Lamperts if they had anything else to say.

Zimmerman responded that Town residents present were not happy with the way the Town Board was handling the matter and feel that they move to slow. She also, indicated the nomination papers were just received and she didn't have people pounding at the door to run for offices.

Charles Gussel said that we are illegally double taxing by billing individuals for fire runs. Schwab responded with State Statues 60.55 and 60.557 arguments the charging for fire runs is not double taxing.

Dave Cook said residents should not be billed for fire runs. Schwab indicated that the I-95 Ordinance has been rescinded, but this fire run was before the ordinance was abolished.

Board Decision:

**Motion: (Schwab, Goska) Accept \$500.00 payment from Lamperts and Town will pay balance of \$500.00; accept by January 28th, 2011. Carried. Unanimous Ayes.**

Lee Lampert responded with \$250.00 offer, his final offer under protest.

Town Board held firm with motion made.

**Motion: (Goska, Kertis) Move to adjourn at 4:10pm. Carried. Unanimous Ayes.**

Respectfully submitted by,



Vicky Zimmerman, Clerk

Update as of Jan. 24th, 2011: Lee & Julie Lampert turned in a check for \$500.00 to the Town Clerk from his friend who was cutting wood at the time of the fire. Per the motion the Town of Grant will pay the balance of \$500.00 to clear the Special Assessment on his tax bill. (Lamperts ended up paying \$0.00)