

Town of Perry
Minutes of Town Board Meeting
Wednesday, September 18, 2013
Perry Town Hall

1. Call to order. Chairman Roger Kittleson called the meeting to order at 7:35PM. Supervisors Ken Hefty and Mick Klein Kennedy and Clerk Mary Price were present. Also in attendance: Atty. Mark Steicken via teleconferencing, Doug Nelson, Jeff Anderson.

2. Closed and Open Sessions. Ken Hefty moved and Mick Klein Kennedy seconded a motion to convene to closed session to discuss negotiations of possible purchase of public property, and to confer with legal counsel concerning strategy under WI Stat. 19.85(1)(e) and 19.85(1)(g). Roll vote: Mick Klein Kennedy – Yes; Ken Hefty – Yes; Roger Kittleson – Yes. Motion carried.
Ken Hefty moved and Mick Klein Kennedy seconded a motion to reconvene to open session. Roll vote: Mick Klein Kennedy – Yes; Ken Hefty – Yes; Roger Kittleson – Yes. Motion carried.
The Board reviewed Atty. Mark Steichen's summary of the litigations costs claimed in DSG vs. Town of Perry, case 2004cv2676 - \$79,561.95 and DSG vs. Town of Perry case 2008cv2048 - \$109,714.12, totaling \$189,276.07.

3. Approve negotiated settlement – DSG vs. Town of Perry, case 2004cv2676.
The Board reviewed a proposed settlement to conclude DSG vs Town of Perry case 2004cv2676. The Board considered the case background, the progress of recent settlement negotiations and the costs of various options. Ken Hefty moved and Mick Klein Kennedy seconded a motion to approve the total final payment of \$73,189.00 to dismiss DSG vs Town of Perry case 2004cv2676. Motion carried.

4. Approve negotiated settlement – DSG vs. Town of Perry, case 2008cv2048.
The Board reviewed proposed settlement to conclude DSG vs Town of Perry case 2008cv2048. The Board considered the case background, the progress of recent settlement negotiations and the costs of various options. Ken Hefty moved and Mick Klein Kennedy seconded a motion to approve the total final payment of \$96,811.00 to dismiss DSG vs Town of Perry case 2008cv2048. Motion carried.

5. Adjournment. Ken Hefty moved and Mick Klein Kennedy seconded a motion to adjourn. Motion carried. The meeting adjourned at 9:15 PM.

Mary L. Price, Town Clerk
