



REVISED VILLAGE BOARD MEETING MINUTES

February 26, 2024 at 6:00 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

President Chris Voll called the meeting to order at 6:00 PM.

A. Pledge of Allegiance

Those in attendance recited the pledge of allegiance.

B. Roll Call

PRESENT

Village President Chris Voll

Trustee Ken Charneski

Trustee Tim Shaw

Trustee Alex Vedvik

Trustee Chris Eiden

Trustee Kelly Coyle

ABSENT

Trustee Sean Dumais

STAFF PRESENT

Deputy Clerk Jennifer Poyer

Finance Director Lisa Kerstner

Administrator Leonard Ludi

Police Chief Terry McHugh

Fire Chief Theresa O'Brien

2. PUBLIC COMMENT

Bernie Kramer - 2150 East State Highway 153 Peplin; Bernie Kramer questioned the accountability of statements made regarding the loan from CoVantage Credit Union and called for the immediate resignation of the board president due to what he perceived to be "oversight failures". Additionally, Kramer highlighted a request they made for documentation about the board resolution approving the loan. (See attached document)

Guy Fredel - 2240 Ruby Drive; Guy Fredel also discussed concerns regarding the ladder truck loan, pointing out discrepancies in meeting proceedings and questioning the validity of certain statements made in official documents.

Minutes prepared by Jennifer Poyer

Minutes approved by the Village Board on

Paul Jaeger - 1900 Seville Road; **Deputy Clerk Jennifer Poyer read an email sent in by Paul Jaeger requesting to be read** - Paul Jaeger expressed concerns about Randy Fifrick and what he preserved to be possibly having a conflict of interest due to his role in multiple development entities.

4. REPORTS FROM STAFF AND VENDORS

C. Administrator's Report

Administrator Leonard Ludi provided an extensive report outlining various activities and plans, including communications regarding the ladder truck loan issue, proposing an action plan for board review, discussing attorney services, conducting third-party investigations, and budget review processes. Updates on legal matters, personnel issues, vendor contract renewals, and administrative efforts were also shared. They highlighted many operational points, which indicated a continuity in leadership despite the occurrence of several legal and financial challenges.

D. Treasurer's Report

Finance Director Lisa Kerstner didn't have any of the January financials. Kerstner is going through and doing the accrued entries.

E. Check Register Report 1.5.24 -2.21-24

Finance Director Lisa Kerstner asked for questions. No questions on the check register were asked.

5. OLD BUSINESS

F. Discussion and Possible Action - 2023 Budget Amendment #5; 2023 Year End Report on Expenditures

Finance Director Lisa Kerstner proposed that action on the 2023 budget amendment #5 be delayed to allow for the refinement of the year-end financial report on expenditures.

Motion made by Trustee Vedvik, Seconded by Trustee Eiden to delay action on this agenda item until the April 25, 2024 Village Board meeting.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

G. Discussion and Possible Action: Revision of FIN-004

Changes to FIN-004 were discussed, specifically relating to reallocation of budget lines within departments and emergency purchase procedures.

Motion made by Trustee Coyle, Seconded by Trustee Vedvik to approve the revisions of FIN-004 as presented.

Voting Yea: Village President Voll, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Nay: Trustee Charneski

Motion carried 6:0 by roll call vote.

6. NEW BUSINESS

H. Discussion and Possible Action: Revision of Ordinance 180-3; Village Board Meetings

The proposed adjustments to Ordinance 180-3, which addresses village board meeting agenda items, were discussed in light of aligning the ordinance with existing policies.

Motion made by Trustee Eiden, Seconded by Trustee Charneski to send the proposed revisions back to the Administrative Policy Committee for clarification and consistency.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Eiden, Trustee Coyle

Voting Nay: Trustee Vedvik

Motion carried 5:1 by roll call vote.

I. Discussion and Possible Action: Removal of Policy Gen-009

This agenda item was skipped.

J. Discussion and Possible Action: Ordinance 227 - Burning Permits

Concerns were raised over the structure and length of burning permits. Amendments were discussed to ensure a balance between flexibility for residents and regulatory oversight. It was decided building permits will be issued for a period of 90 days.

Motion made by Trustee Charneski, Seconded by Trustee Coyle to approve Ordinance 227-Burning Permits with a change from 30 days to 90 days.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Vedvik, Trustee Eiden, Trustee Coyle
Abstain: Trustee Shaw

Motion carried 5:1 by roll call vote.

K. Discussion and Possible Action: Police Memorandum of Understanding; Officer Vacation Time

The memorandum of understanding concerning police officer vacation time was reviewed, and it was confirmed that the expressed guidelines would not need further amendment.

Motion made by Trustee Coyle, Seconded by Trustee Eiden to approve the memorandum of understanding regarding police officer vacation time.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

L. Discussion and Possible Action: Finance Advisor- Contract with PFM and EHLERS

Discussion took place regarding terminating a contract with PFM and entering into an agreement with Ehlers for financial advisory services.

Motion made by Trustee Coyle, Seconded by Trustee Vedvik to end the contract with PFM and move forward with hiring Ehlers as the Village's financial advisor.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

M. Discussion and Possible Action: Contract for Service - Marathon County Humane Society Intake Report and Contract

The board reviewed and ratified the service contract with Marathon County Humane Society without objections.

Motion made by Trustee Charneski, Seconded by Trustee Eiden to approve the contract for service with Marathon County Humane Society.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

N. Discussion and Possible Action: Contract for Service -Marathon County Solid Waste Management

A contract for waste management services with Marathon County was reviewed and accepted unanimously.

Motion made by Trustee Charneski, Seconded by Trustee Vedvik to approve the contract with Marathon County Solid Waste Management.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

O. Discussion and Possible Action: Agreement; GIS Services

A contract for GIS services with G Works was presented and discussed, highlighting the benefits these services would offer to the Village's infrastructure management.

Motion made by Trustee Vedvik, Seconded Trustee Coyle to approve the contract for GIS services with G Works.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by voice vote.

Minutes prepared by Jennifer Poyer

Minutes approved by the Village Board on

P. Discussion and Possible Action: Ratification of Promissory Note with CoVantage Credit Union issued 1-24-2023

The board discussed the ratification of the promissory note related to the previous purchase of a fire truck. A resolution was proposed to affirm the existence and validity of the ladder truck loan agreement.

Motion made by Trustee Coyle, Seconded by Trustee Vedvik to approve the resolution ratifying the promissory note with CoVantage Credit Union.

Voting Yea: Village President Voll, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Nay: Trustee Charneski

Motion carried 5:1 by roll call vote.

Q. Discussion and Possible Action: 2024 Budget Amendment #1

The first budget amendment for 2024 was discussed, mainly concerning the fire truck payment from the debt service fund and the sale revenue of a police squad.

Motion made by Trustee Vedvik, Seconded by discussion to approve the 2024 Budget Amendment #1.

Voting Yea: Village President Voll, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Nay: Trustee Charneski, Trustee Shaw

Motion carried 4:2 by roll call vote.

7. CONSENT AGENDA

R. February 12, 2024, Village Board Meeting Minutes

S. February 21, 2024, Village Board Meeting Minutes

Motion made by Trustee Vedvik, Seconded by discussion to approve the February 12, 2024 Village Board Meeting Minutes and delay action on approval of the February 21, 2024 Village Board Meeting Minutes until the clarification of the motion from agenda item 3d.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by voice vote.

8. PREVIOUS MEETING MINUTES FROM COMMISSIONS AND COMMITTEES

T. November 21, 2023, Administrative Policy Committee Minutes

U. December 19, 2023, Administrative Policy Committee Minutes

V. January 16, 2024, Administrative Policy Committee Minutes

Committee was thanked for their minutes.

9. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

Trustee Vedvik - Clarification on the decision made in the February 21st meeting minutes under section 3d motion number 2 for a third-party investigation.

10. ADJOURNMENT

Motion made by Trustee Charneski, Seconded by Trustee Coyle to adjourn.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carried 6:0 by roll call vote.

The meeting was adjourned at 9:02 p.m.

Good Evening members of the Village Board and staff members. I have been pondering the documents for the ladder truck loan for the last week.

I have come to the conclusion that at this point, there has to be accountability for the numerous false statements that were made to CoVantage Credit Union in order to obtain the ladder truck loan. There also has to be accountability for the total failure of the Village Board president, Chris Voll to ensure that the loan documents that he signed did not contain any false statements. Mr. Voll was the only member of the Village Board who signed the loan documents—namely, the General Obligation Promissory Note, Resolution No 1 and the Issuer’s Certificate.

I am calling for the immediate resignation of Mr. Voll from his position as Village Board President and from his position as a member of the Village Board.

Mr. Voll signed the General Obligation Promissory Note on January 24, 2023. Above Mr. Voll’s signature is the following statement:

IN WITNESS WHEREOF, the issuer, by its Governing Body, has caused this Note to be executed for it and in its name by the signature of the duly qualified President and Clerk or person authorized to sign on their behalf and to be sealed with its official or corporate seal, if any, all as of the original date of issue identified above.

Just above Mr. Voll’s signature are the following words in bold print:

VILLAGE OF KRONENWETTER, WISCONSIN

In other words, Mr. Voll was signing on behalf of the Village of Kronenwetter as authorized by the Village Board.

The problem with this is that the Village Board never authorized the loan to buy the ladder truck. The Village Board never authorized Mr. Voll or Ms Birk-LaBarge to sign the loan documents. These are false statements made to obtain a loan for over \$700,000.

Next, there were other false statements contained in Resolution No. 1 that was also signed by Mr. Voll and by Ms. Birk-LaBarge.

Resolution NO. 1 starts out by saying:

WHEREAS, the Village Board (the Governing Body) hereby finds and determines that it is necessary, desirable and in the best interest of the Village of Kronenwetter, Marathon County, Wisconsin (the “Issuer”) to raise funds for the purpose of:

Purchase Fire Engine

the (“Borrowing Purpose”); and

WHEREAS, the Governing Body hereby finds and determines that the Borrowing Purpose is within the issuer’s power to undertake and issue general obligation notes for such public purposes...

The Village Board never made these findings. These are false statements made to get a loan that Mr. Voll and Mr. Birk-LaBarge signed and approved

Resolution No. 1 goes on to say:

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

Section 2. Issuance of the Note. To evidence such indebtedness, the President and the Clerk are hereby authorized, empowered and directed to make, execute, issue and deliver to the Lender for, on behalf of and in the name of the Issuer, a general obligation promissory note aggregating the principal sum of \$732,208.00 (the "Note"),

Section 3. Terms of the Note.

... Borrower will pay this loan in 9 payments of \$90,027.77 each payment and an irregular last payment estimated at \$90,027.80. ...

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal and interest on the Note as the same becomes due, the full, faith and credit and resources of the Issuer are irrevocably pledged, and a direct and irrepealable tax is hereby levied upon all taxable property of the Issuer. Said direct annual tax shall be levied in the years and amounts as follows;

\$90,027.77 to be levied in 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032
(Actual language in Resolution has been paraphrased to save space)

\$90,027.80 in 2033

THE VILLAGE BOAD NEVER AUTHORIZED Mr. Voll and Ms. Birk-LaBarge to make, execute, issue or deliver a Note for \$732,208 to CoVantage Credit Union.

BY SIGNING THE NOTE, MR. VOLL AND MS. BIRK-LABARGE MADE ANOTHER FALSE STATEMENT TO GET A LOAN BY SAYING THAT THE CONTENTS OF SECTION 2 AND SECTION 6 WERE TRUTHFUL. THE VILLAGE BOARD NEVER ADOPTED RESOLUTION NO. 1.

The Issuer's Certificate contains the following false statements:

3. At a lawful, duly-convened open meeting of the Governing Body held at 1582 Kronenwetter Drive, Kronenwetter, WI 54455, Wisconsin at 5:02 pm, on the 24th day of October, 2022, at which 7 members-elect of the Governing Body were present in person, a resolution authorizing the Issuer to borrow the sum of not to exceed \$732,208.00 and issue its General Obligation Promissory Note (the "Note") therefor pursuant to Section 67.12 (12), Wis. Stats. (the "Resolution"), was, on motion duly made and seconded, adopted and recorded by the affirmative vote of 7 members of the Governing Body. Said meeting of the Governing Body was duly called, noticed, held and conducted in the manner established by the Governing Body and required by Wisconsin Statutes.

4. The Resolution was on the agenda for said meeting and public notice thereof was given not less than twenty-four (24) hours prior to the commencement of the meeting by (i) posting notice of the meeting; ...

5. The Resolution has been duly recorded in the minutes of said meeting, has not been amended or revoked, and, in all other respects, is in full force and effect on the date hereof and there is no proceeding of the Governing Body or Issuer electors in conflict with or in any way

altering the effect of the Resolution. A true and correct copy of said Resolution is attached hereto as a part of the transcript of the proceedings.

11. I have provided and kept and will keep in a separate record book in which I have recorded a full and correct statement of every step or proceeding had or taken in the course of issuing the Note referred to herein. ...

It appears that each and every one of these statements are totally false. These false statements were made by Mr. Voll and Ms. Birk-LaBarge.

The Issuer's Certificate contains language at the end—just above the signatures of Ms. Birk-LaBarge and Mr. Voll that:

The undersigned hereby certifies that the above-stated facts are true and correct and above-stated expectations of the Issuer are reasonable and there are no other facts, estimates or circumstances that would materially change the foregoing conclusions.

Mr. Voll made numerous false statements to get the loan for the Ladder Truck. He signed to certify that each of these statements were "true and correct. and that there are no other facts ... that would materially change the foregoing conclusions."

On February 20, 2024, Mr. Voll chaired a meeting of the Administrative Policy Committee. He did not say at that meeting that the Village Board had never approved the loan to buy the Ladder Truck.

On February 21, 2024, Mr. Voll chaired a special meeting of the Village Board. Again, Mr. Voll failed to tell the Village Board that the Village Board had not approved the loan to buy the ladder truck or that he had signed loan documents with CoVantage Credit Union which contained a number of false statements in order to get the loan. Mr. Voll had a conflict of interest. He could have and should have recused himself. Instead, he used his position as the chairperson of the meeting to offer various excuses as to why the loan documents had been signed. Mr. Voll acted in unethically in my opinion.

We cannot have a person serving as our Village Board President who makes false statements to get a \$700,000 loan which was never approved by the Village Board. I, therefore, call upon Mr. Voll to resign immediately. If Mr. Voll does not do so, then I request that the Village Board act promptly to remove Mr. Voll from the Village Board and from his position as President.

Mr. Voll is responsible for creating a mess that puts the Village and its tax payers in a very bad light. It is embarrassing. Mr. Voll's actions lack integrity. They show a lack of honesty. They show a complete lack of leadership. Mr. Voll, in my opinion, is not competent to act as the Village Board President of the Village of Kronenwetter.

2-26, 24

Bernie Krone