



SPECIAL VILLAGE BOARD MEETING MINUTES

January 27, 2026 at 4:00 PM

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

1. CALL MEETING TO ORDER

President Dan Joling called the January 27, 2026 Special Village Board Meeting to order at 4 p.m.

A. Pledge of Allegiance

Those in attendance were invited to recite the Pledge of Allegiance.

B. Roll Call

PRESENT: President Dan Joling, Trustee Ken Charneski, Trustee Aaron Myszka, Trustee Craig Mortensen, Trustee Sandi Sorensen, Trustee Jessica Stowell, Trustee Mary Jensen (arrived at 4:16 p.m.)

STAFF: Administrator James Davel, Community Development Director Peter Wegner, Clerk Jennifer Poyer

GUESTS: Attorney Shane VanderWaal (Village of Kronenwetter), Attorney Mitchell R. Olson (Milestone Materials), Tony Tomashek (Milestone Materials)

2. NEW BUSINESS - DISCUSSION AND POSSIBLE ACTION

C. Appeal Made to the Village Board Regarding the October 20, 2025 Plan Commission Denial of the Conditional Use Permit Request for a Non-metallic Mine on the Property Located at 1066 Maple Ridge Road

Motion was made by Charneski to sustain the planning commission decision but failed due lack of a second.

Motion by Stowell/Myszka to reverse the determination of the Plan Commission with all the conditions from Attorney Shane VanderWaal; Zoning Administrator Peter Wegner; and the January 23, 2026 Milestone Materials CUP APPEAL – Position Statement from Attorney Mitchell R. Olson.

Motion carried by roll call vote. 3:2:2. (Voting yay – President Joling, Trustee Myszka, Trustee Stowell; Voting nay – Trustee Charneski, Trustee Sorensen; Abstaining – Trustee Mortensen, Trustee Jensen)

Conditions should be specified here

President Dan Joling introduced guests in attendance. He read the appeal denial letter from Peter Wegner to Tom Burch of Milestone Materials and the letter to appeal to the Village Board written by Mitchell R. Olson representing Milestone Materials. President Joling reviewed Ordinance 520-121 regarding the process of appealing to the Village Board.

Village Attorney Shane VanderWaal recommended Trustee Charneski recuse himself due to his position on the Plan Commission and comments made and given to board members. Charneski declined to recuse himself, citing a lack of legitimate reason to do so. Charneski suggested that President Joling recuse himself, due to an inherent bias in favor of the sand mine, as shown by prejudicial and biased comments in favor of the mine that Joling made in the weeks prior to the meeting.

Charneski questioned the legitimacy of Vanderwaal's claim to be the attorney representing the Village in this matter, due to the fact that the contract was terminated 3 months earlier.

It was also pointed out that neither the Village nor the Plan Commission had any effective legal representation in the appeal procedure.

Although there was no evidence that any such legal counsel was requested prior to the Planning Commission hearing.

Charneski was asked three times by the attorney Shane VanderWaal to recuse himself due to his bias which he declined to do. This further evidenced by his submission of a 17 page document outlining his argument for not approving the request. There was discussion between Joling and Charneski to mutually recuse themselves due to perceived bias but because of a failure to commit to such the action was declined by both individuals.

Discussion whether new material and information was presented took place. Charneski asserted that Milestone's 11 page Position Statement received the day before the meeting, contained substantial amounts of new information not provided to Plan Commission.

There was, however, no establishing of whether or not this document was taken into consideration by any of the board members in their final decision.

Attorney Olson presented the case of Milestone Materials. He said Act 67 makes it more restrictive to deny conditional use permits. He said the offered conditions would alleviate any reasons to deny the appeal and would allow the permit to find compliance with the Village code and Act 67. Community Development Director Wegner said the board should consider the five criteria when considering the CUP. He said he would add four conditions to the permit including maintaining and fixing any damaged roads. Attorney VanderWaal said he had conditions to add, as well.

The Board had minimal deliberation and came to no conclusions regarding the 5 criteria of ordinance 520-121 (G). Although the board members were given opportunity to comment on each of the 5 Criteria when presented.

Attorney Olson, Tony Tomashek, Attorney VanderWaal, and Community Development Director Peter Wegner answered questions from the board members regarding hours and days of operation; operation details; machinery use; berms; vegetation; residents affected; conditions presented; land use; potential noise; Village road usage; future reclamation; fencing; air safety; maintenance on site; Village litigation; Act 67; Village Comprehensive Plan; and the criteria to consider.

3. ADJOURNMENT

Motion by Mortensen/Myszka to adjourn. Motion carried by voice vote. 6:0.

Meeting adjourned at 5:31 p.m.