



MINUTES OF AN OFFICIAL MEETING:

Notice is hereby given that a public meeting will be held on the date, time and location shown below. Upon attaining a quorum of members, all items listed on the agenda shown below may be considered (discussed and/or acted upon).

Regular/Special Meeting: ***Village Board***

Date and Time: ***Monday, November 27, 2023 at 7:00 pm***

Location: ***Deerfield Village Hall, 23 West Nelson St., Deerfield, WI 53531***

Members: *Greg Frutiger, Scott Tebon, Arnold Evensen (Arrived 7:10 pm), Tessa Dunnington, Gary Wieczorek*

Excused: *Tracy Curtis, Kerri Hewitt*

Others in Attendance: *Todd Willis- Administrator/Treasurer, Marissa Aravena- Village Clerk/Deputy Treasurer, Village Attorney- Jared Walker-Smith*
(Number of Members needed to meet quorum requirements: 4)

1) Call to Order/ Roll Call at 7:00 pm

2) Approval of the Agenda

Motion by Trustee Wieczorek, seconded by Trustee Tebon to approve the Village Board agenda for November 27, 2023. Motion Carried 4-0

3) Public Comment

Attention Citizens: The Village Board has reserved up to 15 minutes for the public to address the Board on any matter, other than for a public hearing listed below (if applicable). To address the Board, please complete a “public comment sign up” form and submit it to the Village Administrator prior to the meeting or indicate your inclination to address the Board upon the President’s announcement of the public comment segment of the agenda. If the President determines that no one is present or that no one else wishes to address the Board, the President may end the segment earlier than the allotted time. If the President determines that 15 minutes is not adequate time for public comment, the President may enlarge the time unless the Board objects. For public hearings, comments can be made at the time of the public hearing segment of the agenda when the President recognizes the speaker. Alternatively, citizens can submit any commentary to the following email address: twillis@deerfieldwi.com

None

4) Announcements

- a. The Village Board has Public Hearing on the 2024 Budget December 4, 2023 at 6:00 pm
- b. The next regularly scheduled meeting is December 11, 2023 at 7:00 pm

5) Public Hearing

None

6) Committee Reports

a. Finance

No Meeting – Canceled earlier this evening.

b. Plan Commission

Member Wieczorek reported there was a meeting last Monday, where they reviewed elements of the draft comprehensive plan jointly with the Parks Committee. This was to ensure their participation and input in the future plans and needs of the parks.

c. Municipal Needs

Member Wieczorek reported there was a meeting last Monday, he thanked the Public Works department for their audit of the buildings owned by the Village and what improvements need to be made, short term and long term. Leah Fritsche (Library Director) also was in attendance and discussed library needs and the more immediate short-term needs. There was also a brief discussion on the parks. Member Wieczorek stated the Committee would like to keep the momentum going and will have another meeting in January. At the January meeting the Committee asked Village Staff, working with Todd and Nate, to come up with priorities on the building improvements and rank them. Also, it was requested to research more solid cost estimates for those items that would be priority. Member Wieczorek stated there wasn't anything on the list they found outlandish and wanted to share there was nothing they disagreed with.

d. Public Works

No Meeting

e. Parks

Administrator Willis reported the Parks Committee reviewed the CORP (Comprehensive Outdoor Recreation Plan), which goes hand in hand with the Villages Comprehensive Plan. There was also a subcommittee created to look at the park rental agreements and park rental fees. More joint meetings with the Planning Commission will be scheduled to continue until both plans are pretty much completed.

f. Library

Meeting 11/21/23 – Member Curtis was not present to report.

g. Fire

No Meeting

h. Joint Police

Meeting 11/14/23 - No Report

i. EMS

Member Frutiger reported the EMS met on November 16th and discussed an engagement letter from Johnson Block for doing their audit again. All Municipalities have approved the budget and they started discussing certain changes to the intergovernmental agreement, with the big item being how it is funded. Member Frutiger stated there may be some trust issues to still overcome. Another concern is that a community can only opt out at the end of a bargaining unit contract year, so to not stick the other communities with a contract they can't afford.

j. Joint Interactive

No Meeting

k. Deerfield Cares

No Meeting

l. Community Center

Meeting Currently – Member Evensen was able to join after the Community Center meeting adjourned. He reported that there was the usual personnel and treasurer's report, along with discussion about special funding opportunities. There were also updates on the Solar project and the concrete work, also the cool storage project updates.

m. Cable

Member Dunnington reported that when the Cable Commission last met, they went through their budget and went through where the new space will be in the new High School. She explained that the new space would be a little bit different than their current situation. There was some discussion that the Cable Commission would no longer be able to keep their studio set up, since their space would then be used as a boardroom. Member Dunnington also clarified that the plan is for 2025 and changes would not occur right away.

n. Personnel

No Meeting

o. DCCVA

No Meeting

7) Consent Agenda

Note: that prior to voting on the consent agenda, items may be removed at the request of any Board member and placed in the Non-Consent segment immediately following action on the consent agenda.

None

8) Non-Consent Agenda

a. Minutes of the November 13, 2023 meeting of the Village Board.

After discussing the November 13, 2023 meeting minutes and the personal practice advice from the Village Attorney, the Village Board tabled the item since there were not enough trustees in attendance at today's meeting that were also in attendance at the November 13, 2023 meeting.

Motion by Trustee Dunnington, seconded by Trustee Tebon to table item a. from the Non-Consent Agenda until the December 11, 2023 Village Board Meeting. Motion Carried 4-0

Trustee Evensen Arrived and the Village Board circled back to Community Center Staff Report

b. Village Checks issued from November 13, 2023 – November 26, 2023.

Administer Willis explained the Civics Plus check was a payment for unlimited updates to the muni-code and should be all encompassing, \$6,500 to Ehler's for our TID annual reports, Schneider Excavation repayment of their performance bond.

Motion by Trustee Wiczorek, seconded by Trustee Tebon to approve the Checks issued from November 13, 2023-November 26, 2023. Motion Carried 5-0

c. Discussion and Action on a request for snowmobile access in the Village.

Administrator Willis explained in the packet is the previous map prior to the New Village Hall being built. He explained there were potential alternatives based on landscaping space and perhaps new requirements to come up with a best solution to allow snowmobiles to still get to the refueling

station. Though he stressed that it would need to be one that also works in the best interest for the village and some of its property. There was discussion about the space between the Village Hall, the fence line and the bleachers. In this space there are trees planted and electrical outlets sticking up. There was also mention of the increase in parking in the lot during the winter parking regulation is active. Since Attorney Walker-Smith was in attendance, there were questions about the liability of recreation on Village Property. The Village Attorney clarified that when you allow someone on your property for outdoor recreational activities, there is a limited liability, in fact immunity in most cases for any damages that occur to that individual on your property. This led the board to further discuss the mitigation of damage to Village Property since those are the largest concerns, such as snow fencing or a minimum or maximum speed limit through the area or to find an alternative route. There was also a question from Trustee Dunnington if we had received any feedback as to how the route worked last year during construction of the building, and unfortunately it was understood routes were only open a day or possibly two last year so not a lot of feedback from those who used the route. The board discussed why other route suggestions had not been able to be used historically, touching base on the fact that Main St. is a State Hwy and snow mobiles are not permitted which causes the most limitation. Administrator Willis did explain the routes that were considered last year were actually provided by the party requesting the access and they had given the Village 3 different alternatives.

Motion by Trustee Wieczorek, seconded by Trustee Evensen to send this back to staff to present at the next Board Meeting. Motion Carried 5-0

- d. Consideration to move into closed session pursuant to Wis. Stat. 19.85(1)(g) to discuss a class-action settlement offer related to PFAS.

Closed Session Notice: The Village Board for the Village of Deerfield may vote to go into closed session for item 8d for the purpose to deliberate and confer with Village staff on the performance review of a Village employee. A closed session for these purposes is authorized pursuant to Wis. Stat. Sec. 19.85(1) (g), which authorizes a governmental body, upon motion duly made, seconded, and approved upon by the majority of the members present as required under Wis. Stat. Sec. 19.85(1), to meet in closed session for the governmental body to confer 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. Upon conclusion of the closed session, the Village Board will reconvene in open session, pursuant to Wis. Stat. Sec. 19.85(2), for possible additional discussion and action concerning any matter discussed in closed session or further business on the agenda.

Motion by Trustee Evensen, seconded by Trustee Wieczorek to move into closed session pursuant to Wis. Stat. 19.85(1)(g) to discuss a class-action settlement offer related to PFAS.

Roll Call Vote – Frutiger – yes, Tebon – yes, Evensen – yes, Dunnington – yes, Wieczorek – yes Motion Carried 5-0

- e. Consideration to move into open session to take action, if any, related to the closed session agenda items.

Motion by Trustee Evensen, seconded by Trustee Wieczorek to move into open session pursuant to Wis. Stat. 19.85(1)(g) to take action related to the closed session agenda.

Roll Call Vote – Frutiger – yes, Tebon – yes, Evensen – yes, Dunnington – yes, Wieczorek – yes Motion Carried 5-0

Attorney Walker-Smith stated in closed session, the board discussed two class action settlements that are being proposed to all public water systems in the United States related to PFAS, which is a group of chemicals that are staying in our water. The two settlements are 3M and DuPont related to PFAS in the public drinking water systems. Deerfield is an eligible claimant because there is a small detect in one of the wells, but is well below any proposed state or federal standards. And under the two PFAS settlements, the amounts that Deerfield would receive are very low compared to the releases that Deerfield would be making against these companies, for the Village's ability to go after them or assert

defenses related to them in the future. The board discussed these settlements and there is a motion that they would make based upon the discussion.

Motion by Trustee Evensen, seconded by Trustee Tebon to opt out of the 3M and DuPont class action lawsuit settlements related to PFAS; to authorize Village Staff to complete necessary documents to effectuate the opt out; and to authorize the Village President and Village Clerk to sign such documents on behalf of the Village. Motion Carried 5-0

9) Adjournment

Motion by Trustee Evensen, seconded by Trustee Tebon to adjourn the meeting at 8:23 pm. Motion passed 5-0

Respectfully submitted by:
Marissa Q Aravena
Village Clerk/Deputy Treasurer