

TOWN OF DEWHURST SPECIAL BOARD OF SUPERVISORS MEETING

CLOSED SESSION

THURSDAY, AUGUST 24, 2023 - 6:00 P.M.

N103 RIVIERA AVENUE
HATFIELD, WISCONSIN

AGENDA

1. Call to order
2. Vertical Bridge, VBTS application for cellular tower
3. Discussion/Action on going into Closed Session per Wis Stat 19.85 (1) (g) to confer with legal counsel for the town who is rendering oral or written advice concerning strategy adopted with respect to litigation in which is or likely to become involved regarding the denial of the Vertical Bridge, VBTS, LLC application for cellular tower
4. Reconvene in Open-Session and take possible action from Closed Session
5. Adjourn

MINUTES OF CLOSED SESSION

THURSDAY, AUGUST 24, 2023 - 6:00 P.M.

Call to Order Chairman, Bill Kolve called the Special Board of Supervisors meeting to order at 6:00 p.m.

Board members present were: Bill Kolve, Bruce Delaney and Troy Wyss, Also present were: Steve Kunes, Clerk and Dewhurst Attorney, Mark Radcliffe. Present visa phone: Brad Witmer, Ramacker and Husch Blackwell attorney, Michael Long.

Vertical Bridge, VBTS Application for Cellular Tower Attorney Michael Long explained the desired placement on the proposed cell tower. He further commented that approximately two weeks ago he sent a notice to Attorney, Mark Radcliffe a request for appeal regarding the Dewhurst Board's denial of the variance request. After the appeal request Michael Long said the consultants re-thought their position by pursuing a proposal to move the cell tower to a different placement on the property. It would be positioned at 890 feet north and 400 feet in from the original placement. Heigh at 195 feet with no

lighting and the same structure type. He said the landowner was also on board with this new location. No other questions from the Dewhurst Board

Troy Wyss moved to go into Closed Session per Wis Stat 19.85 (1) (g) to confer with legal counsel for the town, who is rendering oral or written advice concerning strategy adopted with respect to litigation in which is or likely to become involved regarding the denial of the Vertical Bridge, VBTS, LLC application for cellular tower, Bruce Delaney seconded. Motion carried 3/0. Bill Kolve then moved to include Attorney Long and Brad Wilmer in the discussion if needed, Troy Wyss seconded. Motion carried, 3/0.

After a brief discussion of the new cell tower placement location the consensus of the Board was agreement to the new location as described above. Attorney Radcliffe noted a land use permit should be issued to clear away any legal issues. As Dewhurst has no land use applications or permits, Attorney Radcliffe will draft.

Bruce Delaney moved to return to Open Session, Troy Wyss seconded. Motion carried, 3/0.

Reconvene in Open Session Attorney Mark Radcliffe announced the Dewhurst Board's agreement/consensus to proceed with the course of action discussed in Closed Session. He further explained the need for a land use permit and that the Dewhurst Board would be empowered to approve said permit. Troy Wyss moved to proceed with the course of action as previously discussed., seconded by Bruce Delaney. Motion carried, 3/0. Attorney Long said he would make sure there were no other issues that could be problematic and if there were, discuss with Attorney Radcliffe and begin the land use permit process.

Adjourn There being no other business or discussion, Bill Kolve moved to adjourn the meeting, Bruce Delaney seconded. Motion carried 3/0. Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

Steve Kunes, Clerk

