

SHEBOYGAN COUNTY EXECUTIVE COMMITTEE MINUTES

Administration Building
508 New York Avenue
Sheboygan WI 53081

March 3, 2010

Called to Order: 4:15 P.M.

Adjourned: 5:45 P.M.

MEMBERS PRESENT: Michael Vandersteen, Jerald Holub, William Goehring, George Marthenze, and Donald Schramm

ALSO PRESENT: Cher Roussé, Adam Payne, Carl Buesing, Steve Schmitt, John Oppeneer, Mark Winkel, Mick Anic, Bernie Rammer, Mary Wegmann and Dan Benson

Chairperson Vandersteen called the meeting to order. He verified that the meeting notice was posted on February 26, 2010 at 3:45 PM in compliance with the open meeting law.

Supervisor Holub moved to approve the minutes of the February 23, 2010 meeting as mailed. Motion seconded by Supervisor Goehring. Carried.

Correspondence – letter from Michael J. DeLany regarding the Sales Tax.

The Committee discussed Ordinance #22 – Enacting One-half Percent County Sales Tax. **Supervisor Schramm made a motion to reconsider Ordinance #22 with the clerk.** Motion seconded by Supervisor Goehring. Motion was defeated on a vote of Ayes: 2-Supervisors Schramm, Vandersteen; Noes: 3-Supervisors Holub, Goehring, Marthenze.

Supervisor Goehring rose to a point of order to stop discussion.

The Committee discussed the Sunny Ridge North Purchase and Sale Agreement. Corporation Counsel Carl Buesing advised that based on the discovery of asbestos and lead in the building and because of other issues, the buyers were looking to the County for concessions on the purchase price and some other modifications to the terms. After the factual basis for the concessions were discussed, including distribution of quotes for asbestos removal that were provided to Mr. Buesing, Supervisor Winkel suggested that further discussion on the issue ought to be held in closed session.

Supervisor Schramm moved to go into Closed Session pursuant to §1985(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Committee will reconvene in OPEN SESSION immediately after the closed session is concluded to vote on matters discussed in closed session requiring decisions if any action is deemed necessary and to conclude work on any other items listed in this meeting notice. Supervisor Goehring seconded. Moved into Closed Session on roll call vote of Supervisors Goehring, Holub, Marthenze, Schramm and Vandersteen. Carried.

Supervisor Marthenze moved to go back to Open Session. Motion seconded by Supervisor Holub. Motion carried on unanimous roll call vote.

After the Committee went back into open session, **Supervisor Holub** moved that the **resolution to sell Sunny Ridge North** be introduced to the full board and that **Corporation Counsel** be directed to counter the buyer's request with the following:

- a) **price credit of \$28,165;**
- b) **the credit would be a reduction on the financed portion;**
- c) **the buyer would be able to enter the building prior to closing to remove tile with no liability if the transaction did not close and which could be a stand-alone agreement if necessary;**
- d) **the mortgage on the financed portion could be held only on the parcel retained by Schmitt; and**
- e) **a recapture provision for the price credit if the property was sold at a profit.**

Motion was seconded by Supervisor Goehring. Carried.

The Committee will postpone discussion of the draft revisions to Chapter Two of the Code of Ordinances distributed by Corporation Counsel Carl Buesing to the March 23rd Executive Committee meeting.

Supervisor Holub moved to adjourn. Motion seconded by Supervisor Marthenze. Motion carried.

Cher Roussé, Recording Secretary