

Commissioners:

Roger E. Walsh, Chairperson   Christopher C. Genthe, Treasurer   Paul Sacotte, Secretary  
Mike Burns   Frank "Buzz" Carr   James McGath   Brian Krebs  
Daniel W. Carroll, Operations Manager and Water Safety Patrol Chief

**BIG CEDAR LAKE PROTECTION AND REHABILITATION DISTRICT MEETING  
September 10, 2018 MINUTES**

**PRESENT:** Roger E. Walsh, Christopher Genthe- late arrival, Paul Sacotte, Brian Krebs, Mike Burns, James McGath

**EXCUSED:** Frank "Buzz" Carr- excused

**Also present:** Multiple individuals, lake district residents and non-lake district residents, Commissioner candidates, Troy Zagel and Nicole Gonring, David Claussen, and Roger Walsh.

**1. Pledge of Allegiance and Roll Call**

Roger Walsh led Commissioners in the Pledge of Allegiance at 5:52 pm. Julie Riley called the roll. Those present and absent are listed above. Christopher Genthe was a late arrival at 6:12 p.m.

**2. Discussion of the petitions from Troy Zagel and Nicole Gonring for a recount of the votes for Commissioners of the Big Cedar Lake Protection and Rehabilitation District cast at the election held at the Annual Meeting of the District on August 29, 2018 at the Town of West Bend Town Hall.**

The recount petitions from Troy Zagel and Nicole Gonring have been accepted by the Commissioners of the Big Cedar Lake Protection and Rehabilitation District. Roger Walsh read a letter from Nathan Judnic of the Wisconsin Elections Commission addressed to the BCLPRD's Attorney, William O'Connor. The letter indicated that the recount provisions in Wis. Stat. 9.01 do not apply to elections held by lake management and rehabilitation districts, which occur at the annual meeting. However the BCLPRD Board of Commissioners order a recount if it felt that it was warranted.

**3. Consider an Order for Recount of the Election of Commissioners at the 2018 Annual Meeting of the District held August 29, 2018 at the Town of West Bend Town Hall.**

Roger Walsh presented a draft Order for Recount of Election of Commissioners at the 2018 Annual Meeting. The Order also stated that the results of the recount shall be treated as the District's final and unappealable determination. The Commissioners took a moment to look through the Order. Mike Burns made a motion to approve the Order for Recount of Election of Commissioners at the Annual 2018 Meeting. Brian Krebs seconded the motion. Brian Krebs asked Roger Walsh what the "chain of custody" was following the evening that the vote took place. Roger stated that Dan Carroll was in custody of the ballots following the Annual Meeting and that they were placed in an evidence bag in a locked locker at the District Office Building located at 4480 Gonring Drive, West Bend, WI 53095.

There was a roll call vote to approve the draft Order for Recount. Christopher Genthe arrived at 6:12 and was present at the time a roll call vote was taken. Roger Walsh refrained from the vote, as he was a candidate for re-election.

Roll Call Vote to approve the Order for Recount was tallied as follows:

Mike Burns	Aye
Christopher Genthe	Aye
Paul Sacotte	Aye
Brian Krebs	Aye
James McGath	Aye
Roger Walsh	Voted present

Ayes: 5                      Nays: 0                      Voting present: 1

Thus the Commissioners approved the Order for Recount.

**4. If the Commissioners vote to adopt an Order for Recount, then consider an Order Appointing a Board of Canvassers and providing for the conduct of the recount.**

Roger Walsh presented a draft Order Appointing a Board of Canvassers to conduct a recount of the votes cast in the election of Commissioners at the August 29, 2018 Annual Meeting and setting forth certain procedures to follow during the recount.

Mary Boldt, Julie Ihlenfeld, and Jennifer Rozek, all representatives or former representatives of the Town of West Bend were named to the Board of Canvassers. The Order also provided some procedures to follow during the recount and also who will be allowed to be present while the recount takes place. Brian Krebs asked for clarification of who will be allowed in the room while the recounting takes place. An attached "Guidelines for Reviewing Ballots" is part of the Order appointing a Board of Canvassers. Roger Walsh explained that public will be allowed to observe but not object.

Mike Burns made a motion to approve the Order appointing a Board of Canvassers for the Recount and providing some procedures to follow during the recount. Brian Krebs seconded the motion. Roll call vote to approve the Order appointing a Board of Canvassers for the Recount and providing some procedures to follow during the recount was tallied as follows:

Mike Burns	Aye
Christopher Genthe	Aye
Paul Sacotte	Aye
Brian Krebs	Aye
James McGath	Aye
Roger Walsh	Voted present

Ayes: 5                      Nays: 0                      Voting Present: 1

Thus the Commissioners approved the Order appointing a Board of Canvassers for the Recount and providing some procedures to follow during the recount

**5. Other Business.**

None.

**6. Adjourn**

Paul Sacotte moved to adjourn. Mike Burns seconded the motion. The meeting adjourned at 6:25 p.m.

Prepared and submitted by Julie Riley on behalf of Paul Sacotte, Secretary.