

Report by Sandy Hamm  
Presented to Town Board February 14, 2013

February 2, 2013 The Freeman ran a front page story about a "campaign letter" sent by Supervisor German.

When I read in Supervisor German's letter that the "...Town Board is not functioning as a 5 person board but is being operated as a one person **dictatorship**...", I wondered how anyone could believe such a thing to be true. I decided to investigate.

In the past twelve months, counting motions, 2nds, and votes - in open session, and not counting motions to adjourn, I found the following:

Total Motions made was 176; of that total 161, or 91.5% carried unanimously. Eleven Motions passed with a split vote, and three failed with a split vote. One motion failed to receive a second. That means that **98% of the motions made by the town board passed, and 91.5% of them did so unanimously. That didn't seem like a dictatorship**, so I pressed on.

Van Scyoc's role in making these 176 motions and 2nds was to make only 4 motions and 5 2nds for a total of 9 actions. That is 2.6%. Interestingly, 8 of those 9 actions took place late in 2012 - in October and November.

Supervisor 2, who characterizes Van Scyoc's leadership as a "dictatorship," made 50 motions and 41 2nds for a total of 91 or 26%.

Dictatorship or fully functioning board?

As for specific town issues being put forth, in reviewing the past 12 months' actions I became aware that it was Supervisor German who on December 27, 2011 made two motions to direct the town's attorneys to oppose the Town of Brookfield's incorporation attempt, and that he made a similar resolution on January 17, 2012.

I also learned that it was Supervisor German that moved on February 7 of 2012 to accept the "Jacobson" snowplow contract settlement.

And as for any responsibility for Five Diamonds, it was on March 9, 2012 that Supervisor German made the motion to deny Five Diamonds' request for an extension of hours. And further every single vote by the town board related to Five Diamonds has been unanimous.

And, as for the claim in Supervisor German's letter that he or any Supervisors were kept in the dark about a November 27<sup>th</sup> meeting...well, the claim is just not accurate, nor does it stand up to scrutiny. The minutes from that November 27<sup>th</sup> meeting, between Town and Five Diamonds representatives, had been in the Supervisors' packet well in advance of the January 24<sup>th</sup> meeting.

And, I know for a fact that Supervisor German knew of the now infamous "Five Diamonds" meeting and what transpired, because I had personally given him a draft of the minutes from that meeting - a 3-page document which had mysteriously appeared during the dark of night on my mailbox in a plastic bag during the first week of January 2013. They were not the final, official minutes as drafted by Attorney de la Mora, but an earlier draft from Five Diamonds' Attorney Tikalsky, courtesy I assumed from some supporter of Five Diamonds.

Dictatorship or town board functioning with full participation?

2012 Motion and Actions  
by the Town of Waukesha

Date		Unanimous Votes	Non- Unanimous Votes - Carried	Non- Unanimous Votes - Failed	Motion with no Second	Total Motions	Comments
12/20/2011		2				2	
12/27/2011		1				1	G-Motion; B-2nd to direct attorneys to oppose incorporation of the village of Brookfield with "all appropriate means." Carried. G-Motion; B-2nd to authorize attorney to send letter to targeted area and publish all materials of the proposed incorporation. Carried.
01/17/2012		1				1	G-Motion; F-2nd - to adopt resolution 01-17-12A Reaffirming and Approving Intervention in the Town of Brookfield Incorporation Proceeding and 01-17-12B Pursuit of Interlocutory Appeal in town of Brookfield Incorporation proceedings. Carried Unanimously.
01/26/2012		2				2	
01/31/2012		7				7	
02/07/2012		3				3	B-Motion; G-2nd to accept Jacobson settlement. Unanimous.
02/23/2012		5				5	
03/08/2012		9				9	
03/22/2012		5				5	
04/12/2012		12	1			13	V & G-Nay to bring back Walgreens rezoning. Carried. <a href="#">Van Scyoc-Motion</a> to redefine Guthrie_Frey work; F-2nd. Carried.
04/26/2012		9	1			10	F-Nay to deny Walgreens rezoning. Carried.
05/10/2012		6				6	
05/24/2012		1				1	
06/14/2012		7				7	
06/28/2012		6				6	
07/12/2012		2				2	
07/17/2012		2				2	

2012 Motion and Actions  
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07/26/2012		10				10	
08/09/2012		2				2	
08/23/2012		2	1			3	G-Nay to approve some minutes. Carried.
08/28/2012		3				3	
08/31/2012		1	2			3	G-Nay to award road work to Wolf. Carried.
09/13/2012		12				12	
09/27/2012		7				7	
10/01/2012		2				2	
10/11/2012		13	1	1		15	<b>Van Scyoc-Motion</b> ; L-2nd for \$500 to meet with Remzy Bitar to educate importance of Open Meeting and Records laws. F & G-Nay. Carried. F-Motion; <b>Van Scyoc 2nd</b> to table for two weeks Outlook Use. Carried L-Motion; <b>Van Scyoc 2nd</b> re: Direct Deposit. F & G- Nay. Failed (2-2). B "unavailable."
10/16/2012		0	1			1	B-Nay to release letter to public. Carried.
10/25/2012		7		1		8	B-Moved to untable salt agenda item; <b>Van Scyoc 2nd</b> . Carried. B-motion to use Outlook; <b>Van Scyoc 2nd</b> . F & G-Nay Failed (2-2).
10/31/2012		1				1	
11/08/2012		11	1	1		13	F-Nay to approve De La Mora contract with changes. Carried. L-Motion; B-2nd to suspend rules to discuss Outlook. Failed. Needed 2/3.
11/15/2012		7	1			8	F & G-Nay to Snow Contract . Carried. <b>Van Scyoc-Motion</b> to not allow renting of town hall; B-2nd. Carried. B-Motion to table vague agend item; <b>Van Scyoc 2nd</b> . Carried, unanimously. <b>Van Scyoc-Motion</b> to have 8x\$170 for attorney for Open Record litigation; L-2nd. G-Nay; F-abstain. Carried (3-2).

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12/13/2012		3	2		1	6	F-Nay to chicken ordinance. Carried. G-Motion to not accept salt storage payment for 2012. No 2nd. F-Motion to hire Ruekert-Mielke re: septic tank; G-2nd. Van Scyoc & L-Nay. Carried (3-2) F-Motion; G-2nd to omit from bills amount for de la Mora. Failed (3-2)
		161	11	3	1	176	

**2012 Recap of 176 Motions - German & Van Scyoc**

<u>Who &amp; Action</u>	<u>Count</u>	<u>Percent</u>
German - Motions	50	28%
German - 2nds	41	23%
German - Total Motions & 2nds	91	<b>26%</b>
Van Scyoc - Motions	4	2%
Van Scyoc - 2nds	5	3%
Van Scyoc - Total Motions & 2nds	9	<b>3%</b>

8 of the 9 actions by Van Scyoc were in Oct. and Nov., after German and Fischer began their obstinance. Van Scyoc had one previous action from April. Details are in the body of the report.