

Decision on Further Proceeding

By Bayfield County Board of Adjustment

December 7, 2006

State of Wisconsin ex rel., Carol LeBreck vs. Bayfield County Board of Adjustment

At the deliberation portion of the meeting of the Bayfield County Board of Adjustment on the afternoon of December 7, 2006 the following motion was made regarding the LeBreck open meetings case:

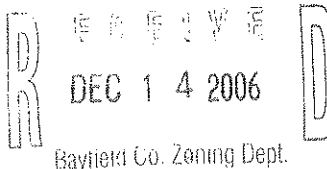
1. That no appeal be taken from Judge Anderson's decision.
2. That further proceedings in this matter be handled as follows:
 - A. No rehearing of the entire case would occur.
 - B. A transcript would be prepared to familiarize any new board members with the case prior to redeliberation.
 - C. Further proceedings shall consist of redeliberation to reach a decision in the case.
 - D. The appellants in the underlying Board of Adjustment case may file a brief written argument not later than 10 days before the redeliberation of the case.
3. The Board directs Board counsel Fauerbach to advise counsel for Ms. LeBreck that the board will not object to a court order requiring the board to pay attorney fees to counsel for Ms. LeBreck but the Board does not agree with the amount requested and feels that Judge Anderson should make that decision.

Motion made by Phil Lupa; seconded by Randy Matis.

VOTE: 3 yes (Lupa, Matis, Tetzner); 2 abstained (Wiesner and Compton)

Dated: 12 DEC. 2006

Randy Matis



Members Present: Phil Lupa, Richard Compton, Randy Matis, Lee Wiesner, Kerry Tetzner

Also Present: Michael Fauerbach, Attorney for BOA; Karl Kastrosky