

Decision Related to Instructions to Legal Counsel  
By Bayfield County Board of Adjustment

Case No. 5

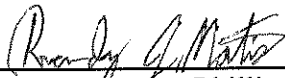
March 29, 2007 meeting

**Knudsen et al v. Bayfield County Board of Adjustment, Bayfield County Case no. 07 CV 23**

1. Motion by Matis; seconded by Collins to direct legal counsel to respond to Attorney Cincotta's request to supplement the record, as follows:
  - a. Legal counsel is to review the transcript when it is available, and the exhibits.
  - b. If supplementation of the record requested by Attorney Cincotta involves evidence that was presented or referred to during the evidentiary portion of the hearing while the record was open, the request for supplementation of the record should be objected to.
  - c. If the evidence in question, particularly a plat book page, was referred to after the record was closed, during the deliberation of the board of adjustment, legal counsel is directed to cooperate to attempt to supplement the record related to that plat book page or other evidence not referred to until after the record was closed.

VOTE: 5 yes; 0 no.

Dated: April 4<sup>th</sup>, 2007



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Members Present: Phillip Lupa, Richard Compton, Randy Matis, Kerry Tetzner, Steve Collins.  
Also present: Michael Fauerbach, Attorney for B.O.A.

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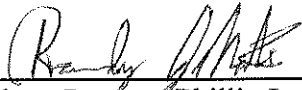
**Mathy Construction motion to intervene**

For the reasons stated by the board and discussed at their meeting on March 29, 2007 legal counsel is directed to support the motion of Jack Carlson on behalf of Mathy Construction to intervene in this litigation.

Motion by Compton; seconded by Lupa, to support the motion to intervene.

VOTE: 5 yes; 0 no.

Dated: April 4th, 2007



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Members Present: Phillip Lupa, Richard Compton, Randy Matis, Lee Wiesner, Steve Collins.  
Also present: Michael Fauerbach, Attorney for B.O.A.