

**Town of Wascott
Douglas County, Wisconsin**

**Resolution 2010-01
Approve Settlement Agreement
in the Matter of Liautaud v. Town of Wascott
and Amend 2010 Budget**

WHEREAS, a mediated settlement agreement has been reached in Douglas County Case 08CV342, Liautaud v. Town of Wascott, in regard to a claim for excessive assessment pursuant to Wis. Stat. §74.37; and

WHEREAS, the mediated settlement is subject to final approval of the Town Board and said approval will require amendment of the 2010 budget to appropriate monies for payment of the settlement in the amount of \$25,000; and

WHEREAS, Wis. Stats., § 65.90 establishes requirements for municipal budgets, specifies required levels of revenue and expenditure categories, requires a balanced budget, and prohibits any expenditures exceeding the appropriation for a specific purpose at the adopted level of the budget; and

WHEREAS, Wis. Stats., § 65.90 (5) (a) further requires that the amounts of the various appropriations and the purposes for such appropriations stated in a budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Wascott hereby approves the mediated settlement agreement in Douglas County Case No. 08 CV 342; and

BE IT RESOLVED that the Town Board Chairperson is authorized to sign the settlement agreement and the Town Clerk-Treasurer is authorized to pay the sum of \$25,000 to the Reinhart Boerner Van Deuren s.c. Trust Account, or to another account designated by plaintiff's counsel, no later than March 15, 2010; and

BE IT RESOLVED that the 2010 budget shall be amended to appropriate the additional sum of \$25,000 for tax refunds which shall be transferred from the unrestricted general fund.

Adopted this 9th day of February, 2010.

Janice Newsome, Town Chairperson

Bob Beglinger, Town Supervisor

Doug Bush, Town Supervisor

Attest: _____
Jeannette Atkinson, Town Clerk

Vote required: 2/3's

Fiscal Note: Budget for account #51910 is increased by \$25,000 and the unrestricted cash balance is applied.