

**TOWN OF MOSEL
BOARD OF REVIEW**

SEPTEMBER 22, 2010

MINUTES

- I. Call To Order.** Board of Review Chair Wayne Warnecke called the meeting to order at 4:05 p.m. at the Mosel Town Hall, W982 County Road FF, Sheboygan.
- II. Roll Call.** Board of Review members present were Dave Scharinger and 1st Alternate Randy Rautmann. Rachel Rehbein was present as Board of Review Clerk. Others present were Town Board Chair Dirk Zylman, Town Attorney Paul Dirkse, Special Town Attorney Alan Marcuvitz, and Associated Appraisal Representative Roxann Holda. Clerk Rehbein confirmed the meeting was proper notice at the Town Hall on September 21, 2010 at 9:11 a.m., the Transfer Station on September 21, 2010 at 9:07 a.m., at Joe's Hometown Auto on September 20, 2010 at 4:22 p.m., and on the website on September 20, 2010 at 3:23 p.m.
- III. Hearing of Objection.** Reconvene 2010 Board of Review to conduct evidentiary hearings and take action upon Kohler Co. Objection Forms for Real Property Assessment of Whistling Straits Golf Course which includes parcel numbers 59014-181931, 59014-181940, 59014-181951, 59014-181960, 59014-181970, 59014-181980, 59014-181990, 59014-182000, 59014-182010, 59014-182020, 59014-182030, 59014-182040, 59014-182430, 59014-184010, 59014-184061, and 59014-184170. Attorney Alan Marcuvitz stated that he along with Town Board Chair Dirk Zylman and Kohler Co. reached an agreement on all 16 parcels being appealed. Attorney Marcuvitz provided a written stipulation which was signed by Kohler Co.'s Legal Counsel. The stipulation read as follows:

Stipulation & Determination

2010 Board of Review

Town of Mosel, Wisconsin

STIPULATION

The undersigned agree to the following change to the 2010 assessment on the property know as Whistling Straits Golf Course, Town of Mosel, 16 parcels.

<u>From</u>	<u>To</u>	<u>Change</u>
\$22,766,100	\$19,350,000	\$-3,411,100

The owner of the above described property understands that Sec. 70.47(12), Wisconsin Statutes, grants the owner the right to receive written notice from the Board of Review that it is changing the assessment on the assessment roll. The owner agrees with the assessment stated above. If the aforesaid assessment is entered on the assessment roll, the owner hereby waives any right to receive further notice of said change from the Board of Review. Also, under Sec., 70.47, Wisconsin Statutes, the owner waives any right to a hearing before

the Board of Review to request a reduction in the aforesaid assessment and waives all rights to appeal or otherwise challenge the aforesaid assessment.

The undersigned also agree that, as soon as practicable, pursuant to Wis. Stat. 70.28, a new Parcel Number shall be issued for the aforesaid property, replacing all of the aforesaid Parcel Numbers.

Each party represents and agrees that the undersigned is empowered to enter into this stipulation, that all procedural requirements have been complied with, and that all procedural irregularities, if any, are waived and shall not form a basis for setting aside this stipulation.

Dated at the Town of Mosel, Wisconsin this 20nd day of September, 2010.

By: Alan Marcuvitz, Special Counsel for the Town of Mosel

By: Kristina Somers, Counsel for the Kohler Company

DETERMINATION

Motion Scharinger/Rautmann to accepts the foregoing Stipulation and sets the 2010 assessment for the aforementioned 16 parcels to \$19,350,000. Kohler Co. will promise to provide financial records to the assessor as requested. Scharinger-aye, Warnecke-aye, Rautmann-aye; carried 3-0.

- IV. Adjourn.** Motion Scharinger/Rautmann to adjourn the 2010 Board Of Review; carried 3-0. Meeting adjourned signe die at 4:40 p.m.

This meeting was recorded. The tape will be kept until September 22, 2017.

This meeting was also recorded by Mallman & Bastyr Court Reporters.

Rachel Rehbein
Board of Review Clerk