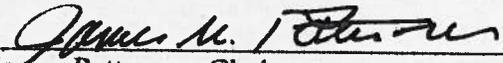


2015-0817
RESOLUTION

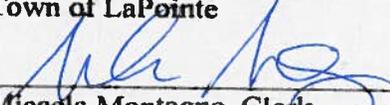
The Town Board of the Town of LaPointe meeting on the 17th day of August, 2015, does hereby resolve as follows:

1. WHEREAS, on July 1, 2015, the Town of LaPointe received a complaint from former Town Chairman Greg Nelson (copy attached as Exhibit A) regarding building code violations at Tom's Burned Down Café.
2. WHEREAS, on July 3, 2015 a regular annual fire inspection disclosed that on that date there were 17 extension cord violations on the premises of Tom's Burned Down Café. A copy of the report is attached as Exhibit B.
3. WHEREAS, on July 14, 2015 interim LaPointe Town Administrator Lisa Potswald sent a letter to registered agent Tom Nelson, seeking consent for an inspection of the premises. Such letter is attached is Exhibit C.
4. WHEREAS, no indication of any consent to inspect the premises was ever received by the Town of LaPointe.
5. WHEREAS, LaPointe Building Inspector signed an affidavit to seek an inspection warrant of the premises. Such affidavit is attached as Exhibit D.
6. WHEREAS, there is a lawsuit pending in the Federal Western District Court in Madison, Case no. 15cv274, in which Tom Nelson is a plaintiff and former Town Chairman Greg Nelson is a defendant, as is the Town of LaPointe.
7. WHEREAS, Tom Nelson is represented by Attorney Glenn Stoddard in the federal litigation and upon learning that a building inspection warrant was being sought, threatened to sue the Town of LaPointe for retaliation in the event that inspection warrant was sought based upon the Greg Nelson complaint.
8. THEREFORE LET IT NOW BE RESOLVED THAT the Town of LaPointe waives its jurisdiction for the inspection in this case and requests that the Department of Safety and Professional Services, pursuant to S.P.S. 361.60 Wis. Administrative Code, and specifically Sec. 361.60(2)(d)(3), determine whether this matter merits further action under the Wisconsin Commercial Building Code.

Dated: 8/17/15


James Patterson, Chairman
Town of LaPointe

Dated: 8/17/15


Micaela Montagne, Clerk
Town of LaPointe

Posted: ^{19th} 8/18/15