

AMENDED

**Kickapoo Reserve Management Board  
Meeting Minutes for April 17, 2025  
Kickapoo Valley Reserve Visitor Center**

**Board members present:** Travis Downing (Chair), AJ Mann, Dave Maxwell, Julie Hoel, Reggie Nelson, Scott Lind, Barb Sarnowski, Bill Quackenbush, Joel Charles

**Board members absent:** Kjetil Garvin, Luke Zahm

**Staff members present:** Jason Leis, Jackie Yocum, Jesse Haney, Amy Dvorak, Amber Burch

**Others in attendance:** Lonnie Muller (Episcopo), Carolyn Scott, Jay Scott, Jody Rader, Brad Steinmetz, Margaret Farley, Emily Schendel, Jen Oium, six unknown guests, Marcy West (via Zoom), Marcia Bader (via Zoom), Anne-Marie Fryer (via Zoom)

Chair Downing called the meeting to order at 6:09 PM.

Downing read the Land Acknowledgement Statement.

Mann made a motion to approve the agenda. Maxwell seconded the motion, and the motion carried with all ayes.

Leis confirmed the agenda was properly posted.

Leis introduced Jesse Haney, who was recently hired as the police officer/property manager. He started on April 7, 2025. Jesse lives in Wilton. Before here, he was working at Fort McCoy as their conservation resource officer. Welcome Jesse!

**Public input:** Downing said there was one request from the Kickapoo Valley Forest School (KVFS) Governance Council to speak.

Emily Schendel, the president of the KVFS Governance Council, spoke regarding their support of the Prairie Springs Foundation and the information Jay and Carolyn Scott will share later in the meeting about moving forward with willingly assuming ownership of the Prairie Springs buildings if it is a possibility. Emily said a letter was sent to the KRMB members from the Governance Council, and she shared the contents. The letter said, "We [KVFS Governance Council] are formally expressing that, given the opportunity, we would willingly assume ownership of the Prairie Springs buildings and relocate them to a new site.."

Charles asked if board members could ask questions of people who are not on the board and if that should happen now or later during agenda item V. Downing said yes, board members could ask questions during the discussion later in the meeting.

**Consent agenda:**

The minutes from the March 20, 2025 meeting were provided. Sarnowski made a motion to approve the minutes. Hoel asked for the names in full of people who were on Zoom. Downing

asked everyone on Zoom to identify themselves by first and last name. Hoel asked who was on Zoom during the last meeting. No one was sure.

Hoel asked for clarification on the process for the state budget approval by the board. The minutes stated, "Leis reviewed the process he took for submitting the budget." Hoel asked for the minutes to explain in greater detail what he said. Dvorak showed the previous minutes to clarify which part Hoel was referring to.

Sarnowski motioned to approve the minutes with the change. The motion was seconded by Quackenbush, and the motion passed with all ayes.

**Friends of KVR Update:**

Jody Rader presented a short update. Their monthly meeting was right before this one. The Friends of KVR are getting ready for Earth Day. This weekend, there is a roadway cleanup and garlic mustard gathering. On Monday, April 21 and Saturday, April 26, 2025, there are quite a few activities.

Jody said the Friends are getting ready for a volunteer appreciation event, which will be June 20, 2025. They are starting to plan for the Garden Walk, which will likely be July 13, 2025.

Hoel asked for a status update on the Friends reaching out to donors for building 3. Rader said a letter was composed in coordination with the KVFS to send out to donors of the third building. The letter will be sent out tomorrow to all donors. Donors have the option to respond by May 30, 2025 indicating where they would like their money to go. The options include general funds for the KVFS, general funds for the KVR, education programs for the KVR, and return their funds.

Lind made a motion to temporarily close the meeting so the retiring board members could receive their plaques. Mann seconded the motion, and it passed unanimously. The meeting temporarily closed at 6:22 PM.

At 6:26 PM, the meeting returned to open session.

Downing decided to move to the Education and Tourism Committee agenda item as we waited for Senator Brad Pfaff and State Representative Tara Johnson to arrive to present the citations to the retiring board members.

**Education and Tourism Committee:**

Burch provided an update of the education programs. The last half of the spring semester of Nature Bound started. At the end of the program, students get to go home with a book. The library of books is now called Nature Book Bound. A wish list for the library was published in the newsletter.

There was a presentation on visiting school groups at the committee meeting. May's schedule is pretty full with school groups, which is common. The two most requested classes are the challenge course and stewardship program. In the stewardship program, students are informed

and educated about invasive species, then they are invited to help us remove some of the invasive species, such as garlic mustard.

Burch presented information on the summer camps. Four summer camps are full. As a result, two additional camps were opened for a total of 17 summer camps.

The Reserve hosted the Master Naturalist Instructor Training at the KVR last week. Five employees attended. With this number of employees trained, there won't be a worry about canceling a Master Naturalist training due to a lack of instructors.

Burch is hosting an instructor training for our education program instructors on Monday to talk about policies, the programs offered, and basic first aid/CPR.

Yocum shared an update on the tourism/community outreach programs. The Reserve wrapped up the Creative Communities program. The sale of canvases made \$2,140. 249 canvases were submitted for the project. About 65 high school students attended the student art experience. The ephemeral art series occurred each Monday in March, where different professional artists came to the KVR and taught adults a different medium. It was successful and received good reviews. The Friends of KVR provided financial support to purchase the canvases.

Next week, there will be Earth Day projects all week. There are a lot of stewardship opportunities. It coincides with Dark Sky Week, so we are working closely with the Kickapoo Valley Dark Sky Initiative to do some programming. There will be garlic mustard removal and roadside cleanup. The Friends of KVR are hosting a children's poetry contest from students around the local area. The poems may get a Poet of Merit or participation ribbon. The poems are on display in the lobby. On Saturday, April 26, 2025, the Friends are hosting a poetry reading of the submitted poems. On Saturday, the KVR will hold a spring hike with a naturalist, a zero-waste potluck meal, a froggy starry twilight walk, a star party with telescopes on the deck, and Scott Lind will do dark sky lighting tours. There is a dumpster in the parking lot. Anything from the roadside cleanup can go in the dumpster besides tires. The roadside cleanup does not have to occur on the KVR. The dumpster is donated by the Vernon County Solid Waste & Recycling Department.

There will be heavy stewardship opportunities during the week. About 130 people signed up to do some kind of stewardship on the Reserve including roadside cleanup, trail cleanup, and garlic mustard removal. Organic Valley is sending quite a few people.

Planning for the 25<sup>th</sup> anniversary celebration is coming along nicely. If you did not get an invitation or if you know someone who should have gotten one but didn't, see Yocum or Dvorak.

The next Education and Tourism Committee meeting is scheduled for May 8, 2025, at 5:30 PM at the Kickapoo Valley Reserve Visitor Center.

Lind made a motion and Sarniowski seconded to temporarily close the meeting so Senator Pfaff and Representative Johnson can present their citations to the retiring board members. The motion passed with all ayes, and the meeting temporarily closed at 6:40 PM.

At 6:50 PM, the meeting returned to open session.

**Discussion of public input request from Trustees of the Paul Fleckenstein Trust:**

Downing said Carolyn and Jay Scott, the trustees of the Paul Fleckenstein Trust, requested an opportunity to share their request. The board will discuss the request. The audience cannot ask questions or participate, but if a board member asks the public a question, they can answer.

Jay and Carolyn introduced themselves as trustees of the Paul Fleckenstein Trust. Paul was Carolyn's brother. Paul was a school teacher. Carolyn thanked Lind for the work he put into Prairie Springs 1 and 2.

Jay said they made an investment into Prairie Springs 1 and 2 for KVFS, and they have a responsibility to actively pursue the confirmation that the buildings be used for the original intent. Jay said, "As trustees of Prairie Springs: The Paul Fleckenstein Trust, we are requesting that the Prairie Springs Classrooms 1 and 2 be moved to a location determined by the Kickapoo Valley Forest School and the La Farge School District to allow continued use by the Kickapoo Valley Forest School and fulfill the agreed upon original intent of the grants."

According to Jay, they gave \$335,000 in grants to the KVR, which included \$90,000 toward the new exhibit in the Visitor Center, \$60,000 in matching funds for the new exhibit, \$100,000 toward Prairie Springs 1, and \$175,000 toward Prairie Springs 2.

A discussion ensued between the board members with some public comments regarding the use of the Prairie Springs buildings, the intention of the donations for the buildings, and the ability to give the buildings to the KVFS.

Charles said the KRMB needs to be very thoughtful about the process of separation from the KVFS so as not to damage the reputation of the board, which means making a good faith effort in facilitating the transfer of the buildings to the KVFS. Downing said the topic would be discussed at future meetings once the KRMB receives answers from the State.

Charles said the board should make an agreement on what they want to do with the buildings. Downing said this was not a decision item on the agenda. Hoel disagreed and shared a statute, which she believed indicates the board can make a decision on a discussion item. There was a discussion on whether it was legal to make a motion on this topic when it was listed under the discussion item heading.

Hoel made a motion to proceed to make a transfer of ownership of the Prairie Springs buildings from the KVR to the Governance Council of the Kickapoo Valley Forest School. Charles seconded the motion. Downing said he did not think the board could do this, but he would proceed for now. Charles suggested different wording.

Charles made a motion for the Kickapoo Reserve Management Board to explicitly state the intention and desired goal to transfer ownership of Prairie Springs 1 and 2 to the Kickapoo Valley Forest School or La Farge School District pending information regarding options for that

process from the State of Wisconsin. Hoel seconded the motion, and the motion passed with all ayes. Upon further review, this motion and vote was improper. No action will be taken on this motion. See Attachment 1 for additional information.

There was a discussion on the process moving forward including who would contact the state and the communication between all involved entities. The board also discussed the ad hoc committee that was formed in 2023 to determine where the KVFS would relocate and if it would be on the KVR property.

Quackenbush expressed his frustration with the lack of inclusion of the Ho-Chunk Nation in the discussion.

**Finance Committee:**

No updates as there was no meeting last month.

The next Finance Committee meeting is scheduled for May 5, 2025, at 9:00 AM at the Kickapoo Valley Reserve Visitor Center.

**Land Management Committee:**

No updates as there was no meeting last month.

The next Land Management Committee meeting is scheduled for May 13, 2025, at 5:30 PM at the Kickapoo Valley Reserve Visitor Center.

**Other issues:**

Quackenbush said last Friday, the Heritage Preservation Management Team for the Ho-Chunk Nation met at the KVR. The 2025 Ho-Chunk Nation's Summer Solstice Event will be hosted somewhere on the tribal trust lands within the KVR on June 20, 2025. The public is invited. There will be tribal traditional games, and they will give tours on some of the land. Quackenbush will share more information as details are determined.

**Adjournment:**

Mann made a motion and Maxwell (and Hoel) seconded to adjourn the meeting. It passed with all ayes. The meeting adjourned at 7:53 PM.

The next meeting is scheduled for May 15, 2025, at 6:00 PM at the Kickapoo Valley Reserve Visitor Center.



Minutes transcribed by Amy Dvorak, 5/5/2025

# ATTACHMENT 1

**From:** Judnic, Nathan - DOA <nathan.judnic@wisconsin.gov>  
**Sent:** Monday, May 12, 2025 1:25 PM  
**To:** Leis, Jason J - KRM <Jason.Leis@wisconsin.gov>  
**Cc:** Ramsey, William H - DOA <William.Ramsey@wisconsin.gov>  
**Subject:** April 17, 2025 Meeting - Kickapoo Reserve Management Board - Vote

Jason,

Following up on our conversation regarding the Board action at the April 17, 2025 meeting regarding the Prairie Springs buildings 1 and 2. I understand that a motion was made at that public meeting that stated the Board's intention and desired goal was to transfer ownership of the Prairie Springs buildings 1 and 2 to the Kickapoo Valley Forest School or La Farge School district pending information regarding options for that process from the State of Wisconsin.

In reviewing the public notice for that meeting, it does not appear that a discussion of the sale of these buildings was on the open session agenda, therefore any discussions or actions of the board (motions) seem out of order/improper. A "reasonableness" standard is used to analyze whether a notice of a public meeting is sufficient under the open meetings law. Under this "reasonableness" standard adopted by the courts – a "case by case" specific analysis is done to determine whether the notice is sufficiently specific and what is reasonable under the circumstances. See *State ex rel. Buswell v. Tomah Areas Sch. Dist.*, 2007 WI 71, ¶ 22. In making that determination, the factors to be considered include: 1) the burden of providing more detailed notice, 2) whether the subject is of particular public interest, and 3) whether it involves non-routine action that the public would be unlikely to anticipate. *Buswell* ¶ 28.

The circumstances here do not seem to pass the reasonableness test: 1) seems the burden would have been low to provide more notice – "Discussing and potential board action on sale of Prairie Springs Building 1 and 2" would have been sufficient – but that did not appear, 2) the use of these buildings and the potential sale of these buildings seem to have high public interest in the community, and 3) this seem like an issue that could generate lots of public participation and comment had it been properly noticed.

There is no legal requirement that an item be on a notice/agenda as an "action" item for a vote to be taken – however the subject matter of the vote must be adequately specific in the notice so that the public would be alerted to the importance of the meeting so that they can make an informed decision whether to attend. See *Buswell* ¶ 26; *State ex rel. Olson v. City of Baraboo Joint Rev. Bd.*, 2002 WI App 64, ¶ 15.

In my opinion, the agenda/notice for this meeting did not contain enough specificity of the subject matter for the public to be informed of potential actions of the Board as required under Wis. Stat. 19.84(2) and interpreted under the "reasonableness" standard set forth in Wisconsin caselaw.

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On a related note, I previously provided you information on the 3 questions that you sent to RJ Binau in the Division of Facilities Development on the authority to give the buildings to the school at no charge. Information contained in that email provides the statutory process the Board would need to follow should it decide it wants to dispose of the Prairie 1 and 2 buildings. As outlined in that email, the Board does not have any independent statutory authority that allows it to gift or

transfer state-owned property. If the Board does want to sell these buildings, a first step would be to properly notice any such discussion and potential action, followed by a motion to prepare and submit a request to the State Building Commission and prepare any necessary notifications to the Joint Committee on Finance – Wis. Stat. s. 13.48(14).

I hope this information is helpful, please let me know if you have any additional questions.

Regards,



**Nathan W. Judnic | Legal Counsel**

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