



THE LAKELAND TIMES



FOOTBALL STARTS

Page 33

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Zoning committee revokes Bangstad permit

By Richard Moore
OF THE LAKELAND TIMES

On a 3-0 vote Wednesday, the Oneida Planning and Development Committee revoked the administrative review permit for the Minocqua Brewing Company.

Committee chairman Scott Holeywinski and committee members Mike Timmons and Bob Almekinder voted to revoke the permit; supervisors Mike Roach and Tommy Ryden were absent.

With a large crowd on hand — most supporting Bangstad but multiple people also opposing — Bangstad repeatedly called the ARP a "poisonous" agreement not issued in good faith, and he said he had to commit some violations to stay in business, while he considered others, such as serving customers on his stoop, as not really violations, referring to it as a "grey area."

For its part, the committee pointed to Bangstad's repeated violations of the permit conditions, and supervisors also pointed to his repeated refusal to follow through with commitments they said he made over the past 18 months.

Supervisors also observed that, if he did not like the permit conditions, he could have appealed to the county Board of Adjustment but did not do so.

At press time, Bangstad's application for a conditional use permit was still being deliberated.

A complete story will appear in Tuesday's paper.

Richard Moore is the author of "Dark State" and may be reached at richardd3d.substack.com.

St. Germain board likely to ask electors for tax increase

By Fred Williston
SPECIAL TO THE LAKELAND TIMES

During a town board meeting on July 27, supervisors in St. Germain discussed the agenda for the town's electors' meeting this November. In all likelihood, the board will ask resident voters for their permission to raise the property-tax levy once again.

Wisconsin state statute only allows municipalities to increase their levies in small percentages without voter approval. In the case of St. Germain, that permissible increase would only amount to a few thousand dollars.

Municipalities with populations of more than 3,000 people accept or reject

major levy increases by referendum. Their smaller counterparts — like St. Germain — have the issue decided by resolution and a vote of the town's electors.

Last year, electors decided by a vote of 70 to 44 to allow an increase of \$200,000 for the specific purpose of road maintenance.

This year, the town may need to ask for more.

During last week's meeting, supervisors discussed a growing list of needs which can't currently be met by the town's budget.

Chairman Tom Christensen told the board "We don't need to decide tonight

what all is going to be on it, but we do need to have some discussion, and are we going to have anything other than the normal things to approve the levy. ... The question is: are we going to bring up any other items for discussion with the electors?"

He suggested money should be raised for department of public works equipment, including a new plow truck, as well as extra money for a road-replacement program.

"We know that we're in the process of talking with the different suppliers about a replacement for our plow-

See **Increase**. . . page 43



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AFTERNOON AFTER LOON SETUP

Bonnie and Tony Smith unload their equipment in preparation for the Aug. 3 After Loon Delight Craft Show at Torpy Park on Wednesday, Aug. 2, in Minocqua.

Vilas County closer to a full board again

Governing body has had three vacancies since May

By Brian Jopek
OF THE LAKELAND TIMES

For the past few months, the 21-member Vilas County board has been short three members but when the county board next meets in regular session on Aug. 22, county clerk Kim Olkowski expects to have two of those vacancies filled.

Frank Kulpa, the district seven representative for Arbor Vitae, resigned earlier this year, Marcia Rohr of Conover resigned in April and Walt Maciag, representing wards one and two in the town of

Cloverland, submitted his resignation in May.

Olkowski told *The Lakeland Times* Monday there's been progress made in that she now has three applicants to take Maciag's place and one to replace Rohr.

"I had three for that seat," she said. "One withdrew and now, a second applicant withdrew."

The toughest seat to get applicants for has been the district seven Arbor Vitae seat.

See **County**. . . page 44

Case study: Vaccine court shuts down inquiry into possible vaccine death

Government experts ride high in vaccine injury compensation program

News analysis

Part 1 of a five-part series

By Richard Moore
OF THE LAKELAND TIMES

The death of a child is always a parent's worst nightmare. When a child dies, the persisting misery common to any grievous experience becomes an inescapable agony, a living hell from which there is virtually no escape.

Many parents find themselves thrust into the trauma unexpectedly when the death is sudden, from accident or disease or foul play. In post-World War II America, Sudden Infant Death Syndrome (SIDS) has added mystery and numbers to the complex for younger children, as has death

See **Study**. . . page 42

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Study

From page 12

really out of the ordinary. He was only awake twice. He woke up once after we got home just for a little bit, went back to sleep, slept all afternoon, and then slept all the way on the car ride all the way to my in-laws, and then woke up just for a little bit just to eat, and then went back to sleep.”

After she fed him and put him down to sleep, the mother brought her older [child] home, and then her husband was going to bring [the child] home a little later because he was sleeping.

“It wasn’t a big deal,” she said.

It quickly became a big deal. Soon, the mother said, she received a phone call from her brother-in-law saying she had to go to the hospital because the child was not breathing.

For his part, the child’s father corroborated the mother’s version of events and relayed what happened at the in-laws.

“So he was taking a nap for, I don’t know, a couple hours, just normally he was laying on, laying down in the bed,” the father said. “He was sleeping. And then that’s when he got up earlier. We fed him some more, burped him, did our normal routine, and then he fell back asleep. We laid him down the second time, and then he slept for maybe, I don’t know, a couple hours. He was asleep for probably two, three hours.”

During that time, the mother went home with the other child.

“And then I went in there to go get [the child] and wake him up and start packing him up to go home, too,” he said. “And then when I walked in and basically came in, and I saw it looked like he had vomited or something coming out of his mouth a little bit fresh. And then I immediately went and

started checking on him. And then I noticed he wasn’t breathing. So then I started doing CPR, trying to resuscitate him, and then had my father take over doing CPR so I could call 911 and get an ambulance to come.”

The child had been by himself for about 10 minutes.

“He was never really alone,” the father said. “He was behind us in the room. We had people walking because it was in my father’s room too. So we had people constantly going in and out. He was technically never really alone for longer than 10, 15 minutes because there was always somebody going in and kind of walking around.”

The coroner ultimately ruled out any possibility of suffocation, said the cause was a natural death, and ruled the official cause as SIDS.

Mountains out of mole hills

There is a short list of Table Injuries (those in which vaccination is the presumed cause of death if immunization occurred shortly before), but SIDS is not among them. In all other cases, the petitioners must prove causation.

In Family A’s case, two alleged potential Table Injuries were ruled out — encephalopathy and anaphylaxis — and the parents’ attorney advanced no alternative off-table medical theory linking the vaccination to the death, aside from temporal association.

From that viewpoint, it was a slam-dunk case for the government.

However, that didn’t stop the government — and the special master — from being adversarial. For one thing, the special master stretched far and wide to declare the two parents’ accounts of that day to be contradictory.

“The records filed by petitioners are internally contradictory regarding [the

child’s] health and behavior during the afternoon following vaccine administration,” the special master wrote. “After the child’s death, [the mother] reported to police that ‘[h]e appeared to tolerate the [two month well-check] appointment and the rest of the day with no apparent distress or complications He was eating, sleeping, and having normal bowel movements.’ In the affidavit filed in support of his vaccine claim, however, [the father] noticed that, during the afternoon ... [the child] ‘seemed different from his normal appearance and behavior,’ taking half of his usual bottle and appearing sleepy.”

It should be noted that, while there are surface inconsistencies in that reporting, inconsistencies do not necessarily add up to contradictions. For one thing, appearing “to tolerate the [two month well-check] appointment and the rest of the day with no apparent distress or complications” does not automatically translate into acting normally, especially if the child was sleeping more. Sleeping more than usual does not equate to “distress and complications,” though it could be “different” behavior.

That is in fact the way the mother described it in the interview with *The Times* — that he was sleeping in a way that was not normal for him. The bottom line is, not only is comparing a police report of a distraught mother after the child has died with a much later vaccine claim like comparing apples with oranges, but the only way to divine what the mother really meant in those few comments would be by further questioning by the special master.

That did not happen. The special master might not have been legally obligated to conduct such an interview, but comparing the available records does not result in obviously contradictory accounts, as the spe-

cial master asserts.

The other inconsistencies the special master latched onto were quibbles about nap time and ounces. The father in his affidavit claimed the child had three ounces of his bottle and went down to sleep between 8 and 8:30 p.m., the master wrote, while the mother’s affidavit has the child “still sleeping by 7:00 p.m., took only three (3) ounces of his bottle instead of his usual six (6) ounces,” and “went down to sleep between 8:00 and 8:30 p.m.” but in her statements to police the child took approximately 4 ounces of formula at 7 p.m., then fell asleep.

The number of ounces aside and whether it was 7 p.m. or 8 p.m. or 8:30 p.m., both parents — in the affidavits and in the mother’s statement to police — reported below normal eating by the child, while none of the statements contradict the ultimate assertion that the child had been sleeping a lot.

Indeed, the special master herself — after making a big deal about the “contradictions” — harmonized them to rule out a table injury the parents were offering as a possible cause: anaphylaxis.

“Eight hours later, between 7:00 and 8:30 p.m., [the child] was put down to sleep, and was discovered in distress around 11:00 p.m.,” the decision stated. “Although [the child’s] behavior may have been somewhat different from normal on the afternoon following vaccination (noting that [the child] took half of his usual bottle and appeared sleepy), he was not suffering from an ‘acute, severe reaction’ until approximately twelve hours after vaccine administration. [The child’s] acute distress occurred far too long after the vaccinations to be considered anaphylaxis.”

The special master’s reconciliation of the record in fact undercuts her earlier

assessment of internal contradictions, which seem more likely preparation work for any appeal.

Dismissive

One of the biggest complaints about the vaccine court is that special masters are dismissive, that the proceedings are adversarial contests between battling attorneys much like the litigation the law sought to avoid, and that parents are often left without adequate representation to counter the government’s expert witnesses.

In other words, victims are outgunned in what is already a hostile environment.

In this case, lawyers also battled it out. The parents filed an array of documents — medical records, two affidavits, and a VAERS report — and later an autopsy report, a toxicology report, and a medical examiner’s report, as well as a police report, and they finally filed an expert report authored by a pediatrician, who opined, as the special master wrote, that “[t]he multiple vaccination [sic] administered to infant was a possible cause of death. To my reasonable knowledge, the six vaccines administered the same day could have caused a reaction which caused his death.”

In a status conference, the special master encouraged the parents’ attorney to file a supplemental expert report that articulated a more specific nature of the injury allegedly caused by the vaccinations.

The government attacked aggressively, too, alleging that the petitioners had not alleged a Table Injury and had failed to “establish a more likely than not causal connection between ... the vaccinations ... and his subsequent death later that night.”

They also argued that the pediatrician’s report was insufficient to meet petition-

See **Study** . . . page 44

Increase

From page 1

truck,” Christensen said. “The truck is at least a year out and we haven’t ordered it yet.”

Supervisor Brian Cooper added to the list, saying “Maybe you want to add something in there about parks and rec(reation), since we seem to be having troubles funding that, as well?”

Cooper suggested asking supervisor Kalisa Mortag — the chair of St. Germain’s parks and recreation committee — for “an appropriate dollar-figure.” Mortag was absent from the meeting.

He said “It just seems like every (parks and recreation project proposal) we talk about just kind of falls off a cliff and doesn’t happen.”

Town clerk June Vogel brought up the need for repairs to the town’s aging community center.

“There’s no end to this,” said supervisor Ted Ritter.

Christensen replied “But if you want to accomplish something, all of these funds need to be started.”

Ritter said “If we were to proceed with suggesting” in-

creased spending to the town’s electors, “I think we would also need to suggest ‘This is what it might do to the levy.’”

Christensen replied “I would agree with that. Before I take time to figure out the numbers, if you guys say ‘Absolutely not’, I’m not in favor of going forward at this point and I won’t bother doing it ... I would do that for the equipment, and then also for the road replacements.”

Ritter reminded the board “It was last year at the elector levy meeting that we presented the idea of a levy increase for road maintenance, and we went through a great deal of explanation about what road-maintenance is, and it was approved. And the taxpayers were levied that amount of money, but they have yet to see anything done. They have yet to learn what is going to be done with the money that was levied in 2022.”

To that, Christensen replied “At our next meeting, you’re going to have a list of roads and what’s going to happen this fall, and that should be done by

the time the levy meeting happens.”

“That’s very, very important,” Ritter said. “The question is: do we want to present to the taxpayers that same concept for additional categories of spending, any one of which would raise the levy? Part of me thinks that’s a good idea, but you may not want to have a list of more than two or three.”

Christensen said “I think it’s a realistic thing that people understand that if you want improvements done, we need more money to do it; we don’t have the money in the regular budget.”

Vogel asked if various projects could be presented on one ballot as separate questions for November’s electors meeting.

Christensen asked “You want to have it itemized, so that if not all of it passes, some of it might?”

“Correct,” Vogel replied.

Christensen said “You could have the building, the road replacement, the equipment, and ... parks and rec, or whatever you want to call it.”

Ritter cautioned “I would suggest we be real honest and say ‘Look; we’re telling

you we don’t have enough money to do all the things that need to be done...That’s going to raise your levy. And your levy was raised last year for the road-maintenance program. Good things are happening because you approved those levy increases. We’d like to ask you if you’ll approve even more.’ Be right up-front with them.”

Vogel pointed out all of the town’s smaller spending, which adds up to big dollars.

“Part of me feels it’s more important to raise our levy to cover everyday expenses,” she said. “Because we’ve had salary increases. We’ve had electricity increases. We’ve had truck-maintenance increases. The list goes on and on. And we’re really tight.”

She said “Every time a higher bill comes in, I get heart palpitations because we don’t want to run into trouble at the end of the year. If we’re seeing more increases, I don’t know if we can sustain the budget for the next year, with everything we have to do. Insurance is going up. The retirement is going up next year.”

Christensen said those expenses should also be included on the November electors ballot.

“I think people will understand those things,” Ritter said. “I don’t know if they’re going to give us a blank checkbook, but we explain honestly the situation we’re in and say ‘This is your town. Are you going to help us do these things?’”

“Some people will say yes to a levy increase; some people will probably say yes to all of them. Others will say no to all of them,” he said. “It’s a matter of getting the right people at the annual meeting.”

Christensen said he favored the idea of presenting several itemized requests before the electors in November, and said “I’ll be more than happy to put the numbers together.”

Cooper said “Let’s look at it.”

Ritter added “I support the concept.”

Christensen closed the discussion by saying “Then we’ll put some numbers together and talk about it at the next meeting. We need to keep rolling on it so that we’re ready.”