

These are the minutes of the regular monthly meeting of the Board of Supervisors of the Town of Bass Lake, Sawyer County, held on Monday, January 14, 2008. Members present: Chairperson Sanders, Supervisors Hall, Meixner, McCue & Nies, Treasurer Aderman and Clerk Henk.

Chairperson Sanders called the meeting to order at 6:30 P.M.

Clerk Henk affirmed agenda was posted in compliance with open meetings law.

There was a motion by Nies, seconded by McCue to approve the agenda. Motion carried.

After a review of the check vouchers #19700 to 19797 from the (R1) checking account, and check vouchers #1156 to 1161 from the (R2) tax account, there was a motion by Meixner, seconded by Hall to pay them. Motion carried.

Minutes of the December 10, 2007 regular monthly board meeting were presented to the Board. Motion by Meixner, seconded by Nies to approve. Motion carried.

Minutes of the December 10, 2007 closed session meeting were presented to the Board. Motion by Hall, seconded by McCue to approve. Motion carried.

Minutes of the December 21, 2007 closed session meeting were presented to the Board. Motion by Meixner, seconded by McCue to approve. Motion carried.

A variance application from Steven Friendshuh for the construction of an irregularly shaped 24' x 24', detached garage at a setback distance of 22' to the centerline of a private access easement and 33' to a wetland boundary was presented to the Board. Mr. Friendshuh stated he created the lot in 1994 and in 1996 Sawyer County Zoning created setback requirements. Discussion followed. Four letters were returned from Zoning. Two had objections and two without objections. A letter was also received by the Town Board from the Lac Courte Oreilles Lake Association with objections. Chairperson Sanders read letters. Motion by Nies, seconded by McCue to deny application. Motion carried. The Planning Committee recommendation to deny is on file with finding of fact.

Chairperson Sanders read correspondence from Sawyer County Zoning- rezone for Sletner was approved with conditions.

Planning Committee minutes from December 6, 2007 were presented to the Board. Motion by Meixner, seconded by Nies to accept minutes. Motion carried.

Supervisor Nies reported the County passed the Sawyer County Wind Ordinance but left out caveat giving Towns a final say with the conditional use permitting process as the Board had requested with the resolution they passed last month. He stated the

Town of Edgewater, Meteor and Hunter would like Board to participate with them to develop their own Wind Ordinance, which would basically involve adopting the County ordinance as it is, with the addition of the Town having a say in the permitting process. Discussion followed as to permitting needed based on size of wind systems. Motion by

Sanders, seconded by Meixner to approve Nies as representative for the Town to participate in a work group to develop language for a Town Wind Ordinance. Motion carried.

Minutes of the December 4, 2007 Fire Department Business Meeting was presented to the Board. Chairperson Sanders stated this was a draft copy only as the membership has not yet approved these. December 4<sup>th</sup> and January 8<sup>th</sup> Fire Department Business meeting minutes will be presented to the Board next month.

Chairperson Sanders selected Meixner as the Chair for the topic of Fire Chief Election. Sanders reclused himself from the Fire Chief Election agenda item due to past action relative to this and stated he had participated in the recent election conducted by the fire department membership. Sanders introduced Attorney Mike Kelsey, who was here on behalf of Attorney Ward Winton as Legal Council for the Town Board. Attorney Kelsey asked Sanders if this item had been posted as a closed session. Sanders stated that it had not. Kelsey explained that Chris Headley had the right to have this discussed in closed session, then asked Headley directly if he agreed to have this discussed in open session and discussed freely. Chris Headley was in the audience and stated "yes" thus giving his verbal consent to have it discussed in open session. Kelsey further explained that Headley had the right to have legal council present on his behalf and stated that Headley's Attorney, Clifford Stoner, was not available to come to the meeting tonight. Kelsey then asked Headley if he agreed to proceed without his legal council and again Headley stated "yes" and gave his verbal consent to proceed without his legal council. Attorney Kelsey stated the current issue was for the selection of the Fire Chief. Supervisor Meixner asked Supervisor Hall, who was the temporary Fire Chief, if there was a recommendation from the fire department members for Fire Chief. Supervisor Hall stated Clerk Henk sent out ballots and there were thirteen write-in votes for Chris Headley and ten votes on the ballot for Marvin Mullet. Supervisor Nies asked Hall who Sarah and Martha were and if they voted. Hall responded that they were Sawyer County EMT's and yes, Hall had given them ballots to vote the night of the meeting. Nies stated that if you do not count Sawyer County EMT votes, it would be ten votes Headley and ten votes Mullet. Meixner clarified that the real issue is that Chris Headley was not eligible to be Chief and that was stated in the letter Hall requested to be written and to be mailed with the ballots. Hall clarified that there was a letter received from Attorney Ward Winton dated January 11, 2008 stating that the Town Board is the Fire Board and not a Fire Board of Commissions as Winton has previously stated. Nies read letter from Ward Winton dated January 11, 2008. Supervisor Hall asked that the Fire Department members be heard. Meixner stated the bottom line is that some time ago incidents took place with mutual aid partners and individuals were properly disciplined and that discipline will stay in place. Motion by Nies, seconded by McCue to affirm that discipline to stand. Attorney

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Kelsey gave advice that matter at hand is not discipline issue, but rather selection of Fire Chief. Motion by Nies, seconded by McCue to appoint Marvin Mullet as Fire Chief. All in favor; Nies, McCue and Meixner. All opposed; Hall. Motion carried.

Chairperson Sanders reported on progress of hiring a complaint investigator and had suggested Rick Chambers. Sanders had met with him and Chambers had declined the offer due to possible issues. Sanders then contacted the Department of Commerce and the Department of Labor and he should hear back from them tomorrow. Supervisor Nies stated it would be fine to authorize Sanders to select an investigator and for reimbursement to pay the investigator but requested it to be taken care of as quickly as possible for the

individuals involved. Sanders stated he requested Attorney Ward Winton to send a letter to the alleged perpetrator to have no contact until the investigation is complete.

The minutes of the December 3, 2007 Fire Department Ad Hoc Committee were presented to the Board. Supervisor Nies asked Sanders if the employee files were missing from the Fire Hall as the minutes stated. Chairperson Sanders confirmed they were gone. Nies stated he would like employee files kept locked at the Town Hall with the Fire Department having a working copy as they are employees of the Town. Sanders stated it can be put on next month's agenda. Motion by Nies, seconded by Hall to accept minutes. Motion carried.

Sealed bids were opened for the sale of the 1986 Chevy Fire Truck to be sold "as is". One bid was received back from Eric Crowe for \$500.00. Motion by Hall, seconded by Nies to accept bid and to authorize Clerk Henk to sign the title over to Crowe. Motion carried.

A request to have the speed limit on Highland Road of 35 MPH was presented to the Board. Discussion followed regarding that it is already currently at that speed. Sanders will instruct Highway Department to put up signage in proper location indicating 35 MPH.

Treasurer Aderman reported the Town had received a note from Joe and Gladys Martin with a donation of \$1,000.00 to the Fire Department in thanks for their services. Aderman reported that as of December 31, 2007 the Town had a total of \$710,374.69 in all of their accounts and that she and Clerk Henk balance for the month. Motion by Nies, seconded by McCue to accept Treasurer's report. Supervisor Hall stated all W.S. Darley bills from December in the amount of approximately \$3,500 need to be transferred out of the picnic fund account still. Treasurer Aderman clarified that at budget time, the Board budgeted for an equipment list presented and any extra items that were not committed to in the budget would have to come out of the picnic funds as agreed by the fire department. Motion carried.

Clerk Henk reported that due to the loss of a Supervisor's key, the Town Hall office's had to be re-keyed by Bill's Locksmith.

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Discussion took place regarding possibly having Landfill attendant do lawn care for the Town in the summer and the subsequent cost of equipment.

Chairperson Sanders reported he spoke to Ed Jaekals regarding the HRA and Jaekals is to contact the Clerk for additional information so it can be completed. He estimated the time should be approximately a week or so once he gets the information from the Clerk.

Reversing last month's decision and changing the pay period back to a 26- week payroll for the Highway crew was presented to the Board. Motion by Hall, seconded by Sanders to go back to a 26-week pay period for the Highway Crew and the remainder of employees will wait until the first pay period of the month/quarter/semi-annual to be paid. Motion carried.

The Badger Women's Club made a donation of four oxygen bags to the Fire Department First Responders. The Board accepted the donation and thanked the Badger Women.

Chairperson Sanders read a letter from the 911 Coordinator, Rose Lillyroot, including the Joint Powers Agreement to be applicable on a daily basis and a questionnaire for the Fire Chief to verify information. Sanders stated he will review it and forward it to the Fire Chief

so they can complete it and send copies to Lillyroot and Clerk Henk for file. Sanders requested Clerk Henk compose a letter to the Sheriff and Rose Lillyroot regarding the inconsistencies of when the Bass Lake Emergencies Services are being called out.

Sanders reported he has spoken to Claude Ringlemon, Assessor regarding the possible Native American state and local real property tax exemption. Nies reported the letter written by Louis Taylor, Chairperson of the Tribal Governing Board was dated December 1, 2007 and indicated individuals on fee lands may be exempt from property taxes and they were directed to contact the local taxing unit, which is Treasurer Aderman. Treasurer Aderman stated she had spoken to Diane Ince, County Treasurer, and she was instructed to do nothing different until the County gets a legal opinion and that if they are exempt, individuals would need to follow a process. Ince was unsure at this time as to if they will be eligible for back taxes as well. Sanders stated that the Town would not be responsible for the entire amount of taxes, only the Town's share.

Public Comment.

Motion by Nies, seconded by McCue to adjourn meeting at 7:48 P.M. Motion carried.

/s/ Dawn Henk, Clerk