

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, February 9, 2009. Members present: Chairperson Pete Sanders, Supervisors Justin Hall, Ralph Meixner, John McCue, Phil Nies, Treasurer Kari Aderman and Clerk Dawn 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 Hall to approve the agenda. Motion carried.

After a review of check vouchers # 20501 to # 20558 from the (R1) checking account and check vouchers # 1213 to # 1227 from the (R2) tax account, there was a motion by Meixner, seconded by Nies to approve. Motion carried.

Minutes of the January 12, 2009 regular monthly Town Board meeting were presented to the Board. Motion by Nies, seconded by Hall to approve. Motion carried.

A conditional use application from Jonjak Cranberry Farm, Inc. was presented to the Board for a three (3) year renewal of conditional use permit #00-003 for the location/operation of a non-metallic mineral extraction, including a rock crusher, which was approved at public hearing on February 15, 2001 and renewed February 17, 2006. Said property is registered in accordance with the Wisconsin Administrative Code as a marketable nonmetallic mineral deposit. Two letters received by Zoning with no objections. Applicant not present. Supervisor Nies reported Planning Committee recommended approval with condition. Discussion followed. Motion by Hall, seconded by Nies to approve with condition that the owner must maintain compliance with the requirements of NR135 Non-metallic mining reclamation & Sawyer County Ordinance for Non-metallic Mining Reclamation. Motion carried. The Planning Committee recommendation to approve is on file with finding of fact.

The proposed revision of Sawyer County Zoning Sign Ordinance-Section 5.0 was presented to the Board. Discussion followed. Supervisor Nies reported the Planning Committee recommended there be a permitting process due to old signs never getting taken down. The Town Board had no comments. Supervisor Nies will pass this along to Zoning.

The proposed text amendment to Sawyer County Zoning Ordinance Section 10.0 Nonconforming Uses was presented to the Board. Supervisor Nies stated the State Law had changed and Zoning felt it should be included in their ordinance, so individuals can more easily reference a place for the rules and regulations. Discussion followed. Nies reported the Planning Committee recommended approval. Supervisor Meixner stated he has concerns regarding Paragraph (b) which states the structure may be larger than the size it was immediately prior to the damage to comply with state and federal requirements, and questioned what would stop a person from saying they need to add a handicap ramp, but essentially add on a 500ft addition to facilitate that. Meixner added the increased size should only be allowed to a minimal amount to comply with state and federal requirements.

Chairperson Sanders agreed, adding that old cabins five feet from the waters edge, such as the Williams Resort nuisance property could possibly be rebuilt then due to mold or infestation damage. Motion by

Nies, seconded by Meixner to approve. Motion carried. Supervisor Nies will present the Board's concerns to Zoning.

The Town survey from Zoning for the evaluation of Zoning Department services was presented to the Board. Discussion followed. Motion by Nies, seconded by McCue to accept the recommendations from the Planning Committee and to change #1 to strongly agree. Motion carried. Recommendations on file.

Resolution # 02-09-2009 for the Northwoods Beach Lot Size was presented to the Board. Brief discussion followed. Motion by Meixner, seconded by Nies to approve and enact Resolution #02-09-2009. Motion carried.

The minutes of the December 4, 2008 Planning Committee were presented to the Board. Motion by Hall, seconded by Meixner to accept. Motion carried.

Supervisor Nies reported Sawyer County Board approved \$16,000.00 matching "ATC" funds for the Town Hall Park, which comprises half of the total proposed cost. Supervisors McCue and Nies and Chairperson Sanders attended meeting on behalf of the Town. Planning Committee Chairperson Olson reported he would find out on Friday from Kris Mayberry, County Clerk, when the check will be issued so the project can be started.

Discussion followed regarding Town Hall Park. Supervisor Nies reported the Planning Committee is currently discussing specifications and they will put together a bid package to present to the Town Board next month. Planning Committee Chairperson Olson stated the size will be approximately 30' x 40'. Supervisor Hall will contact Rex from the Town of Hayward and will call Olson with the size of the pavilion at the Town of Hayward. Supervisor Meixner stated he would like to see one gabled end be closed off to make it a more usable area and to give it a windbreak. Chairperson Sanders inquired as to the cost to have rolling garage doors installed, so in the winter months it could be enclosed and basically used for storage of the picnic tables. Supervisor Nies stated the proposed cost estimate would likely only allow for the bare essentials of the building for now. Place on agenda for next month.

Clerk Henk reported the Town has received the final money from the State for the Windigo Boat Landing Grant.

The minutes of the January 5, 2009 Fire Department business meeting were presented to the board. Motion by McCue, seconded by Hall to accept. Motion carried.

Supervisor Hall reported he brought all the equipment today that had not previously been returned from prior Fire Department volunteers. Linn Newton, Fire Department Secretary stated she would do an inventory on the returned First Responder Bag and report back to the Board. Newton also stated

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Kelly Sunderland still has a radio/pager, a jacket, a vest and a bag. Supervisor Hall stated he has Josh Weirich's vest at his office and he will bring it to next month's meeting.

Chairperson Sanders reported the Highway Crew has ordered the signs for the Signage/Striping Grant and is waiting for better weather to install them.

Treasurer Aderman stated she has finished collecting taxes and she will have the final numbers from the County Treasurer, Diane Ince, by the end of the month. Aderman reported she has received all of the chargebacks from the State, County, and WITC College regarding the Native American Tax Exemptions the

Town paid out the previous year and it is handled similar to a pass-through that will be paid out to Sawyer County after final numbers are received from County Treasurer.

Treasurer Aderman reported that as of January 31, 2009 the Town had a total of \$2,053,516.42 in all of their accounts and that she and Clerk Henk balance for the month. Aderman also noted there were a lot of escrow overpays this year. Motion by McCue, seconded by Hall to accept Treasurer's report. Motion carried.

Clerk Henk reported auditor, Dan Thole, CPA of LarsenAllen has done the audit and is hoping to present at the Annual Town Meeting.

Supervisor Nies reported he and Treasurer Aderman met with Brian Bisonette, LCO Tribal Governing Board, regarding the MOU and the list received from LCO of eligible individuals for the Native American Tribal Tax Exemptions. The original list received had inadvertently omitted several eligible individuals; therefore the list was reviewed for accuracy and corrected. Bisonette stated he would be meeting with the Department of Revenue regarding the issue of breaking the chain in ownership from tribal members to non-tribal and tax exemption eligibility if the chain has been broken. Chairperson Sanders stated according to the information provided at last month's meeting at the Courthouse from Attorney Andrew Phillips, if there was a break in the chain from tribal to non-tribal ownership, and then back to tribal, they were no longer eligible to be exempt from taxes as it must be tribal owned continuously to qualify for property tax exemption. Sanders will contact Attorney Phillips for clarification. Sanders stated at the last meeting they took our Town's MOU to be used as a template for everyone in the state.

Annual membership dues for the WTA-Sawyer County Chapter are due. Motion by Nies, seconded by McCue to pay \$50.00 to Gayle Johnson, WTA Secretary for the annual dues. Motion carried.

Discussion followed regarding Northwoods Mennonite Church Cemetery Draft Agreement. The Board was concerned regarding protecting taxpayers from future costs, as it would be the Town's responsibility for perpetual care in the event the church ever left the area. Chairperson Sanders stated he would like the clarification of the definition of perpetual care and the \$1,500 fee they would pay the Town in the event of perpetual care. Supervisor Nies stated Treasurer Aderman estimated in 30 years the fee would generate approximately \$2,900, which is at least something to protect the taxpayers. Motion by Nies, seconded by Hall to forward to Attorney Winton for review and clarification regarding the \$1,500 fee they would pay the Town for perpetual care. Motion carried.

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Supervisor Nies reported the LCO Tribal Governing Board may be willing to provide matching funds estimated at \$4,800.00 for the improvement of the small boat landing on LCO Drive for public use. Discussion followed regarding the concern of limited parking there.

Public comment.

Motion by Meixner, seconded by Hall to adjourn at 7:21 p.m. Motion carried.

/s/ Dawn Henk, Clerk