

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, March 10, 2008. Members present: Chairperson Sanders, Supervisors Hall, Meixner, McCue, Nies, Treasurer Aderman and Clerk Henk.

Chairperson Sanders called the meeting to order at 6:37 P.M.

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

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

After a review of the check vouchers #19844 to 19899 from the (R1) checking account, and check vouchers # 1167 to 1172 from the (R2) tax account, there was a motion by Nies, seconded by Hall to pay them. Motion carried.

Minutes of the February 11, 2008 regular monthly board meeting were presented to the Board. Motion by Nies, seconded by McCue to approve. Motion carried.

Minutes of the February 11, 2008 closed session board meeting were presented to the Board. Motion by Meixner, seconded by Hall to approve. Motion carried.

Sanders reported there was no Planning Committee meeting on March 6, 2008 due to no business.

Chairperson Sanders read correspondence from Sawyer County Zoning- Sletner approved with conditions for rezone, Johnson denied for variance and Ursprung approved with conditions.

Proposed Sawyer County Subdivision Control/Condominium Ordinance was presented to the Board. Motion by Meixner, seconded by McCue to send letter of recommendation to Cindy Yackley, Sawyer County Zoning with the following additions to be included in any update of the above mentioned ordinance:

1.) Add the following to Section 4.0; "The intent of the platting requirements of this ordinance shall not be circumvented by creating tracts of lands having multiple ownerships or by any other means to avoid platting requirement."

2.) Section 4.0 (CSM); Keep all current requirements.

3.) In Section 13.2 change "The Zoning Administration encourages the review..." to read, "The Zoning Administration shall review for compliance with the ordinance for all condominium plats prior to their recording."

Motion carried.

The minutes of the February 5, 2008 Fire Department business meetings were not ready to be presented to the Board, due to no quorum at the March Fire Department meeting.

Move to Highway issues until Fire Chief Mullet arrives.

There were no Highway Issues to discuss.

Treasurer Aderman reported that as of February 29, 2008 the Town had a total of \$459,215.17 in all of their accounts and that she and Clerk Henk balance for the month. Aderman reported the CD from the American Transmission Line (ATC) to repair Stone Hill Road will mature in March and earn approximately \$2,000.00 in interest. Aderman thanked Supervisor Nies in pursuing ATC to help pay to repair the road damaged from hauling gravel for the power line project. Aderman also reported Chairperson Sanders refinanced the backhoe loan at 3.88%, with a balloon payment due in 2010. Motion by Hall, seconded by Nies to accept Treasurer's report. Motion carried.

Clerk Henk reported she had received a call from former Fire Department member, Alex Volinkaty, to request his pay. Motion by Meixner, seconded by Nies to authorize Clerk to pay anyone who resigns out of the normal pay cycle. Motion carried. Henk stated she first needs to receive a summary of call sheets from Fire Department so she knows how much to pay these individuals.

Move back to Fire Department issues.

Fire Chief Mullet reported they are having members fill out an employee personnel sheet with contact information, etc, but there has been no working meeting since, so it is still in process and Secretary Weirich will format the information.

Chairperson Sanders stated the Town has received a complaint and has met with the Town's Attorney regarding this matter, but cannot report further until it is final.

Chairperson Sanders reported Treasurer Aderman and Clerk Henk were concerned regarding Town funds that were recently discovered as to have been redirected into a Fire Department Men's Auxiliary Fund that was created by former Fire Chief, Chris Headley. Therefore, a legal opinion was requested from the Town's Attorney, Ward Winton. Sanders read letter dated March 6, 2008 from Attorney Winton, which stated Headley was not authorized to endorse checks on behalf of Bass Lake or to write checks out of that account. Treasurer Aderman inquired what action the Board would take regarding the illegal check fraud. Supervisor Nies stated the funds in the account have been accounted for and the Board has recorded the incident in which he considered there was no harm, no foul. Supervisor Meixner inquired as to if the Treasurer and Board is covered from responsibility since they have knowledge that something illegal happened. Supervisor Hall stated Headley did not do it on his own, but rather the Fire Department members voted to do it and once Hall was told by Sanders it could not be done, he informed Headley and Headley immediately stopped. Treasurer Aderman stated the auditor, Dan Thole, had inquired as to how can the Town account for any other cash or checks it doesn't know about, as well as how the Board was going to prevent it from happening again in the future. Chairperson Sanders stated all correspondence is to come to the official town address.

The minutes from the January 7, 2008 Fire Department Ad Hoc Committee were still not available. Sanders will provide them next month. Minutes of the February 4, 2008 Fire Department Ad Hoc Committee was presented to the Board. Motion by Meixner, seconded by McCue to accept. Motion carried.

Supervisor Nies reported he received a draft copy of the Memorandum of Understanding (MOU) from the Lac Courte Oreilles Tribal Governing Board regarding the Native

American Real Estate Tax Exemption just prior to the meeting and after a cursory review, he noticed Personal Property Taxes were not addressed in it as they had discussed at the prior meeting. Sanders explained LCO will review the alpha tax roll book and determine eligible tribal members that are on fee lands within tribal boundaries and they will provide the Treasurer and Assessor the list of approved names and properties. Sanders further explained that because the DOR did not step in, all errors will be considered assessor errors and the Town is responsible for its portion. Sanders encouraged the Board to review the MOU and to call Nies with any questions.

Chairperson Sanders read letter dated March 7, 2008 from Attorney Ward Winton, regarding the legality of donating money to the Sherman Weiss Community Library. Motion by Nies, seconded by Hall to donate \$500.00 to the Library Fund. Motion carried.

The broken heater at the Transfer Station was discussed. Motion by Meixner, seconded by Hall to contact the Co-op and purchase a new propane heater for \$700.00. Motion carried.

Supervisor Nies reported the Town received a \$2,500.00 bill for the Town's portion of the engineering done for the Thoroughfare Road Bridge and they have a proposed start date of July 5, 2008.

A formal Resolution # 3-10-2008 to adopt a trust agreement approving North Central Trust as the Third Party Administrator for the HRA was presented to the Board. Motion by Hall, seconded by Meixner to approve Resolution # 3-10-2008. Motion carried.

HRA Section 5.3 and Section 5.6 regarding maximum benefits and forfeitures and carryovers were discussed by the Board. Sanders stated the Board has already made a motion to change quarterly payments to annual payments at the beginning of each plan year to fund the HRA for eligible employees. Sanders reported he also received clarification from Ed Jaekals of JJA Administrators regarding forfeitures and carryovers and Clerk Henk has forwarded that information on to the Highway Crew.

A driveway permit from Joel Meuer was presented to the Board. Motion by Meixner, seconded by McCue to approve. Motion carried.

Discussion followed regarding timber trespass on LCO Drive. Supervisor Nies reported he had received a call that allegedly Richard Laumer was having a tree service cut down trees on Town property. Nies was then contacted by Laumer. Nies informed Laumer that he was cutting on Town property and that he needed to stop. Laumer then contacted Dave Kafura, DNR requesting permission to cut more trees, but was informed that it was Town property and that he must contact the Town of Bass Lake regarding this. Copy of e-mail on file. Sanders inquired as to value of trees that have already been cut. Nies reported Johnson Timber will give an estimate when the snow is off the ground and a complaint has been filed with the Sheriff's Department. Motion by Sanders, seconded by Hall to file a criminal complaint against Laumer for the alleged cutting of trees on town property. Motion carried.

Request of refund of prepayment from assessor was discussed. Clerk Henk reported auditor, Dan Thole stated the Town should be in control of town monies at all times and therefore prepaying a bill years before the service is to be provided was not in compliance.

Sanders stated the Town has a contract with the assessor and he has credited the Town the money.

Motion by Hall, seconded by McCue to set the Annual Town Meeting date for Tuesday, April 15, 2008 at 6:30 P.M. at the Town Hall.

Public Comment.

Motion by Meixner, seconded by Hall to adjourn meeting at 7:36 P.M. Motion carried.

/s/ Dawn Henk, Clerk