

These are the minutes of the Public Hearing held on July 11, 2016 at 6:00 pm at the Bass Lake Town Hall for the purpose of contemplating making new records of Trepania Road and Grindstone Spring Road and reviewing the Town of Bass Lake, Sawyer County Ordinance Regarding the Public Reserve Strips Located in the Northwoods Beach Subdivision. Members Present: Chairman Justin Hall, Supervisors Doug Mrotek (6:23 pm), Ralph Meixner, Joel Valentin, Dave Aubart, Treasurer Kari Aderman and Clerk Erica Warshawsky (6:05 pm).

Chairman Hall called the public hearing to order at 6:01 pm.

Creating new records of Trepania Road and Grindstone Spring Road was discussed. There were no questions from the audience. Item closed.

Hearing on second item convened. Hall reported that 27 letters were received, presented to the Board and posted online. Hall opened the floor for comments asking that comments stay at or under 3 minutes and that the person speaking first state their name.

Tony Pfendt, on behalf of the Concerned Conservation Strip Committee (CCSC), presented their concerns. Pfendt provided a rough transcript of his presentation (please see attached). At the end of his presentation, Pfendt stated that CCSC would like to see changes made to the ordinance and offered to draft a new ordinance at no charge for the August Board meeting. Hall reported that he spoke to the Town's attorney, Ward Winton (present) and Winton will redraft the ordinance taking CCSC's changes into consideration. The penalty section of the ordinance was discussed and clarified.

Meixner asked Winton if Meixner's understanding of the 1967 court case is correct. Meixner referred to page 6 of the court case listing the 9 landowners that joined the case out of the 88 landowners notified by certified mail. 9 joined the suit and in the end, the judge ruled on what he had. On page 7, the judge ruled that except for the stipulations for the 9, all other owners have no other rights for the existing buildings. Winton stated that Meixner was basically correct. Winton stated that the 9 have no ownership interest. The stipulation states that the 9 are allowed to retain existing structures. Their rights to use the property are the same as the public. Winton added that the stipulation directs the Town to post the access roads. There are 2 ways to access the strip; by water or by the access roads, not through property owners property. Winton stated that in the letters to the Board, there is a common misunderstanding that all adjacent property owners are grandfathered in and that is not true. Discussion followed. MJ Lewis asked why the access roads are not posted. Hall replied that when the ordinance is complete, the access roads will be posted. Winton added that nothing states that the Town has to do anything other than post and keep a path. Discussion followed.

Dave Bauer and George Hartung spoke in strong opposition to the ordinance. Hartung suggested turning the property over to the adjacent property owners and later added that the entire subdivision was an ill-conceived idea by some Chicagoans 80 years ago. Hartung also mentioned that there are environmental and security concerns.

Jessica Sutton offered that the 1967 court case applies to the landowners who could afford to join the suit. Sutton asked what the purpose of the ordinance is. Hall replied that people have been cutting down trees on the reserve strip and no one knows what the rules are. Meixner added that if you read through, the ordinance the Town is doing their job, by stating where Bass Lake, Sawyer County and DNR stand. Meixner likened the reserve strip to a park; you can use the park, but you can't build on it. Meixner stated that rules were always in place and now the Board is putting it on paper.

Kimberly Wiederin expressed concern over the ordinance and the Americans with Disabilities Act (ADA). Hall explained that if the Town installs a new dock, it must be accessible. Hall asked Winton to review the ordinance. Winton explained that the thrust of ordinance is twofold; to address items placed on Town property by trespassing adjoining property owners and to prevent future structures. The ordinance recognizes items have been there for years and years and is not aimed at expanding use. Winton went on to explain that if the Town had a strip that is wild land and had plans to put in a path then ADA needs to be considered.

United States Air Force Colonel James R. Hackbarth introduced himself, was thanked for his service and spoke in strong opposition to the ordinance.

Hall stated that based on the feedback received, the Board will not vote on the ordinance at this time.

Hearing was adjourned at 7:32 pm.