

These are the minutes of the regular monthly meeting of the Board of Supervisors of the Town of Bass Lake, Sawyer County held on Tuesday, April 20, 2021. Members Present: Chairman Justin Hall, Supervisors Dave Aubart, Don Adams, Marshal Savitski, Bob Hammond, Treasurer Kari Aderman and Clerk Erica Warshawsky.

Chairman Hall called the meeting to order at 6:23 pm.

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

Motion by Hammond seconded by Savitski to approve the consent agenda listed below less item d:

- a. Approve Agenda
- b. Review and Approve Vouchers for March 2021
- c. Minutes of the March 8, 2021 Regular Meeting
- d. Minutes of the March 1, 2021 Fire Department Meeting
- e. Minutes of the March 4, 2021 Planning Committee Meeting

Motion carried.

Hall presented correspondence from Sawyer County Zoning approving the Special Event Application for Scott and Laura Poppe.

Hall presented the Conditional Use Application #21-004 for Darlene and Michael Friend. The applicants were not present but were available by phone for any questions. Aubart read the Planning Committee's decision. Aubart reported that the Planning Committee recommends approval. Discussion followed. Motion by Hammond, seconded by Savitski to approve the application. Motion carried.

Findings of Fact:

1. It would not be damaging to the rights of others or property values because there are no neighbors.
2. It would not create traffic or highway access problems. A driveway permit was approved.
3. It would be compatible with the surrounding uses and the area which is residential.
4. It would not create an objectionable view since it will be a new building in a compatible area.

Hall presented the amendment to Sawyer County Zoning Ordinance Section 6.6 Trailer Camps and Campgrounds. Phil Nies described the changes and the reasons for those changes. Nies met with the County to come up with a happy medium Nies reported that a lot of work went into the amendment. 11 other towns have approved the amendment. Hall thanked Nies for his work. Aubart presented the Planning Committee's decision. The Planning Committee recommends approval. Motion by Aubart, seconded by Hammond to approve the changes. Motion carried.

Hall presented Variance #21-002 for Charles and Tracey Gundersen. Hall explained that the variance is an after the fact (ATF) variance. Charles Gundersen was present. Aubart read 2 letters the Town received: 1 opposed and 1 unsure. Gundersen presented his application. Gundersen started by stating that although ATF variances need to be considered as if the structure has not been built, this structure has been there for 15 years. It is too close to the property line, the permit does not include the addition and he never had a survey done and he had a letter from Bill Chrisman, but he does not have it anymore. The addition is not hurting anyone. Gundersen said that he would appreciate the Board passing the variance. Aubart presented the Planning Committee's decision. Hall reminded the Board that they need to consider the variance that it has not been built yet and the Town has a history of having non-conforming houses and decks moved. Gundersen added that in the findings of fact, there is hardly any evidence of diminishing anyone's rights.

Edmond Packee raised 2 concerns:

1. Ignorance of the law does not justify breaking the law.
2. Approving the variance would open a can of worms and set a bad precedent.

Discussion followed. Motion by Savitski, seconded by Adams to deny the variance application. Motion carried.

Findings of Fact:

1. It does not meet the 3-step test.
2. It would be for the convenience of the owner who failed to comply with Sawyer County Zoning side yard setbacks as shown on the Application for Land Use Permit #05-092 in 2005.
3. It would be a self-created hardship caused by not complying with Sawyer County zoning regulations.
4. It would be damaging to the rights of others or property values because it is infringing on the property to the west.
5. It is not in the public interest.

Assistant Fire Chief Gordon Zimmerman presented the Fire Department Report. Zimmerman reported that there were 8 fire calls and 14 EMS call last month. Zimmerman reported that Fire Chief Marvin Mullet is still in North Carolina. Zimmerman reviewed all calls and training.

Fire Department Purchases - None

Zimmerman reported that the gutter and fascia on the Fire Hall has been repaired.

Hall asked the Fire Department to come up with plans for the meeting room and bathrooms. Zimmerman requested an on-demand water heater. Zimmerman reported that the meeting room ceiling has a condensation problem. Zimmerman reported that the biggest concern right now is material prices and labor. Hall asked Zimmerman to prepare plans to be ready for when prices drop. Hall added that Aubart and Highway Crew Chief Truit Campbell can help.

Highway Crew Chief Truit Campbell presented the Highway Report. Campbell reported that last month was a quiet month. The Highway Department salted and scraped the roads. Campbell reported that road bans went on April 8th. The end on the month was spend grading roads.

Campbell presented 2 driveway permits. Campbell reviewed each application and recommended approval for both. Motion by Aubart, seconded by Adams to approve both driveway permits. Motion carried.

Treasurer Kari Aderman presented the Treasurer's Report. Aderman reported that as of March 31, 2021, the Town has a total of \$490,163.81 in all accounts. Motion by Savitski, seconded by Hammond to accept the Treasurer's Report. Motion carried.

Clerk's Report – None

Hall presented Resolution No. 03-08-21 (A) to Change the Town's Option to Option One in the Sawyer County Zoning Ordinance. Hall reported that this resolution was tabled from last month's meeting for further review. Option Three will remain.

Hall presented the Transfer Station Standard Operating Procedures (SOPs). Discussion followed. No changes were made.

Hall presented 4 applications for the Planning Committee. Hall explained that there are 3 seats plus 1 alternate seat open. Hall presented the following applicants:

1. James Evans
2. Michael Friend
3. Thomas Whitt
4. Sigmund Wysocki

Planning Committee Chairman Bond Sutton approved all candidates and designated Wysocki as the alternate. Motion by Aubart, seconded by Savitski to approve all candidates and appoint them to a 3-year term on the Planning Committee. Motion carried. Sutton will contact the new members.

Hall presented Ordinance No. 2021-04-20 Town of Bass Lake Room Tax Ordinance. Hall reported that Kelsey Gensmer from Angler's Haven Resort provided each Board Member a packet opposing room tax. Hall reported that Towns can go up to 8%, but all surrounding townships have enacted a 4% room tax. Discussion followed. Motion by Aubart, seconded by Adams to approve the ordinance with a 4% room tax. Motion carried.

Hall presented the Tourism Entity Agreement. Motion by Aubart, seconded by Adams to approve the agreement with a May 1, 2021 start date. Motion carried.

Hall presented the ATV/UTV Route Ordinance #2010-5-10 Amendment. Hall reported that 23 letters were received. All letter opposed the amendment either in part or entirely. Aubart reported that there was an overwhelming response to not approve Highline Road. Hall reported that the County will not go beyond KK on Highway K. Discussion followed. Highline Road will be removed from the amendment. William Cocklin spoke in opposition to opening Park Lane. Cocklin explained that Park Lane is a dead-end road and becomes a private road where the asphalt ends. Hall explained that opening the road is for the people that live on the road to be able to access the trails. Cocklin expressed concern about speed. Cocklin would like the amendment rewritten without Park Lane. Discussion followed. Hall state that a sign can be placed where the gravel begins to mark the end of the ATV route. Discussion followed.

Robert Weininger spoke in opposition. Weininger stated that opening Park Lake would create an attractive nuisance on a quiet street that does not need this type of traffic.

Hall suggested tabling a decision until next month and asked the petitioner, Larry Coughenour, to see if the County will approve Highway K and KK. Nies clarified that Highline will be removed from the request as well as Highway K from Highway KK to 27 S.

Hall presented the proposed Town Camping Ordinance for discussion only. Hall contacted the Town's attorney to draw up an ordinance where we can stay with option 3 of the Sawyer County Camping Ordinance and add permits and fees. Nies asked if Warshawsky can forward a copy of the draft ordinance to him for review. Hall said yes. Discussion followed. Hall asked for input. Aubart stated that if people are going to camp and if they install a septic system and well are making a commitment and the Town should lower the price. Aubart pointed out that the Town does not currently have a good enforcement system in place. Hall suggested implementing a citation system like we have for the nuisance properties. Discussion followed. Hall suggested penalties for campers that are not removed by December 1. The first year could be \$250.00 with court costs and the following year \$250.00 + \$25.00/day with court costs. Zimmerman stated that throwing a \$250.00 fine at someone with a buildable lot would be a deterrent and the Town should just go to option 1. Aubart suggested a \$50.00 fine. Sutton stated that we want them here, but we want them to remove their campers in a timely manner. Elise Packee expressed concern over people renting out their lots for campers. Hall explained that it is illegal form them to do that.

Hall presented the proposed annual large item disposal spring clean up at the Transfer Station. Hall checked with Ed Watts and we could have an annual big item pick up. Hall reported that there are some grants to help pay for it. Discussion followed. Hall will research and report back next month. Discussion followed.

Hall presented the 2021 Nuisance complaints. Hammond stated that it is all about enforcement. The Town has done a good job of identifying properties, but we have a problem. Discussion followed. Mary Robinson reported that the property at 14372 W County Highway K does not have a working septic system. Discussion followed.

Hall presented the bids (labor only) for the town hall siding. 1 bid was received and is listed below:

| | | |
|--------------------------|--------------|-------------|
| Cedar Brook Construction | LP Siding | \$18,340.00 |
| | Vinyl Siding | \$13,950.00 |

Discussion followed. Motion by Savitski, seconded by Adams to not accept the bids. Motion carried.

Hall presented 2 operator license applications. Motion by Savitski, seconded by Adams to approve both applications. Motion carried.

Public comment.

Motion by Savitski, seconded by Aubart to into CLOSED SESSION at 8:12 pm after a 5-minute break pursuant Wis. Stats. §19.85 (1)(c)(f)(e)(g) and §19.85 (2) to consider employment, compensation, or performance evaluation data of any public employee, to consider financial, medical, social, or personal histories or disciplinary data to specific persons and for conferring with legal counsel. The Town Board may reconvene into open session. Roll call vote: Hammond – yes, Adams – yes, Aubart – yes, Savitski – yes and Hall – yes. Motion carried.

Motion by Aubart, seconded by Hammond to go into open session at 8:22 pm. Roll call vote: Hammond – yes, Adams – yes, Aubart – yes, Savitski – yes and Hall – yes. Motion carried.

Motion by Aubart, seconded by Adams to not appeal the decision in Case No. 18-cv-992-jdp Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, et al. v. Scott Walker, et al. and to ask the attorney if the Town’s memorandum of understanding is still in effect. Motion carried.

Motion by Hammond, seconded by Adams to adjourn at 8:23 pm. Motion carried.