

Special Town Board Meeting – January 6, 2010

Posted Saturday, January 2, 2010 at 4 p.m. at the Bayfield Town Hall, Bayfield Town Garage, Bayfield Star Route Town Garage, Andy's IGA, Chippewa Valley Bank, and the Town website.

The Special Town Board Meeting was called to order at 4:00 p.m. by Chairman Thomas J. Gordon. Supervisors Richard Carver, Gerald Carlson, and William Ferraro were present as well as Clerk David L. Good and Treasurer Larry Weber. James "Fritz" Hauser, Jr. was excused.

No Town Electors and members of the public were present.

Public Input – None.

Old Business

Confirmation of Change in Employee Health Insurance Carrier – Clerk Good reported that the employees have been enrolled with WPS for health insurance effective January 1, 2010. The new rates are estimated \$1,821.00 per month compared to current rates of \$2,467.00 per month. Final costs are dependent upon the review by the under writers. Discussion followed. A motion was made by Carlson and seconded by Carver to approve the change in health insurance carrier.

Adjourn into Executive Session per Wisconsin State Statutes 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- a. Port Superior Marina Association Appeal of their 2008 Property Assessment in Bayfield County District Court. Discussion and possible action regarding expert witness, opinions of Town insurance carrier, and strategy/options regarding the case.

A motion was made by Carver and seconded by Ferraro to adjourn into Executive Session at 4:05 p.m. The motion carried by roll call vote as follows: Carlson – yes, Ferraro – yes, Carver – yes, Gordon – yes. The Clerk and Treasurer were asked to stay for the Executive Session. The motion carried.

The Board reconvened into Open Session At 4:26 p.m.

A motion was made by Carlson and seconded by Carver to adjourn the meeting at 4:27 p.m. the motion carried.

Minutes Respectfully Submitted by:

David L. Good – Clerk

Caucus – January 18, 2010

Posted Tuesday, January 12, 2009 at 4 p.m. at the Bayfield Town Hall, Bayfield Town Garage, Bayfield Star Route Town Garage, Andy's IGA, Chippewa Valley Bank, and the Town website. Revised and re-posted on Friday, January 15, 2010. Notice of the Caucus published in the January 18, 2010 edition of the Ashland Daily Press. Notice of the Spring Election and positions open was posted on November 17, 2009.

The Caucus for the Town of Bayfield was called to order at 6:45 p.m. by Chairman Thomas J. Gordon. A total of 10 Town electors were present. The Clerk, David L. Good was also present.

The Pledge of Allegiance was recited by all present.

Determine process to break tie votes – A motion was made by Bill Ferraro and seconded by Cari Obst to break a tie vote by a vote off. The motion carried by a vote of 10-0.

Gordon called for two persons to serve as Tellers. Cari Obst and Carl Cadotte agreed to serve as tellers if required.

Gordon called for nominations for the positions of two Town Supervisors. A motion was made by Bill Ferraro and seconded by David Galazen to nominate Dick Carver. Gordon called two times for other nominations. A motion was made by Fritz Hauser and seconded by Bill Ferraro to nominate Gerald Carlson. Gordon called for nominations three additional times with no response. A motion was made by Bill Ferraro and seconded by Cari Obst to close nominations cast and unanimous ballot for Carver and Carlson. The motion carried.

The Caucus was adjourned at 6:50 p.m.

Minutes Respectfully Submitted by:

David L. Good – Clerk

Regular Town Board Meeting – January 18, 2010

Posted Tuesday, January 12, 2009 at 4 p.m. at the Bayfield Town Hall, Bayfield Town Garage, Bayfield Star Route Town Garage, Andy's IGA, Chippewa Valley Bank, and the Town website. Revised and re-posted on Friday, January 15, 2010.

The Regular Town Board Meeting was called to order at 7:00 p.m. by Chairman Thomas J. Gordon. Supervisors Richard Carver, Gerald Carlson, William Ferraro and James "Fritz" Hauser, Jr. were present as well as Clerk David L. Good, Treasurer Larry Weber and Road Supervisor Carl Cadotte.

A total of approximately 11 Town Electors and members of the public were present.

Public Input – Rainer Einsmann inquired about why the speed limit on Highway 13 as you approach the Bayfield City limits is not 35 MPH? Gordon stated the Town has requested the WI DOT to raise the speed limit from 25 MPH to 35 MPH but nothing has been done yet.

Items for Future Agendas – Ferraro requested discussion regarding the Business Park sign. Carver asked for action on funding a Housing Needs Assessment.

Approval of Minutes – A motion was made by Carlson and seconded by Carver to approve the minutes of December 21, 2009 regular Town Board Meeting with noted corrections. The motion carried. A motion was made by Carlson and a second by Ferraro to approve the minutes of the Special Town Board Meeting of January 6, 2010. The motion carried.

Treasurers Report – Weber read the Treasurers Report as follows:

General Checking Account	Current Balance:	\$ 32,476.98
Money Market Savings Account	Current Balance:	\$ 505,233.26
Total Cash on Hand		\$ 537,710.24

Designated Funds

Growth Incentive Fund	\$ 1,128.84
Housing Grant	\$ 25,000.00
Tax Collections	\$262,923.00
Total Designated Funds	\$ 289,051.84

Cash Available to Town	\$ 248,658.40
------------------------	---------------

Loans at Bremer Bank

Grader/Road Paving - \$150,080.59

Next payment of \$5,410.10 due on the 2nd of the month. Final payment due April 30, 2012.

Farmland Preservation - \$52,670.59

Next payment of \$8,825.00 due March 1 and September 1.

A motion was made by Carver and seconded by Hauser to accept the Treasurers report as presented. The motion carried.

Recognition of Growth Incentive Fund Contributors – George Hansen reported that Judith Faragher has been paid the remaining \$3,500 of her \$4,500 loan as a result of the Town increasing funding to the GIF to \$4,500 for 2010. He thanked the Town Board for the support.

Report by Pikes Bay Sanitary District (PBSD) – Rex Dollinger reported that Trailer Court Road re-construction is 90% complete and the pump station is being tested at this time. Two customers are connected to the system at this time. The system will be on-line tomorrow if testing goes

well. He requested the Town pay a portion of the road reconstruction completed to date. Gordon requested that PBSB bill the Town for two thirds of the work. Dollinger explained the options offered to customers to finance the hook-ups to the system. Carver stated Coleman Engineering is doing a study on the best use of the remaining Business Park land and he referred them to PBSB for questions relating to sewer service.

OLD BUSINESS

Business Park Road Sign – Ferraro reported the firm contracted to build the entrance sign to the Business Park has gone out of business. The Town had \$2,500.00 for this project and it appears we will not receive any of these funds. A proposal from a sign maker in Ashland has been asked to provide a proposal and cost estimate.

Carver reported that Tom Galazen was unable to attend the Plan Commission meeting and discuss the photovoltaic's project. Carver did talk with John Johanning, a solar contractor, and he will attend the February Plan Commission meeting.

Carver stated the process to update the Comprehensive Plan has begun. Sub-committees are developing reports on accomplishments to date and unfinished items to be retained in the Plan. Public meetings will be held for each area of the Plan. The goal is to have a revised Comprehensive Plan ready for the Town Board in the fall.

Town Board Recommendation to Bayfield County Zoning regarding request by Rich Wszalek, agent Larry Racheli, to convert a building from Plumbing Warehouse to Woodshop, Glass Etching Studio and Gift Shop at 34760 S County Highway J – The Plan Commission studied the request and had a number of concerns. No one representing Wszalek or Racheli was present. The four issues are as follows:

- a. Not knowing the nature of the business relationship between Wszalek and Racheli, this request may constitute two businesses operating one RRB zoned lot less than 1 acre in size in an area intended for residential use in the Comprehensive Plan.
- b. The conditional use permit request refers to a "gift store" which would indicate a retail sales location that does not have water or sanitary facilities.
- c. The Commission felt that, if only the Racheli business was going to operate from the location, at a minimum One Guy Plumbing signage should be removed and only the Sign Ordinance permitted Racheli signage should be displayed.
- d. Because of the lack of water on the premises the potential use of acid for etching raised concerns about safety.

As a result of the foregoing, the Plan Commission is not prepared to recommend approval of the conditional use permit at this time. On a motion in Ferraro, seconded by Beagan, "recommended that the request be sent back to Rich Wszalek with questions pertaining to the existence of water/sewer, planned signage, further explanation of the two separate business owners, and if acid will be used in glass etching, the safe storage/disposal of chemicals."

At our request, Meg and Larry Racheli met with Jack Beagan and Dick Carver so that these concerns could be discussed. They started by expressing appreciation the Commission raised these concerns as they wish to have resolution of these types of issues before they move forward. They also noted that

delaying review these items did not adversely impact their timeline. Unofficially, they were able to address the aforementioned issues and are prepared to attend the next Plan Commission meeting February 8, 2010 to address the whole Plan Commission.

Update on Port Superior Board of Review decision lawsuit and need for “expert witness” – A motion was made by Carver and seconded by Carlson to authorize the hiring of an expert witness. The Clerk was instructed to see if the Town’s insurance will provide coverage. Discussion followed. A motion to table to February was made by Carver and seconded by Carlson. The motion carried.

Room Tax Agreement Bayfield Chamber and Visitors Bureau – Cari Obst addressed the Board. She presented a new agreement which is identical to the prior agreement except for the dates, January 1, 2010 to December 31, 2011. She will return and present the Marketing Plan at a later date. A motion was made by Ferraro and seconded by Carver. Discussion followed. The motion carried.

Discussion and Policy Regarding 2010 Contributions and Donations – The 2010 budget is \$2,000. The Board agreed to only fund requests included in the budget. If a new request comes in, and if they are not budgeted, they will be asked to address the Board at budget time for consideration in the following year.

Discussion and Policy Regarding Acceptable Uses by Renters and Others of the Town Hall – Discussion was held regarding recent requests for ongoing weekly use of the Town Hall. The Board felt this was not an appropriate use and we will not allow this type of use. The current policy will continue.

NEW BUSINESS

Approval of the Bremer Foundation Interim Grant Report and Update Regarding the Housing Study – Carver updated the Board on the report explaining the expenditure of \$10,000. A motion was made by Ferraro and seconded by Carlson to approve submittal of the report. The motion carried.

Discussion was held regarding use of snowmobiles on Town Roads. The Town follows the state laws.

Add Additional DSL Service to Eliminate Sharing Between the Town Garage and Town Hall – Clerk Good explain how the current service is shared between the buildings and how this impacts other users of the Town Hall. Costs is estimated at \$600 per year. A motion was made by Carver and seconded by Carlson to approve additional DSL service. The motion carried.

Chairman, Supervisor and Committee Reports – Carlson stated the Road Crew is doing a good job of snow removal. Ferraro stated we submitted a grant request for insulating the Town Garage and adding solar under the 25 x 25 Program. A meeting on the Scenic By Ways will be attended on January 25, 2010. The WI DNR has made an offer to purchase the land by Pikes Creek from Bayfield County. Carver stated that meetings continue with CORE and the City of Bayfield regarding housing needs. Beth Meyers stated the City of Bayfield has authorized expenditures of up to \$5,000 for a study and CORE has done the same. Gordon reported that TRIP funds totaling \$30,987 have been received for Connies Lane.

CORRESPONDENCE

Received

1. WI DOT GTA 2010 payments notice of \$147,405.15
2. Notice of TRIP funds received of \$30,987.00.
3. Workman's Comp Insurance rebate of \$1,022.00.
4. Estimate of costs for Port Superior Marina appraisal and fees to testify as expert witness.
5. WI DOR notice of investigation of moving property assessments to the County level.
6. Notice of change in Bayfield County apportionment.
7. WITC notice of change in property tax remittances.
8. WI DNR notice of FC withdrawal for Duwayne Mantag,
9. Bayfield Chamber Visitor and Membership Guides.
10. BellinHealth notice of drivers selected.
11. Bayfield County notice of no Spring Primary Election.
12. Bayfield County Land Records – Pictometry procedures.
13. WI DOR Withholding Tax Update Newsletter.
14. Notice of changes to Northern Tool credit card.
15. Apostle Islands Realty Newsletter.
16. BCED seminar of Focus on Energy opportunities.
17. Apostle Islands Community Fund notice of Small Business Education Scholarships available.
18. UW – Superior notice of various business related training available.
19. National Forest Law Newsletters – Nov and Dec editions.
20. Waste Management notice of waste pick-up schedule for 2010.
21. Orion Energy Systems blog site notice.
22. VFIS Newsletter.
23. Pro-Tainer sales brochure.
24. Bremer Bank Christmas Greeting.
25. Impact Seven Inc Christmas Greeting.
26. EMC Loss Control Insights Newsletter.
27. Bayfield County Board Meeting agenda December 15, 2009.
28. Bayfield Recreation Center Winter Newsletter.
29. Various Department of Workforce Development UI reports.
30. Various Office of Energy Independence notices.
31. Various Wisconsin Department of Revenue notices.
32. Various Bayfield County H1N1 updates.
33. Various meeting notices for the School District of Bayfield.
34. Various Bayfield Chamber of Commerce mailings.
35. Various State Elections Board mailings.
36. Wisconsin Towns Association January Report.

Outgoing

1. Inquiry from Rex Dollinger on sewer special assessments.
2. Certification of 2010-2011 Election Inspectors.
3. Choice Title data on 2010 Special Assessments.

4. Information to Coleman Engineering regarding Business Park site development Plan meeting.
5. Confirmation of WWI DOT Pavement Rating Submission.
6. Request Business Park sign design drawing from Zoning.
7. Update Bayfield Chamber membership information.
8. Driveway snow plowing forms to Brad Stillings.
9. Final billing for Housing Study from WPHD.
10. Request information on Neil Schultz zoning request from Bayfield County.
11. Billing and equipment matters discussed with Kelly Faye, Plan Commission Secretary.
12. Operators License issued to Katherine Lancaster.
13. Letter to Friends of the Bayfield Recreation Center regarding future sponsorships.
14. Memo to Bayfield County Tourism on extension of Jolley Trail Maintenance Agreement.
15. Memo to Attorney Anich regarding expert witness for Port Superior lawsuit.
16. Request for copies of all GIF meeting minutes.
17. Sales tax exemption to Boyer Truck.
18. Application to change health insurance carrier to WPS.
19. Solicitation for persons interested in serving on the Plan Commission.
20. December Federal Tax Payments.
21. December State Tax Payments.

A motion was made by Ferraro and seconded by Hauser to receive the correspondence and place on file. Discussion regarding property assessing being taken over by the Counties was held.

Approval of Bills – The Clerk presented a list of all checks issued from the last Board meeting to date. These are checks 13405 through 13457 totaling \$538,706.22. A motion was made by Carlson and seconded by Carver to approve all the bills as presented. The motion carried.

The Clerks Budget Report was presented as follows:

PERIOD – December 20, 2009 to December 31, 2009

BUDGET vs. ACTUAL

	Dec 2009	Y-T-D	Budget	Percent
Income	\$ 327	\$1,088,450	\$ 1,040,812	105%
Expense	\$ 44,144	\$1,043,718	\$ 1,040,812	100%
Balance	(\$ 43,818)	\$ 44,732		
		Prev. Mo.	Current	
	Accts Recv	\$ 101.11	\$ 126.11	
	Accts Pay	\$ 2,069.58	\$ 3,002.21	
	Grants	\$ 9,990.00	\$ 10,000.00	

	GIF Bal	(\$ 1,010.05)	(\$1,010.05)	
--	---------	---------------	--------------	--

Revenue Budget Explanations

1. Levy for January, February and August settlements is booked.
2. Budget is adjusted.
3. Otto Bremer Grant of \$35,000 is restricted funds, \$10,000 has been expended.
4. Excess revenue from MFL withdrawal is \$12,000.
5. Sale of Town share of Tractor/Mower is \$11,330.
6. County Timber Sale revenues exceeded budget by \$9,000.
7. Road re-construction and gravel purchases posted and paid.
8. Tractor/mower purchase posted and paid.
9. Loan Proceeds for Tractor mower posted.
10. Budget not adjusted for additional gravel purchase of \$54,900.
11. Excess year end revenues includes \$25,000 of Bremer Foundation Grant restricted funds, unrestricted year end revenues are \$19,732.

A motion was made by Carver and seconded by Ferraro to approve the Clerks Financial report. The motion carried.

January 2010 revenues are \$110,395.80 and expenditures are \$28,742.95. A motion to approve the January report was made by Carver and seconded by Hauser. The motion carried.

Adjourn into Executive Session per Wisconsin State Statues 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- a. Port Superior Marina Association Appeal of their 2008 Property Assessment in Bayfield County District Court. Discussion and possible action regarding expert witness, opinions of Town insurance carrier, and strategy/options regarding the case.
- b. Approve Executive Session minutes of January 6, 2010.

A motion was made by Hauser and seconded by Carlson to adjourn into Executive Session at 7:55 p.m. The motion carried by roll call vote as follows: Carlson – yes, Ferraro – yes, Carver – yes, Gordon – yes. The Clerk and Treasurer were asked to stay for the Executive Session. The motion carried.

The Board reconvened into Open Session at 8:03 p.m.

The next Town Board Meeting will be held at 7 p.m. on February 15, 2010 at the Town Hall.

A motion was made by Carver and seconded by Ferraro to adjourn the meeting at 8:03 p.m. and travel to the Northern Edge for a Holiday Dinner. The motion carried.

Minutes Respectfully Submitted by:
David L. Good – Clerk

Special Town Board Meeting – January 26, 2010

Posted Monday, January 25, 2010 at 2 p.m. at the Bayfield Town Hall, Bayfield Town Garage, Bayfield Star Route Town Garage, Andy's IGA, Associated Bank and the Town of Bayfield website.

A Special Town Board Meeting was called to order at 4:00 p.m. by Chairman Thomas J. Gordon, Supervisors Richard Carver, William Ferraro, and James "Fritz" Hauser Jr. were present as well as Clerk David L. Good. Supervisor Gerald Carlson was excused.

A total of 2 Town Electors and members of the public were present.

The Pledge of Allegiance was recited by all present.

Public Input – None.

OLD BUSINESS

Discussion and possible action to authorize expenditures for a Housing Needs Assessment in cooperation with the City of Bayfield and CORE – Carver reported on the recent meetings between the parties to conduct a housing needs assessment. Other participants have agreed to contribute up to \$5,000 each for the study. A motion was made by Ferraro and seconded by Carver to authorize up to \$5,000 from either the Bremer Foundation Grant or Town funds if needed. Discussion followed. It is anticipated that Michael Hershberger of Madison, WI will do the housing study. He has done over 500 of these studies and has done work in this area. The study would include an area within a 25 mile radius of the Town. Other municipalities will be notified. A roll call vote was taken as follows; Ferraro – yes, Carver – yes; Gordon – yes and Hauser – yes. The motion carried by a vote of 4-0.

Discussion and possible action to authorize expenditures for an entrance sign to the Business Park – Carver provided background on the status of Rick Hendrickson, who was contracted to do the sign. He has gone out of business. Ferraro reported that Star Signs Inc. has proposed a single sided sign at a cost of \$2,300. Some additional materials may be required to install the sign. The Clerk was directed to send a registered letter to Hendrickson requesting our funds for the sign be returned. A motion was made by Carver and seconded by Hauser to authorize an expenditure of up to \$3,000 for a Business Park Entrance sign from Star Signs Inc. A roll call vote was taken as follows; Ferraro – yes, Carver – yes; Gordon – yes and Hauser – yes. The motion carried by a vote of 4-0.

Report on the Agricultural Enterprise Area effort – Carver reported the history behind the effort. It was originated by Jason Fischback, UW Extension and Ellen Kwaitkowski, Bayfield Regional Conservancy and several interested farmers in the Town. Additional information is being gathered at this time. The Board needs more information on this program. An informational meeting is scheduled for 2 p.m. on January 28, 2010 at the Ag Center. There is a filing deadline of February 26, 2010 and it needs Town Board and Bayfield County Board approval to be filed. The Plan Commission will be addresses this.

Discussion regarding items for the February 15, 2010 Town Board Meeting – It was agreed to have an Executive Session on the Town Board Meeting Agenda for February 15, 2010 to discuss the law suit

regarding the Port Superior Assessment challenge and review the appraisal from Port Superior and discuss correspondence from Attorney Anich. The AEA will be on the agenda as well as the possible appointment of a Plan Commission member.

A motion to adjourn the meeting at 4:25 p.m. was made by Carver and seconded by Hauser. The motion carried.

Minutes Respectfully Submitted by:

David L. Good – Clerk