

December 5, 2012 Regular Town Board Meeting

The regular meeting of the Town Board was called to order by Chairman Gaulke at 3:00 p.m. Supervisors Ginger Schwanebeck, Mike Christensen, Treasurer Irene Messinger and Clerk Nancy Edwards were present.

Others present, Brian Jopek from the Lakeland Times, Eric Johnson from FYI, Darwin Lohse and Dewey Sternberg from the Lakeland ATV Club.

This meeting was properly posted and the media notified as required by law.

Motion by Mr. Christensen, and seconded by Mrs. Schwanebeck to approve the agenda. The motion carried.

Motion by Mr. Christensen, and seconded by Mrs. Schwanebeck to approve voucher numbers 45447-45521 from the General Fund account Motion carried.

Motion by Mrs. Schwanebeck, seconded by Mr. Christensen to approve the minutes of the October 17, 2012 regular meeting and the minutes from the Special Town Board Meeting of November 21, 2012 as submitted. Motion carried.

Treasurer Messinger provided her report on the financial status as follows: Reconciled balance of the General account as of 11/30/2012 as \$506,947.21 and reconciled balance of the Ambulance fund account as of 11/30/2012 as \$633,799.95. November income included money received from Wis. Department of Revenue for the shared revenue. Disbursements were up which included the road construction invoices. No other significant activities are noted. Motion by Mrs. Schwanebeck seconded by Mr. Christensen to accept the Treasurer's report as presented. Motion carried.

**Town Lakes Committee 2013 activities:** The Town Lakes Committee has presented their 2013 activities for approval. Motion by Mr. Christensen seconded by Mrs. Schwanebeck to approve the activity list as presented. Motion carried.

**Town Roads as ATV Routes:** Darwin Lohse and Dewey Sternberg from the Lakeland ATV Club presented to the board a presentation of proposed ATV Routes. The County Highway Committee had a meeting and did approve the usage of Hwy D from Pokegama Lake Road, or the railroad grade to Overland Road. The trail then goes cross country. The Highway committee wants to run it past the Tribal Concerns Committee and the County's corporation Counsel. The County has a resolution stating there is no usage of any county roads as ATV routes which they are looking at redoing and possibly getting rid of. They asked that the proposal be brought before the town before they have their next meeting on December 20, 2012. The club is proposing using E. River Trail and W.

River Trail which is in the Town of Sherman, going across Hwy. 47 onto a short piece of E. River Trail in Lac du Flambeau to Middle Sugarbush Trail to private land and then up to Sugarbush Trail and use the town road until over the bridge and then it becomes tribal road to Pokegama Lake Trail and railroad grade. The other section they would be using Chequamegon Forest Trail from the Price County line to Indian Village Road and then north on Indian Village Road until you get to West River Trail which the town has a short section and then its tribal road to the Town of Sherman. Mr. Lohse stated that if the route goes within 100 feet of a home a speed limit goes into effect of 10 mph and they will be responsible for payment and posting of the signage. Mr. Lohse gathered 300 signatures on a petition in favor of the use of town roads as ATV routes. They have worked very closely with the snowmobile club and they are also in favor of using the snowmobile trails as an ATV route. The ATV club would be responsible for any damage. The club will provide all costs to put in the trail. There would be no cost to the town or to tax payers. With the advantage of having an ATV route users must use the routes designated or there are consequences. ATV users are required to have license plates. There is no cost for these plates but it is a means of identifying the users. The ATV club has a trail patrol. Violators can be talked to only by the club patrol. Mr. Gaulke mentioned that he spoke to Mark Hartzheim from the Town of Minocqua and they have had no complaints regarding the ATV route in their area. They do have an ordinance in place and they have a yearly permit renewal clause in effect for the use of the roads for the route. Mrs. Schwanebeck asked if the club has spoken with the Vilas County Sheriff's department for the enforcement of the laws. Mr. Lohse stated they have talked to the Lac du Flambeau police department but have not spoke with the Vilas County Sheriff's department. Mrs. Schwanebeck stated that the Lac du Flambeau police department is not authorized in our ordinance to enforce our ordinance because of insurance issues. They are not our official law enforcement agency for the town. Mr. Gaulke suggested the club contact the Vilas County Sheriff's department. Mrs. Schwanebeck stated that she had previously spoke with Mr. Lohse and said she would recommend an advisory referendum on the April ballot. Mr. Lohse thought that by getting the previous signatures they could avoid the referendum. Mrs. Schwanebeck stated she still would like the referendum on the April ballot. There are costs involved in a referendum being put on the ballot and after discussion the town will absorb these costs. Motion by Mrs. Schwanebeck seconded by Mr. Christensen to have an advisory referendum on the April ballot. Motion carried.

**BARTENDERS License Application:** The clerk was approached by Audrey Maulson who previously had applied for a bartender's license but was denied due to reports received back from the Department of Justice Crime Information Bureau. Ms. Maulson had contacted her attorney Gary S. Cirilli in Rhinelander who sent us a letter stating that the information on the bureau's records are incorrect and that the town should review the application. After review of the records available to us it is unclear as to what exactly Ms. Maulson was charged with. Motion by Mrs. Schwanebeck seconded by Mr. Christensen to forward the information to our town attorney for review and clarification. Motion carried.

A motion was made by Mr. Gaulke and seconded by Mrs. Schwanebeck to adjourn at 3: 25p.m. Carried.

Respectfully submitted,

Nancy Edwards  
Town Clerk