

April 17, 2013 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 and Bryan Hoover were present along with Treasurer Irene Messinger and Clerk Nancy Edwards.

Others Present: De De Hall, Ron De Bruyne, Charles Rayala, Jim Sommerfeldt, Ron De Bruyne Jr, Mel and Kay Hoff, Susan Shapiro, Dean Hall, Teri Shaw, Dewey Sternberg, Wilbur and Ruth Werling, Ed Marshall, Kermit Bekkum, Darwin Lohse, Don Nelson, Doug Noetzel, Christopher Mayer, Ralph Kerler Bill Maki, Brian Jopek from the Lakeland Times and Eric Johnson from FYI News.

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

Motion by Mrs. Schwanebeck seconded by Mr. Hoover to approve the agenda. Motion carried. Mr. Hoover asked Mr. Gaulke the procedure of getting future agenda items to him to review. Mr. Gaulke replied you can call the Town Hall or give to Nancy and she will get them to me. Residents can always call me at home.

Motion by Mrs. Schwanebeck seconded by Mr. Hoover to approve voucher numbers 45758-45841 from the General Fund and voucher numbers 1540-1542 from the Ambulance Fund. Motion carried.

Motion by Mrs. Schwanebeck seconded by Mr. Gaulke to approve the minutes of the March 20, 2013 regular meeting as submitted. Motion carried. Mr. Hoover was unable to approve as he was not present for the March 20, 2013 meeting.

Treasurer Irene Messinger provided her report on the financial status as follows: Reconciled balance of the General Fund as of 3/31/2013 as \$753,258.34. Reconciled balance of the Ambulance Fund as of 3/31/2013 as \$652,204.42. In April we received our first payment from the WDOT of \$75,222.30. Unreconciled balances as of 4/15/13 are \$788,639.97 for the General Fund and \$653,029.33 for the Ambulance Fund.

Motion by Mrs. Schwanebeck seconded by Mr. Hoover to approve the Treasurers report as submitted. Motion carried.

Wisconsin Public Service/Street Lights: Mr. Gaulke reported he received a call from Tim Hintz from Wisconsin Public Service asking if they could remove the street lights along Highway 47 in anticipation of

the Highway 47 reconstruction project. He thought while the load limits were on it would give his crews additional work as they are having a hard time finding places to work. Mr. Gaulke stated the only problems he sees with it is that the project is not being bid until May and probably not completed until July or August. We could potentially be sitting without street lights for 4 months. Motion by Mrs. Schwanebeck seconded by Mr. Hoover to deny the request due to safety concerns. Motion Carried.

ATV use on Town Roads: Mr. Gaulke started by giving a brief history. The ATV Club came to the Town Board in December asking for permission to run 5 roads as an ATV route to connect to the trail system in Fifield coming back into town to terminate at the casino. The Town Board decided to get an advisory referendum on the April ballot to see how people felt. Mr. Gaulke stated he has heard the wording of the referendum was confusing to many. They were thinking we were opening all up all town roads to ATV's. This is not the case. The roads requested are Chequamegan Forest Rd, a portion of Indian Village Road between Chequamegan Forest Rd. and West River Rd, West River Road which is a Tribal road into the Town of Sherman and come back out on East River Road across Highway 47 to Little Sugarbush Rd, and go cross country across private land to which they have easements, to Sugarbush Trail to where the town portion ends and continues along on Sugarbush Trail which is tribal road to the railroad grade coming back south to a short section of Highway D approximately 7/10 of a mile which the county highway committee has approved to move to the full county board for approval, then cross county and back to the casino. What they are proposing is not to open all town roads. Just the ones I have described. Mr. Gaulke asked that comments are kept short and issues not repeated.

Supervisor Ginger Schwanebeck stated that she agrees about the wording of the referendum being confusing to some. She heard from several people that they would have voted differently if they knew it only pertained to approximately 9 miles of roads. She was hoping there would be a definitive direction, but we didn't so we find ourselves in a difficult position. Mrs. Schwanebeck states she does want to hear the comments today before she makes any decisions.

Supervisor Bryan Hoover stated he sees that this issue has the community split. Some interpreted it as there would be ATV's on all the roads. There were no public informative meetings held to help people make an informative decision Mr. Hoover stated at this time it is to early for him to vote on this today.

We have two speakers today. Doug Noetzel, Chairman Town of Fifield and Don Nelson, City Council President City of Tomahawk. Both speakers gave a lengthy presentation expressing how they were met with the same issues on ATV's as we are currently having in Lac du Flambeau. They have heard all the pros and cons as we are also hearing. Both speakers expressed that in their communities allowing ATV's on the roads and trails has been a win-win situation. Mr. Lohse from the ATV club also expressed that there has been no issues with the current trail in Minocqua.

The Town Board also heard lengthy concerns from others present at today's meeting. Mrs. Werling, De De Hall, Jim Sommerfeldt, Chris Mayer, Kay Hoff, Ralph Kerler regarding various issues on the referendum question as presented, safety, noise, traffic concerns, eco systems being damaged, costs for additional policing, recreational interests of visitors, possible additional revenue for businesses, survey results, loss of tourism dollars, forest protection.

After all concerns were voiced Mr. Gaulke stated at this time he would like to see from one of the supervisors a motion made to approve the Town Attorney to draft an ordinance to allow ATV use on the town roads presented with a 1 year sunset clause. While this is being drafted he may decide to take Brian's request and hold a meeting with all involved parties to iron out some of the concerns. The tribe currently has an ATV ordinance and we would have to somewhat mirror our ordinance to that for enforcement purposes. Mr. Gaulke stated he feels we just need to begin the process.

The county and the tribe will still have to approve their sections in order for this to be a go. Mr. Hoover feels that he believes there is a long way to go when he looks at the tribal portion of the proposed route. He thinks that the tribe might even want to do a referendum. Mr. Gaulke stated it is totally up to the tribe to approve the tribal land proposed on the trail. Mr. Gaulke stated he wants to get started on this. We could hold meeting after meeting and not go anywhere. Mr. Hoover feels more meetings are needed. Mrs. Schwanebeck feels we should make a motion to approve with a 1 year sunset clause.

Motion by Mrs. Schwanebeck to proceed to have our attorney write up an ordinance to allow ATV use on town roads of the proposed route as presented with a 1 year sunset clause. Mr. Gaulke asked for a second. Mr. Gaulke seconded. Discussion. Mr. Hoover replied stating he was not ready to vote as he feels not enough information was presented to the public that is why he did not vote and abstained. Mr. Gaulke asked for a vote. Mrs. Schwanebeck Aye, Mr. Gaulke Aye, Mr. Hoover abstained. Mr. Gaulke stated he would prefer a yes or no vote. Mr. Hoover responded with No. Motion Carried.
Motion by Mrs. Schwanebeck seconded by Mr. Hoover to adjourn at 4:38 p.m. Motion carried.

Respectfully submitted,

Nancy Edwards
Town Clerk