

Regular September Town Board Meeting
Monday, September 9th, 2024- 6:00 PM

Call to Order and Roll Call: The meeting was posted on September 5th, 2024 at the Bayfield Town Hall and the town website. Chairman Craig Hoopman and Supervisors Karen Boutin, Robert Meierotto, Carol Fahrenkrog, and Fred Erickson were present. Treasurer Billie Hoopman and Road Foreman Chuck Cadotte were also in attendance. Clerk Kelly Faye attended via Zoom. Chairman Hoopman called the meeting at 6:00 PM.

Public Comment: Bev Dehn spoke related to concerns she has about a resident on a property across the road from her home. She explained that her neighbor is living on the adjacent property without obtaining a zoning permit/septic permit. She stated that the resident had been living in the woods on his property but recently a tool shed was put in place and is being used as his residence without heat or a bathroom. She is concerned about the mental health and safety of the individual as well as the safety of others that live nearby. Nearby landowners Suzette Psychogios, and Sean and Lori Heckman reported similar concerns about the situation. These issues have been reported to Bayfield County in the past but the issue is still going on. Dehn reported that she asked that the Bayfield Town Board share these concerns with the Bayfield County Zoning Department. Chairman Hoopman stated that Bayfield County has the authority in cases like this but agreed that the situation should be addressed to ensure compliance with the zoning, septic, and fire permit regulations. He also noted that a Bayfield County Social Services wellness check may need to take place. He stated that he would write a letter to Bayfield County Zoning to ask that this issue be looked into.

Discussion and Identification of Items for Future Agendas: None.

Approval of the Minutes of the Regular August 12th Town Board Meeting: A motion was made by Meierotto, seconded by Fahrenkrog, to approve the minutes. Motion carried.

Receive and Place on File Treasurer's Report:

9/5/24

GENERAL CHECKING ACCT. #50062

CURRENT ACCOUNT BALANCE	\$86,099.19
Less Checks Outstanding (To Date)	\$47,979.59
CURRENT AVAILABLE BALANCE	\$38,120.60

MONEY MARKET ACCT. #150375

CURRENT ACCOUNT BALANCE	\$2,258,961.68
Less Designated Funds:	
• Growth Incentive Fund	\$39,041.97
• Big Ravine Revenue Balance	\$2,963.62
• Hatchery Trail Revenue Balance	\$5,660.04
• Economic Study Balance	\$5,824.33
• Star Route Loan Proceeds Advanced	\$1,587,286.00
CURRENT AVAILABLE BALANCE	\$780,321.76

LOANS:

BREMER BANK LOAN	
• Issue Date	2/21/2020
• Maturity Date	2/21/2029
• Interest Rate:	2.5%
Original Balance	\$433,918.28
Last Payment Amount 8/21/2024	\$4,998.52
• Principle \$4,556.67	
• Interest \$441.85	
Current Balance	\$200,693.88
Next Payment Due 9/21/2024	\$4,998.52

OTHER:

1. 2nd Quarter Room Tax Reports – making contact with late filers.
2. Snowplowing – Receiving payments for 2023/2024 and 2024/2025 season.
3. Requested and received transfer of fund for Star Route Road Project in accordance with loan agreement.

A motion was made by Boutin, seconded by Erickson, to approve the Treasurer's Report.
Motion carried.

Bayfield Area Trails Update: It was reported that an email update was sent out by Kate Kitchell in advance of the meeting. Treasurer Hoopman asked what she should do with donations for Bayfield Area Trails that come directly to the Town of Bayfield. Chairman Hoopman stated that he would like to take care of the trails that the town has already and not take on any more trails at this point. He noted the work involved in dispersing funds for the projects. He stated that any future grants related to trails would need to be considered by the town. Chairman Hoopman also noted that he met with Kevin Casper, owner of property adjacent to the Pikes Creek Trail, that afternoon. Hoopman stated that it is clear, after seeing a new survey that was done, that the Casper property goes all the way to Pikes Creek and that they even own part of the road. An easement for the DNR is currently in place but only for lifetime access to maintain a pipe. Hoopman recommends to the Town Board that the bridge be picked up and that the trail is built closer to the road to get to the Ski Hill. Fahrenkrog suggested that they not wait to make a recommendation. Hoopman said he told Kitchell he would wait until the next meeting to make a recommendation.

Treasurer Hoopman suggested that it may not be a good idea to move the bridge until the legal matter with Anderson Bridges is settled, because it may need to be in place as proof of the structural problems. It was noted that hopefully the Bayfield County Judge will have ruling on that issue soon.

Report from Pikes Bay Sanitary District: None.

OLD BUSINESS

Discussion and possible action on Star Route Road TRIS Reconstruction Project:

- a. **Change Order #3 to add a 12" diameter culvert for a needed driveway culvert for an additional \$3,500:** A motion was made by Boutin, seconded by Fahrenkrog, to approve the change order. Motion carried.
- b. **Change Order #4 (tentative) requested from Northwoods Paving for remobilization, \$2,000 for additional ditching and \$8000 for additional grout slurry needed at one of the culvert liners for an additional \$2,800:** Chairman Hoopman stated that he is concerned about agreeing to pay the \$2,000 as this was part of the original contracted work. He agreed that the \$800 would be OK to pay. A motion was made by Boutin, seconded by Erickson, to pay \$800. Motion carried.
- c. **Northwoods Paving Pay Application #3 in the amount of \$887,158.08: A motion was made by Erickson, seconded by Boutin, to approve the payment.** A roll call vote was taken. Fahrenkrog-yes, Meierotto-yes, Hoopman-yes, Boutin-yes, Erickson-yes. Motion carried.
- d. **Any other action needed to complete project:** Chairman Hoopman stated that he, Chuck Cadotte, and Brady Halvorson of Coleman Engineering plant to go inspect the finished road. He invited any others that are interested in joining them to do so.

Discussion and possible action on June 18-19th flood damage at Apostle Islands Campground: Chairman Hoopman gave a description of the extent of damage that took place at the Apostle Islands Campground from the flooding event. He noted that debris from Hillside Drive came down to the campground parking lot and sites and caused issues. He stated that he thinks that Pikes Bay Sanitary District should be involved in finding a resolution to this as they dug up the area above the damage not long before the event occurred. He believes that PBSB should do what they can to help with the repairs and figure out how this situation can be prevented in the future. He asked for input from the other Town Board members. Fahrenkrog agreed that PBSB should be brought into the conversation. The issue of when the work done by PBSB took place. It was estimated that the work was done in the past two years. Zach and Jennifer Krivoshein of Apostle Islands Campground were in attendance at the meeting. They reported that it took two days for a local contractor using heavy equipment to remove the debris that ended up in the campground. So far, they have taken on all the costs involved. They stated that most guests were understanding but some people that came into town after the event did not expect the mess that was there. It was decided that Chairman Hoopman would speak with PBSB.

Update on Bayfield County Circuit Court Summons related Pikes Creek Trail Bridge dispute: None.

Discussion of recommendation from Plan Commission that Bayfield Town Board approve resolution in opposition to Representative Tom Tiffany's proposal (H.R. 9111) to make the Apostle Islands National Lakeshore into a National Park: The following resolution was presented.

**TOWN OF BAYFIELD
Bayfield County, Wisconsin**

**Resolution 2024-02
In Opposition to H.R. 9111**

Whereas; H.R. 9111 would redesignate the Apostle Islands National Lakeshore as the Apostle Islands National Park and Preserve, and for other purposes; and,

Whereas; The stated reason for the proposed redesignation is to increase tourism to create economic growth by creating more jobs, private investment in hospitality facilities and services, and public infrastructure investments; and,

Whereas; There were no local public informational meetings held to inform the public, the tourist industry, and park users about the proposal which would have allowed the public to ask questions, receive answers, and to offer their suggestions and input; and,

Whereas; There was no coordination with local governments or officials or meaningful information, communication, consultation, or questions answered about the proposal with the Native American Tribes, or the counties, towns, and cities that would be most affected by this proposal prior to its being introduced in Congress; and,

Whereas; No feasibility study has been proposed or completed to establish what private and public facilities, accommodations, and infrastructure would be required to accommodate more tourists, as well what the Federal land and nearby communities' capacities are for accommodating more tourists; and,

Whereas; The proposal is much more than just a name change. Changing the Apostle Islands National Lakeshore to a National Park and Preserve deserves a deliberate, thoughtful, transparent, in-depth, and inclusive public process so all voices can be heard and their questions answered; and,

Whereas; While tourism is a very large and important part of Bayfield County's economy which needs to be maintained, we need assistance to broaden and diversify our economy into other sectors so that we are not overly reliant on only one economic sector. For example, the County is a large producer of forest products, most of which are exported from the County for

value added processing. We would welcome assistance in creating businesses that would process and add value to our forest products; and,

Whereas; Native American rights on Reservation lands and Native American treaty rights to hunt, fish and gather on ceded territory lands may be negatively affected; and,

Whereas; The proposal would prohibit hunting and trapping on approximately 39,000 acres of land which are now open and available to these recreational activities; and,

Whereas; Designating Sand Island as a preserve would reduce the protection of the natural, historical and cultural resources on the island since natural resource extractions and uses such as mining and logging could be allowed and commercial development such as resorts and marinas could be allowed; and,

Whereas; The proposal could negatively impact privately reserved rights and uses on Sand and Rocky Islands; and,

Whereas; The proposal could negatively impact historical designated sites on the islands; and,

Whereas; The 1964 Wilderness Act defines wilderness as possessing "outstanding opportunities for solitude" any significant increase in park visitation and use of the Gaylord Nelson Wilderness in the Apostle Islands may damage and degrade those important opportunities; and,

Whereas; The proposal does not address the existing backlog of deferred maintenance on the Federal property. Representative Tiffany, as chair of the US House of Representatives Subcommittee on Federal Lands, is in a position to work with the both the House and Senate Appropriations committee to address the deferred maintenance backlog before the property is redesignated as National Park which would increase visitation rates; and,

Whereas; The Proposal does not address the resources and services the Park Service needs for both the current visitation rates and for the anticipated increase in visitor use if it becomes a National Park. This should be addressed before any consideration is given to redesignation as a National Park; and,

Whereas; The area that would be most affected by more tourists already has a shortage of emergency service personnel and facilities. The proposal does not include any Federal help or assistance to address these issues and needs; and,

Whereas; The current National Lakeshore designation adequately and appropriately protects the natural, cultural and historic resources while allowing for public use and enjoyment. The proposal is a 'solution' in search of a problem.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield Town Board assembled, this 9th day of September 2024, does hereby oppose H. R. 9111 which would redesignate the Apostle Islands National Lakeshore as the Apostle Islands National Park and Preserve, and for other purposes.

Adopted by the Town of Bayfield Board of Supervisors by a vote of - .
Dated this 9th day of September 2024.
TOWN OF BAYFIELD

Craig Hoopman, Chair

Fred Erickson, Supervisor

Robert Meierotto, Supervisor

Karen Boutin, Supervisor

Carol Fahrenkrog, Supervisor

THIS IS TO CERTIFY THAT the foregoing is a true and correct copy of a resolution duly and legally adopted by the TOWN OF BAYFIELD at a regular meeting held on the 9th day of September 2024.

Kelly N. Faye, Clerk

Chairman Hoopman said he was in favor of the resolution. A motion was made by Boutin, seconded by Meierotto, to approve the resolution. A roll call vote was taken. Boutin-yes, Meierotto-yes, Hoopman-yes, Erickson-yes, Fahrenkrog-abstained. Motion carried, 4-yes, 1-abstained.

NEW BUSINESS

Discussion and possible action on request from Bo Belanger of South Shore Brewery for approval of WI Department of Revenue Form AB-105: Producer Full-Service Retail Sales Application to sell beer for on-site consumption at Erickson Orchards from September 27th-October 6th, 2024: A motion was made by Meierotto, seconded by Boutin, to approve the license. Erickson abstained. Motion carried.

Preliminary discussion on possible upcoming request from town resident(s) that name of Trailer Court Road be changed to Trail Court Road: Zach Krivoshein explained that Carl French started the conversation about changing the name of the road to Trail Court Road. He mentioned the amount of money that has been invested in the campground and stated that this little change may make it sound more attractive to potential campers. It was decided that this would be an item on a future agenda.

Discussion and possible action on town hall rental request on Saturday, November 16th, 2024: It was explained that a town resident has requested use of the hall for a baby shower. A motion was made by Meierotto, seconded by Boutin, to approve the request. Motion carried.

Approve and place on file Clerks Report:

8/07/2024 - 09/06/2024					
DISBURSEMENTS					
Checks written					
Range	21848	21892			
BUDGETS vs. ACTUAL					
		August 2024	Y-T-D	Budget	% of Budget
	Revenue	\$ 1,606,390	\$ 2,628,632	\$ 4,220,892	62%
	Expense	\$ 354,175	\$ 1,136,060	\$ 4,220,892	27%
	Balance	\$ 1,252,215	\$ 1,492,571		

A motion was made by Boutin, seconded by Fahrenkrog, to approve the Clerk's Report. Motion carried.

Approve and place on file the Correspondence:

October 2024

Received

1. Star Route TRIS Reconstruction Project Change Order #4 from Coleman Engineering for remobilization of the grout pumper for \$800.00.
2. Star Route TRIS Reconstruction Project Pay Request #4 for Northwoods Paving via Coleman Engineering for a total of \$282,187.31.
3. Email correspondence from the WI Elections Commission and other election related organizations with instructions and training materials related to the November 5th General Election.
4. Voter Registration Forms and Absentee Ballots Requests for the November 5th General Election.
5. Paperwork for annual Town Road Map and Road Quality Certification (requesting any changes) from WI Dept of Transportation.
6. Notices from the WI Department of Revenue to assist in Budget Planning: Shared Revenue, Exempt Computer Aid, and General Transportation Aids.
7. Email correspondence from Bayfield Area Trails with purchasing and contractor pay requests related to approved trail grants.

Outgoing

1. Federal Payroll 941 Reports for End of September and Beginning of October to US Treasury.
2. WI Payroll Taxes for September to WI Department of Revenue.
3. Additional labor and cost documentation related to the June 18th-19th Flood Damage Reports to WI Disaster Fund and WI DOT.
4. Email to Tim and Kimberly Rinehart detailing the process for vacating a platted street adjacent to their property based on information provided by Town Attorney.

5. Email correspondence to WI Elections Commission legal department related to a request from a registered voter asking to vote under special circumstances from Norway.
6. Work schedule for the November 5th General Election to poll workers.
7. Signed Certificate of Substantial Completion of TRIS Star Route Road Reconstruction Project to Coleman Engineering.
8. Notice to Plan Commission that the October 1st Plan Commission Meeting was cancelled due to lack of agenda items.
9. Payment for Municipal Services Annual Entitlement Worksheet to WI Department of Administration.
10. Numerous emails related to absentee ballot requests and explanations for process to register to vote.

A motion was made by Meierotto, seconded by Boutin, to approve the correspondence.
Motion carried.

Chairman and Supervisor Reports: Chairman Hoopman asked about what to do about the condition of Valley Road. The road was recently pulverized and now the road is gravel. Erickson suggested waiting to take action on it for another year. It was noted that the WI Department of Transportation TRIP points build up on years that the town does not receive that funding. Hoopman stated that any work done on the road would be using borrowed funds. Erickson suggested waiting until the town has more funds. Hoopman suggested that the town should have an elector's meeting in the future to decide how to plan for future road improvements. It was confirmed however, that the flood damage to Ski Hill Road would be repaired by the end of this year.

Set date and time for next Town Board Meeting: Monday, October 14th, 2024 6:00 PM.

Adjourn: Meeting adjourned.

Minutes submitted by: Kelly Faye-Clerk