

### **Regular Town Board Meeting- June 19<sup>th</sup>, 2017- 7:00 PM**

The meeting was posted Tuesday, June 13<sup>th</sup>, 2017 at the Bayfield Town Hall, the town website, and submitted to the Ashland Daily Press Meeting Notices. Chairman Thomas J. Gordon and Supervisors Karen Boutin, Robert Meierotto, Gerald Carlson, and Craig Hoopman were present, as well as Clerk Kelly Faye, Treasurer Larry Weber, and Road Foreman Chuck Cadotte. Twenty-six members of the public were present. Chairman Gordon called the meeting to order at 7:00 PM.

**Public Comment and Suggestions from Persons Present:** 1) Billie Hoopman introduced herself as a taxpayer in the Town of Bayfield and expressed concern over a resolution that has been drafted by Pikes Bay Sanitary District which would propose expansion of its borders to include more of the Town of Bayfield. She read from a handout distributed to the Town Board members which included the following...

“I am here today to express concern over the potential Resolution offered by the PBSB to expand their current boundaries and also to ask the board to consider reducing the size and mass of the existing boundaries.

-In notes found from the documents distributed at public meetings at the Town of Bayfield in 2002 and 2004, when considering the construction of the Greater Bayfield Wastewater Treatment Plan and larger Pike’s Bay Sanitary District, property owners were told they would not have to pay anything until a line was available to hook into the system. ‘There will not be any direct impact on your taxes.’

-As you know this has not held true. For years, PBSB has assessed a levy on property owners in their district.

-It has come to my attention, the PBSB Tax Levy has been applied to property we own that is zoned Agricultural.

-There are no known plans to expand the PBSB utility system now or in the foreseeable future to serve the property we own in the Town of Bayfield.

-Because we have holding tanks we additionally pay into the system through a fee assessed to the hauler(s).

-Should a line become available we could additionally have to pay a Special Assessment Charge as described in Chapter 12 of their Ordinance as well as a required hook-up fee.

-While these charges are legal, I would question if it’s ethical to have many of us paying into a system we are never likely going to be directly served by.

### **Questions for consideration:**

-If the boundaries are expanded, how will this impact me? Others?

-Are there plans for any significant system expansion? Where? Estimated cost? Additional number of users? Timeline?

- Will more properties be assessed a levy? Will the levy go down for those already in the district?
- How will additional money be used?
- When can I reasonably expect to be hooked up to the system?
- Will the levy ever be removed from the tax roll? When their loan is paid? When their Equipment Replacement Fund balance has been achieved? Never?
- How will Agricultural Zoned Properties be treated with regard to being assessed a levy, or being required to hook-up to a line that might service them in the future?"

The hand out also included a document provided by the Greater Bayfield Sanitary District Committee in October of 2002 detailing the Pike’s Bay Expansion Request at that time as well a document titled *The Greater Bayfield Sanitary District and You* from 2004.

2) David Galazen asked how gravel crushing is coming. Road Foreman Cadotte replied that they were told crushing would take place in June or July. The town will be out of gravel by the end of next week.

3) Billy Weber asked PBSO is not accountable to everyone and questioned why there is often not a representative to give a report during Town Board meetings.

**Discussion and Identification of Items for Future Agendas:** Treasurer Weber requested that snowplow rates for 2017-2018 be placed on the next agenda.

**Approval of the Minutes of the Open Book of May 2<sup>nd</sup>, Road Inspection of May 4<sup>th</sup>, Board of Review of May 11<sup>th</sup>, and Regular Town Board Meeting of May 15<sup>th</sup>:** A motion was made by Hoopman, seconded by Carlson, to approve the minutes. Motion carried.

**Receive and Place on File the Treasurers Report for June 2017:**

Treasurer Weber reported the following...

General Checking Account	Current Balance:	\$ 48,221.60
Money Market Savings Account	Current Balance:	\$ 205,536.58
Total		\$ 253,758.18
Designated Funds		
	Growth Incentive Fund	\$ 15,903.96
Total Designated Funds		- \$ 15,903.96
Cash Available to Town		\$ 237,854.22
Combined Bremer Bank Loan Principal		\$ 111,200.34

Payments due on the 1st each month.

\$ 5,400.00

Last payment April 1st, 2019

A motion was made by Hoopman, seconded by Boutin, to approve the report. Motion carried.

**Report from Pikes Bay Sanitary District:** Duane Dehn stood and stated he works with Pikes Bay Sanitary District but is not able to give a report as he is not in charge of the business side of the organization. He noted that everything is running well.

**Report from Business Park Promotion Committee:** Robert Feyen, Chairman of the Committee, reported that he attended the last Pikes Bay Sanitary District meeting to gather information about a potential sewer hook-up of the Business Park. Ron Hauptert, Chairman of the Telecommunications Sub-Committee, said he met with Norvado which gave scenarios of potential internet hook-up options within the Business Park. Centurylink planned to give him scenarios that week. He noted that the telecommunications survey would be sent out this week. He explained that the Town of Russell, City of Bayfield, and the Town of Bayfield hope to work together to support telecommunication access on the Northern portion of the Bayfield Peninsula. It was also noted that a letter was received from a local resident expressing concerns over the lack of telecommunications infrastructure, concerns over lack of cell service in emergencies, and recent effects of road construction on services. Chairman Gordon commented on the importance of cell phone contact with emergency services and the possibility of speaking to Bayfield County about where a tower could potentially be put up on land they own. Further discussion took place about options related to cell phone towers, related costs, and grant requirements.

### New Business

**Discussion and possible recommendation to Bayfield County Zoning regarding application for Class B Conditional Use Permit from Lake Superior Big Top Chautauqua, Kevin Hunt-Agent, to open facility for occasional events such as fundraisers, dinner theatre, use of parking lot for shuttle pickup, and maintain two sleeping units for residential use on 18.59 parcel, zoned R-RB, located at 84810 Hwy. 13. Located in a shoreland/wetland zone. Tax ID #33995:**

The Town Board members received a copy of the recommendation that the Plan Commission made on this application prior to the meeting as follows... the Plan Commission recommends that the Town Board approve the application for a Class B Conditional Use Permit from Lake Superior Big Top Chautauqua, Kevin Hunt-Agent, to open the facility for occasional events with the following conditions:

- that they connect to/use the Pikes Bay Sanitary District line as agreed;
- that they do not hold outdoor events or concerts;
- that they use the existing building, venue, and parking lot;
- that they use downward pointed lighting; and
- that they install additional screening if possible.

Representatives of Big Top Chautauqua and their Board of Directors were present to discuss the application and answer questions. Kevin Hunt explained that they would like to have the option to change the footprint of the building if desired in the future. Discussion also took place regarding their desire to have the option to have outdoor music on occasion. Hoopman brought up the possible effects on the owners of the adjacent rental cabins. It was agreed that outdoor music events would be allowed if they were 1) entirely non-amplified (defined in the meeting as acoustic and not connected to electricity) and 2) over by 9:00PM.

A motion was made by Hoopman, seconded by Carlson, to recommend that the Bayfield County Planning and Zoning Committee approve the application with the following amended conditions.

- that they connect to/use the Pikes Bay Sanitary District line as agreed;
- that outdoor events or concerts are limited to non-amplified music (acoustic and not connected to electricity) and conclude by 9:00PM.
- that they use the existing building, venue, and parking lot;
- that they use downward pointed lighting; and
- that they install additional screening if possible.

Motion carried.

David Barningham asked the representatives of Big Top Chautauqua about their tax requirements as a 501(c)3 organization. Terry Meyer Matier, Executive Director of Big Top Chautauqua, responded that they do pay property tax and do collect sales tax. They do not pay federal or state income tax. It was also explained that the fact that the Northern Edge property is not their main location affects their ability to apply for some tax exemptions for that site.

**Discussion and possible recommendation to Bayfield County Zoning regarding application for Class A Special Use Permit from Gregory Schultz and Sarah Sigford to build a single family dwelling on 11.13-acres, zoned Ag-1, near intersection of Turner Road and County Highway J. Tax ID #5749:** The Plan Commission recommended approval of the application. Gregory Schultz was present to answer any questions. A motion was made by Boutin, seconded by Meierotto, to approve the application. Motion carried.

**Discussion of options about revaluation timeline to be presented by Assessor Nordquist and possible approval of selected option and extension of assessor contract beyond current agreement:** Assessor Nordquist stood and presented the options related a future total revaluation. A letter had been provided to the Town Board members prior to the meeting as follows...

6/13/17

Re: Summary of options for property tax assessment in upcoming years.

Prepared by:  
Steve Nordquist  
Nordquist Appraisal  
15984W 5<sup>th</sup> St.

Hayward, WI 54843  
(715)934-2902

To: Bayfield Town Board.

After having had some time to become familiar with both the market and the assessment records, I believe that it is appropriate for the Town Board to consider either a market update or a full revaluation sometime in the next couple of years. Under current state statute, given the 2016 level of assessment, it is not mandatory for a revaluation to be completed any time in the immediate future. However, given some of the specifics related to the Town of Bayfield, I believe it would be in the town's best interest to have a revaluation. Please read below for a brief summary of the options available.

Option 1: Maintenance Assessment (what we did in 2017). Includes collecting data on all new construction projects and determining valuations, valuing all new parcels created by land splits and surveys, discovery and valuation of all personal property, filing required reports (MAR, AAR, ECR) and providing sales data to WI Dept. of Revenue. Complete sales analysis to determine changes in market. Benefit of this option for the town is that it is the least expensive option. Drawbacks are the inequities in the assessment roll will remain and the property record data will continue to be on an antiquated computer program and paper records. Estimated maintenance cost is \$12,500.

Option 2: Market Update. Includes all work done in maintenance assessment, and the following. Perform a thorough market analysis to determine what neighborhoods and property types are being assessed at a level higher or lower than market value. And make the necessary adjustments to assessed values. Benefits of this option are that it is less expensive than a full revaluation while correcting the existing inequities in the assessment roll. Drawback is that data will remain fairly antiquated. Estimated market update cost is \$24,000.

Option 3: Full Revaluation. In addition to the above options, assessor would visit all taxable improved properties and collect data on property characteristics. All data would be converted to the Market Drive software program which has a number of features that create a high quality database, including access to a view edition which allows the municipality to have viewable records stored on the town's computer. Benefits of this option are that all data will be updated and placed on a good software program, and the assessment roll will be accurate and equitable. Drawback is that it is the most expensive option. Estimated full revaluation cost is \$45,000.

Chairman Gordon stated that a full revaluation has not been done in a long time. Assessor Nordquist explained that the recommended timeframe between full revaluations is seven years. Gordon suggested the Budget for 2018 could include some of the revaluation. Nordquist stated he often plans for three payments from municipalities. The first would be in December 2018, the second at Board of Review in 2019, and the third late in 2019. Nordquist stated that he prefers to opt for the full revaluation. Gordon suggested agreeing to the full revaluation. Treasurer Weber agreed. Gordon requested that Nordquist provide a contract for a full revaluation. A motion was made by Hoopman, seconded by Meierotto, to stay with the maintenance assessment for 2018 and then plan for a contract for a full revaluation in 2019. Motion carried.

**Discussion and possible action on possibilities related to the sign committee goals as well as preferred farm, orchard, and local business sign maintenance standards/practices in the Town of Bayfield:** Boutin suggested the sign kiosk at Betzold Road stay the same as it is. After discussion and thought, she suggested leaving the unique nature of the signs. If they were changed by the town they would be the same size and uniform and would not have miles to the farms/orchards included on the sign. She suggested that a letter be sent to the sign owners to remind people to take care of the signs. A motion was made by Boutin, seconded by Carlson, to leave the Betzold Road Kiosk signs as they are. Motion carried. Hoopman stated that he agreed that he didn't want uniformity.

**Discussion and possible action on request from Jon Dale to place Pikes Creek Winery sign at Highland Valley Farm and possibly at farm sign kiosk at intersection of County Hwy J and Valley Road. (See recently approved zoning application):** Boutin stated that she discussed what kind of sign was allowed at the intersection of County Hwy J and Valley Road with Dale and that no other action was needed.

**Discussion and possible approval of 2017-2018 Applications for Renewal of Liquor Licenses received as of May 15<sup>th</sup>, 2017:**

Apostle Highlands Golf Course has applied to the Town of Bayfield for a Class A Beer and a Class B Liquor License for the Apostle Islands Golf Course-Club House Bar and Restaurant, Pro Shop, and Golf Course Grounds, 34745 Madeline Trail, Bayfield, WI 54814. A motion was made by Gordon, seconded by Meierotto, to approve. Motion carried.

Ashwabay Outdoor Educational Foundation Inc. for a Class B Beer and a Class B Liquor license for Mount Ashwabay Bar and Two Tents and Grounds, 32525 Ski Hill Road, Bayfield, WI 54814. A motion was made by Boutin, seconded by Meierotto, to approve. Motion carried.

Bayfield Apple Company LLC, has applied for a Class A Liquor and Class A Beer License for their Orchard Store, 87540 County Highway J; Bayfield, WI 54814. A motion was made by Meierotto, seconded by Boutin, to approve. Motion carried.

Bayfield Winery LTD has applied to the Town of Bayfield for a Class A Liquor license for the main floor of Hauser's Red Barn, 86565 County Highway J, Bayfield, WI 54814. A motion was made by Gordon, seconded by Hoopman, to approve. Motion carried.

Flamingos Up North Inc. has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor License for the Wild Rice Restaurant including all decks and walkways, 84860 Old San Road, Bayfield, WI 54814. A motion was made by Boutin, seconded by Carlson, to approve. Motion carried.

Frederick Martin Erickson, Erickson Orchard & Country Store, LLC has applied to the Town of Bayfield for a Class A Liquor license for their Country Store, 86600 Betzold Road; Bayfield, WI 54814. A motion was made by Meierotto, seconded by Boutin, to approve. Motion carried.

Goldridge Group LLP for a Class A Beer License for their Marina Ship Store, 84190 Pikes Bay Road, Bayfield, WI 54814. A motion was made by Boutin, seconded by Carlson, to approve. Motion carried.

Howl, LLC has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor License for a room attached to Howl Clothing and Adventure Store and an outdoor seating area, 35250 County Hwy. J, Bayfield, WI 54814. This license was approved at the May 15<sup>th</sup>, 2017 Town Board Meeting. This application was approved at the May 2017 meeting.

Lake Superior Big Top Chautauqua LLC has applied to the Town of Bayfield for a Class B Beer License for 84810 Highway 13, Bayfield, WI 54814 including a single story building with a bar and three meeting rooms. A motion was made by Boutin, seconded by Hoopman, to approve. Motion carried.

Pikes Creek Winery LLC has applied to the Town of Bayfield for a Class A Liquor License for their farm sales building, 87090 Valley Road, Bayfield, WI 54814. A motion was made by Meierotto, seconded by Boutin, to approve. Motion carried.

Port Superior Marina Association, Inc. has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor license for Portside Bar and Restaurant, including the 2<sup>nd</sup> floor of restaurant building, all deck levels, clubhouse, admin office, and pool area located at 34475, and ship store located at 34480, Port Superior Road, Bayfield, WI 54814. A motion was made by Boutin, seconded by Meierotto, to approve. Motion carried.

Seven Ponds Winery has applied to the Town of Bayfield for a Class A Liquor license for the first floor of the farmhouse, 87380 Betzold Road, Bayfield, WI 54814. A motion was made by Meierotto, seconded by Carlson, to approve. Motion carried.

**Discussion and possible approval of 2017-2018 Operators License Applications received:**  
Operators License Applications

All applicants have passed a background check for alcohol service offenses

James Held  
Robert Lunde  
John Thiel  
Jerry Simons  
Lydia Hauser  
Jane Hauser  
Skyler Viano  
Ian Hauser  
Michele Tegen  
Renate Hauser  
Carrie Bondioli  
Randall Anderson  
Janet Dale  
Jonathan Dale  
Christopher Dale  
Magdalen Dale  
Carol Fahrenkrog  
Ellie Zimmer

Holly Pierce  
Nick McGee  
Dorine Mosteller  
Kimberly Hansen  
William DePerry  
James Schaitberger  
Kim Cady

A motion was made by Meierotto, seconded by Boutin, to approve all applications. Motion carried.

**Discussion and possible action on bank erosion issues along TRIP-D Star Route Road project:** Discussion took place about possible liability by the engineer firm SEH. Chairman Gordon suggested sending the contract to the town attorney for review. He questioned what the cost of the project would have been if they had put the rock in originally. A motion was made by Meierotto, seconded by Hoopman, to contact the town attorney to review the engineer's contract. Motion carried.

**Request for donations.**

- a. **Little League:** \$250
- b. **Alliance for Sustainability for Pie and Politics:** \$100
- c. **City of Bayfield for July 4<sup>th</sup> Fireworks:** \$500

A motion was made by Meierotto, seconded by Hoopman, to approve the above donations. Motion carried.

**Discussion and possible action on quote from Fahrner Crack Sealing:** Chairman Gordon read the quote. A motion was made by Carlson, seconded by Meierotto, to approve the quote and sign the contract. Motion carried.

**Discussion of Off Highway Motorcycle law changes:** A document detailing recent law changes was provided to the Town Board members. It was agreed that this was not an issue in the town at this time but may need to be considered in the future.

**Receive and place on file correspondence for June 2017:**

Received

1. Class B Zoning Application from Big Top Chautauqua for Northern Edge property and Class A Special Use Application from Gregory Schultz for a single family dwelling.
2. Information from WI Election Commission on Election Day Registration Confirmation Mailing Returned Postcard procedures.
3. Information from Jeff Kistner of Bayfield County Sheriff's Office on Off Highway Motorcycle Law.
4. Various correspondence with Alisa Kolwitz from Holden Insurance about annual renewal.
5. Email notice from Robert Davidson that he is he is cancelling his request to rezone Fire Hill.
6. Copy of Statement of Assessment filed with WI Department of Revenue from Lynn Divine.
7. Clean Sweep Poster from UW-Extension.
8. EPIC Product Disability Benefits Handbook.
9. Pikes Bay Sanitary District May 2017 Financial Statements.
10. Various requests for donations: Fireworks, Little League, and Pie and Politics.



11. Agenda for Lake Superior Scenic Byway June 19th meeting.
12. Background check requests for all operator's license applicants to WI Department of Justice.
13. Various emails with Erika Lang of Bayfield Regional Conservancy related to erosion damage on Brownstone Trail.
14. Various emails from WI Elections Commission on election database maintenance duties.
15. Numerous operator's license applications.

#### Outgoing

1. Liquor License Applications Legal Notice to Ashland Daily Press.
2. Minutes for May 2nd Open Book, May 8th Plan Commission Meeting, May 11th Board of Review, May 15th Town Board Meeting, and May 17th Special Plan Commission Meeting: Fire Hill Rezone.
3. Agendas for June 12th Plan Commission Meeting and June 19th Town Board Meeting.
4. Request to Perri Shuga, Bayfield County Land Records Office, for mailing labels for telecommunication survey.
5. Fireworks Permit to Lucas Cadotte.
6. Completed Special Assessment Form to Knight Barry Title Company upon request.
7. Email correspondence with Kathleen Russell regarding Open Book and Assessor contact information.
8. Public records request for past minutes related to PBSD development history to City Clerk Billie Hoopman.
9. Email correspondence with Thomas Ourada from WI Dept of Revenue regarding legality issues related to liquor license applications.
10. Room tax ordinance to Kathleen Russell upon request.
11. Signed Fire Hill Zoning application requesting the item be tabled to Bayfield County Zoning Office.
12. Signed Howl Zoning application recommending approval to Bayfield County Zoning Office.
12. Signed Dale Zoning application recommending approval to Bayfield County Zoning Office.
14. Signed Salmo Lakewalk Trail Zoning application recommending approval to Bayfield County Zoning Office.

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

**Approve payment of bills:** A motion was made by Meierotto, seconded by Boutin, to approve the bills. Motion carried.

**Receive and place on file the Clerks Financial & Budget Report for May 2017:**

TOWN OF BAYFIELD					
CLERKS MONTHLY REPORT					
May 12th, 2017 - June 13th, 2017					
<b>DISBURSEMENTS</b>					
Checks written	\$52,839.37				
Range	17948	17990			
<b>BUDGETS vs. ACTUAL</b>					
		<b>May 2017</b>	<b>Y-T-D</b>	<b>Budget</b>	<b>% of Budget</b>
<b>Revenue</b>	\$	4,369	\$ 217,099	\$ 1,020,488	21%
<b>Expense</b>	\$	60,808	\$ 524,133	\$ 1,020,488	51%
<b>Balance</b>	\$	(56,440)	\$ (307,033)	\$ -	
		<b>Previous Mo.</b>	<b>Current</b>	<b>Change</b>	
<b>Accts Recv</b>	\$	9.67	\$ 9.67	\$ -	
<b>Accts Pay</b>	\$	26,993.31	\$ 27,592.64	\$ 599.33	*some accounts payable are no longer valid and will be purged
<b>GIF Balance</b>	\$	16,844.57	\$ 16,982.69	\$ 138.12	
<b>BUDGET EXPLANATIONS</b>					
1. Fire Protection and Ambulance Service Contracts for 2017 Paid.					
2. 2017 Plow Truck Paid.					
3. 2017 Plow Truck Accessories Paid.					

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

**Set date and time for Regular July Town Board Meeting:** Monday, July 17<sup>th</sup>, 2017- 7:00 PM.

**Adjourn:** A motion was made by Gordon, seconded by Boutin, to adjourn the meeting. Meeting adjourned at approximately 8:20 PM.

Minutes respectfully submitted by: Kelly Faye-Clerk.