

Regular Town Board Meeting – March 10, 2009

Posted Monday, March 2, 2009 at 4:00 p.m. at the Town Garage, Buffalo Bay Store, Peterson's Foods and Red Cliff Tribal Administration Center. Revised and reposted on February 8, 2009 at noon.

A Regular Town Board meeting at the Town of Russell Community Center was called to order at 7:00 p.m. by Chairman Paul "Rocky" Tribovich. Roll call was taken as follows: Present – Supervisors Don Sullivan, Leon Basina and Larry Meierotto and Clerk/Treasurer David L. Good. Supervisor Philip Gordon was excused.

Twelve members of the public were present.

The Pledge of Allegiance was recited by everyone present.

PUBLIC INPUT – Dave Martinson stated the developers of CFS, LLC need to come up with a storm water management plan. He was concerned with the bare ground and possible washing out of Compton Road. He said based on WI DNR regulations there should be a storm water plan. Tribovich stated that the board brought this matter up with CFS, LLC. They have on staff an engineering firm, Becker-Hoppe. According to Bayfield County zoning, CFS, LLC will need to provide this information at the time they file for a Conditional Use Permit. Martinson stated the storm water management plan is needed now, not in six months or more. Discussion followed regarding what type of work has been done on the property. Martinson stated there are no trees on the property. Tribovich indicated that logging does not require a storm water management plan and is exempt from one. Tribovich stated if there are issues, then we will need to address them. Martinson stated even if the Wisconsin DNR is not called in, the Town should have some serious concerns or more expense in fixing Compton Road. He believes there will be a lot more water running off that property and running off much faster. This will impact the wetlands and stream. Tribovich stated the Town did experience additional runoff and flooding last year on Compton Road. However, the culverts that were washed out needed to be replaced anyway. Tribovich stated we are also having problems with the wind drifting snow on Peterson Hill Road where clear-cut logging had been performed. Tessa Levens asked if the town was liable for habitat destruction based on the Town approving zoning changes. Tribovich stated no. Martinson asked about the trenches at the North and South ends of Compton Road. Tribovich said were constructed for drainage. Don Sullivan stated they were dug many years ago for a water problem when Myron Lohman was a Town road crew employee. Levens inquired about the ditch near the town line by Beaver Road. Tribovich stated that Beaver Road created the ditch and drainage diversion. Beaver Road was raised 25 to 30 years ago by John Hauser for access to cut hay. The road was further improved in later years by an individual who built a cabin back beyond the end of Beaver Road. Martinson asked who would be liable if the Town incurs additional expense from Drainage off the property. He believes it will be much different this year. Tribovich stated if the Town sees problems from increased runoff the Board will need to address it with CFS. Nat Larson asked if the Board can address the issue now before damage occurs. Tribovich stated that nothing can be done until the snow melts occurs and we see what happens. Tribovich stated that this is a bad place to put a road but that is what they did many years ago. Many roads in the county are not in a good place to have a road. These roads create dams. Any hillside water whether there are trees or not still comes down and the road acts as a dam. Tribovich stated the

same problem exist on Soper Road. Depending upon the amount of snow in or rain and how fast it melts or rains determines whether or not the road floods. He stated the concern will ultimately be water runoff during heavy rains or snow melts. Water retention will be the issue. He stated a 4 foot culvert could be put in to handle all the water crossing Compton Road. However, you would need to raise the road bed to go over the culvert. You cannot sink the culvert further into the ground. Larson believes that this would simply change the location of the problem with the runoff. He explained how land-use practices over the last half century affected the Raspberry River on his property. He said the Raspberry River was a cold clean trout stream 110 years ago. Now it is a pulsing high and dark "red" river. Levens requested that the Town Board asked for temporary measures to be installed on CFS, LLC properties for storm water control. She looked at the hillside and stated it will definitely be a problem. Tribovich stated that until there is a problem, we cannot request action or speculate on where the problem will be. Current conditions consisting of 3 feet of snow and frozen ground make it almost impossible to determine what will happen in the spring. She discussed other options for things that could be done. Tribovich stated that we need to be concerned with the road right away and CFS, LLC needs to address issues on their private property. Tribovich discussed all the other roads that experience spring wash outs and the process by which the Town Board addresses them. Tribovich explained the improvements to Compton Road made this past year. Larson stated the Town appears to be only concerned with Town roads and not the quality of rivers, wetlands and the forest. Tribovich stated the Wisconsin DNR has jurisdiction over these issues, not the Town. Larson asked if the Town would consider going to the DNR with these concerns and inquired if the Town had ever done that in the past. Tribovich said no. The Town will seek funding to make repairs to roads to event the problems in the future from organizations like the Wisconsin DNR. Tribovich stated that he believes everyone on the Board is concerned with the quality of water in our rivers and Lake Superior. He reminisced about catching chubs and suckers when he was a young boy on the Raspberry River. Larson stated there are definitely land-use practices people can take to increase water infiltration into the soil and decrease the violent rapid a rise of waters in our streams. He believes you should address the environmental issues first before you make any investments or repairs to roads. Tribovich cited issues resulting from Bayfield County Forestry logging their lands at the headwaters of the Raspberry River. He said that we experienced increased levels of runoff as a result of this. Discussion followed regarding the County policies. Larson stated he has 200 acres of land that looked like "hell" that was once managed by the County. Larson asked where he could obtain additional information regarding the replacement of the Raspberry River culvert on Old County K. Tribovich stated the Town has put together a draft plan and is seeking funding from several governmental sources. He stated the culvert replacement will stay with in the right away limits for the road, which has a 140 or 160 foot easement in that area. Discussion followed. Tribovich stated he believes it is 70 feet from either side of the center line of the road. Larson was concerned about his driveway and plants that were placed totaling \$6,000-\$8,000. Larson stated the County told him right away was 33 feet from the center line. Tribovich stated the easements are always wider in areas with deep fills. Tribovich stated that meetings will be held for all impacted property owners when and if this project moves ahead. There should be no changes to the road grade and location once the new culvert is installed. Discussion followed regarding the detailed design and work proposed to be done in the vicinity of the culvert. He also explained the sharp corners that may be modified on Old County K. All would be fixed except for the one by the Town Community Center. Tribovich explained the various projects the Town is pursuing with possible funding from the Federal Stimulus Plans. Larson said Grant Herman

has information and knowledge on funding help and practices to make culverts more fish friendly. He explained burying a third of the culvert into the stream bed helps.

Clerk Good made a point of order to the Board that public input is to be an opportunity to hear comments from the public. It is not for the purpose of discussion or deliberation on various subjects that may or may not be on the agenda. Tribovich stated he is just giving information.

He continued to explain the culvert project and the need for the Town to raise the 25% matching funds if funding is received. He assured everyone that all property owners adjacent to the project will be contacted if we receive funding and go ahead with the project. Larson continued to question what would be done for the culvert project. Tribovich continued to explain the project and when the project maybe started.

Levens asked about the driveway on Tulip Lane to Wayne Nelson's project. She said past discussions were in reference to culverts and driveways. She has read the Town Ordinance and it requires the private road permit should be applied for prior to the road being put in. She did not believe it was accomplished in this order. She requests that the Board consider that this road is inappropriate. Other residents that use Tulip Lane as there only access to their homes, unanimously agree that they do not like the private road, it is not a safe traveling situation. It looks like a brand new road is being installed. She cited this road is in many violations of the Town Ordinance and she is bringing it to the attention of the Board. She understands Plumb Creek gave Nelson an easement to use that small corner. She questioned if Plumb Creek really gave Nelson an easement. Tribovich stated the Town has a copy of the easement. He asked Nelson for a copy and it was provided to the Town. Levens wanted to know more about the easement. Tribovich stated this was a road for Plumb Creek to access the log landing. Discussion followed regarding what is or is not a road. Tribovich stated Plumb Creek said this has been an access road for over 30 years. Therefore, it is prior to the Town Ordinance. Tribovich compared this to a summer resident who only comes in the summer. They still have the right for year round access. Levens challenged Tribovich's interpretation. She said the Town has the right to deny, approve or modify a zoning application as a part of the road access. Tribovich stated the permit was issued by Jim Barningham, Town Road Crew, and signed by two other Board members. Levens said this is a completely different road than from where the original road was located. Tribovich stated no permit was required and should not have been issued because the road had been in for 30 years. Levens disagreed with Tribovich regarding the location of the road. She walked the road for 20 years, She had a ski trail on the road with permission from Plumb Creek. Tribovich stated this will be an agenda item for next month. He stated where the road goes after it crosses the easement area is not the Town's business. Levens stressed the people that use the road daily consider it an unsafe situation, the road violates the Town Ordinance, and that there are alternate access points for that piece of property. Tribovich stated we are out of public input time.

Presentation by Beth Meyers from CORE - Meyers said she lives in the Town of Russell and was recently hired as executive director of CORE. A 3-year old nonprofit with a goal to help elders remain in their homes as long as possible. She explained how the program works, distributed literature on the program, and provided information on how to volunteer for CORE.

She asked for names of people that may need assistance. Tribovich thanked her for the presentation.

APPROVAL OF MINUTES

A motion was made by Sullivan and seconded by Basina to approve the minutes of the Regular Town Board Meeting of January 13, 2009. The motion carried. A motion was made by Sullivan and seconded by Basina to approve the Special Town Board Meeting of January 15, 2009. The motion carried. A motion was made by Sullivan and seconded by Basina to approve the Special Town Board Meeting of January 26, 2009. The motion carried. A motion was made by Sullivan and seconded by Basina to approve the Regular Town Board Meeting of February 10, 2009. The motion carried. A motion was made by Sullivan and seconded by Basina to approve the Special Town Board Meeting of February 10, 2009. The motion carried.

ROAD MAINTENANCE REPORT

No report since the Town Crew was out plowing following the snow storm.

Status of Old County K Project – Tribovich stated an update was covered in public input. He stated he hired an engineer for pre-engineering for the project at a price not to exceed \$3,500.

Approval to Purchase Town of Bayfield Share of Tractor/Mower – Tribovich explained the following recalculation of the buyout as follows:

Estimate as of March 16, 2009: REVISED

Town of Bayfield and Town of Russell Jointly Owned Tractor/Mower Asset Distribution

<u>Item</u>	<u>Value</u>	
Tractor with boom mower	\$25,000.00	
Value of Repairs	\$7,418.17	
Value Owned	\$32,418.17	
<u>Repairs needed to unit:</u>	<u>Costs</u>	<u>Town of Bayfield</u>
Hydraulic Boom Motor	\$5,837.86	\$5,837.86
Reseal Front Hydraulic	\$1,217.00	\$608.50
Solenoid	\$363.31	\$181.66
Totals	\$7,418.17	\$6,628.02

50 % Repaired Mower	\$16,209.09
Less share of repairs	\$6,628.02
Buy out costs	\$9,581.07
Add share attachments	\$1750.00
Total Due Town Bayfield	\$11,331.07
Paid to Town of Bayfield	\$7,803.64
Balance due to Bayfield	\$3,527.43

Apparently there was damage to the disc when the Town of Bayfield used it. The Town will owe Town of Russell for repair costs to the disc.

A motion was made by Meierotto and seconded by Basina to approve the re-purchase of Town of Bayfield's share of the Tractor/Mower. The motion carried.

OLD BUSINESS

Update on Town Lands Meeting and MOU Addendum from the National Park Service (NPS) – Tribovich reported the committee is meeting with the NPS and things are coming along. Any exchange of land will need to be approved by the Town Electors. He also stated the 54-acres at Big Sand Bay are also being discussed and lands west of Allen Road owned by the NPS.

Recoveries of Special County Charges on 2007 Tax Roll from Bayfield County – The County sent the following response to the Town's letter:

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WILLIAM D. BUSSEY
ATTORNEY AT LAW

P.O. Box 1316
249 Rittenhouse Avenue
Bayfield, Wisconsin 54814

Telephone
715-779-5184
FAX 715-779-5185

February 25, 2009

Paul "Rocky" Tribovich, Chairman
Town of Russell Board of Supervisors
35900 State Hwy. 13
Bayfield, WI 54814

Dear Mr. Tribovich:

Bayfield County Administrator Mark Abeles-Allison has requested that I respond to your letter to him of February 9, 2009, pertaining to Bayfield County's charging back to the Town of Russell property taxes assessed against parcels within the Town of Russell that the Town has determined to be tax-exempt, presumably because they are located within the Red Cliff Indian Reservation and are owned by tribal members, as indicated by the decision of the United States Court of Appeals for the Sixth Circuit in Keweenaw Bay Indian Community v. Naftaly, 452 F.3d 514 (2005). The laws in effect at the time of that decision are the same as when the charged-back taxes were levied against the parcels in question. If those parcels are tax-exempt now, they were also tax-exempt when the charged back taxes were levied against them, even if the Town Assessor and the Town Board were unaware of their tax-exempt status at that time. Consequently, the charged-back taxes are not collectible by the County, and the County does not have valid tax liens on the properties to foreclose upon. It is for this reason that the taxes have been charged back to the Town.

Sincerely yours,


William D. Bussey
Bayfield County Corporation Counsel

WDB:nb
cc: Mark Abeles-Allison

Work continues on developing our legal position and the Town will probably sue Bayfield County. Dave Martinson asked if the Town needs approval from the Electors for a lawsuit. Tribovich stated, no. He then explained the background on the issue.

DRAFT

DRAFT

Grant Writing Service for Elderly Housing Project – A motion was made by Basina and seconded by Sullivan to approve payment of \$3,500 to Jane Edwards. The motion carried. We currently have \$185,000 in grants secured but we need additional funds.

Wayne Nelson Proposed Covenants for Peterson Hill Property – Copies of the covenants were given to Town Board Members. A motion was made by Basina and seconded by Meierotto to table to the April Board Meeting to provide additional time to review. The motion carried.

Claim Against Bayfield County Regarding Shadow Wood Landing Re-zone – Copies of the claim were distributed. The County chose to take no action.

NEW BUSINESS

Approval of Contract with Consultant for Development of Comprehensive Plan – Tribovich asked Dave Martinson to explain. The Plan Committee recommended SEH be hired as the consultant for a fee of \$5,000 to develop a brochure plan for the Town of Russell by December 31, 2009. The Committee also approved a Public Participation Plan. A motion was made by Basina and seconded by Sullivan to approve the contract. The motion carried. A motion was made by Basina and seconded by Sullivan to adopt the Public Participation Plan as recommended. The motion carried.

U.S. Census Bureau Complete Count Committee – The Board took no action to form a committee.

CORRESPONDENCE

Received

1. WI DNR notice of MFL Withdrawal Tax of \$9,731.43 due from the Red Cliff Tribe.
2. CFS LLC letter to Town of Bayfield.
3. Shadow Wood Landing notice of blog site up.
4. Property Tax Settlement with Bayfield County.
5. Spending timetable for WEHDA and Bremer Grants for Elderly Housing.
6. Governor Doyle's Budget proposal.
7. Bayfield County timber sales Town Share \$13,309.82
8. Payment for Municipal Services \$2111.48
9. Midwest Security notice for requirement to provide Social Security Numbers for all covered participants.
10. Request for photographs Lake Superior magazine.
11. 2009 Bayfield County Court schedules.
12. WI DOC February Newsletter.
13. Grants Funding News February 2009.
14. Bayfield County Board Meeting agenda for March 4, 2009.
15. Notice of possible change in Absentee Ballot procedures.
16. National Forest Legal News Blog.
17. Notice from Assessor Jennie Sanders brother passing away.
18. WMCA notice of Parliamentary Procedure Training.

19. Northstar Design notice of web hosting fee due.
20. Bayfield County Comprehensive Plan Committee notices.
21. List of properties tax exempted per Treaty of 1854 from Assessor Sanders.
22. Confirmation from Dave Ujke regarding receipt of Town revisions to Road Maintenance contract.
23. Invoice from Lund Engineering Phase I Old County K.
24. Bayfield County Snowmobile Alliance 2008-2009 membership certificate.
25. Midwest Security notice of certificate Derald Barningham.
26. WITC notice of Board vacancies.
27. Charter Communications notice of debt restructuring.
28. CRS notice of testing results 2008.
29. ES&S notice of rate changes.
30. Superior Sores Country Farm Bureau newsletter.
31. Fahrner sales brochure.
32. Banyon Software sales brochure.
33. WI Department of Workforce Development UI Reports.
34. Various Bayfield Chamber of Commerce mailings.
35. Various State Elections Board mailings.
36. Various National Park Service mailings.
37. Wisconsin Towns Association March 2009 Report.

Outgoing

1. Town website uploaded and access and passwords assigned.
2. Comprehensive Plan Committee notices.
3. April election ballot data to Bayfield County.
4. David Sterling TBA to Bayfield County Zoning.
5. Report on non-sheltered locations in Town to Census Bureau.
6. Property tax collection reconciliations and report data to Bayfield County.
7. Property tax bill address corrections to Bayfield County.
8. Old County K and Little Sand Bay Road re-construction submitted to WI Stimulus website.
9. Data regarding Operators license on Raquel Berglund to City of Bayfield.
10. Coordinate requests to speak to Town Board from Judge John Anderson and Beth Meyers.
11. Correct Statement of Assessment with WI DOR.
12. Town Recreation Plan to Town of Bayview.
13. E-mail address request from Bayfield County for Town Board members.
14. Approve final ballot design for April election.
15. Experience Works recertification data from Bill Smith.
16. Sales tax exemption data to Fastenal.

A motion was made by Sullivan and seconded by Meierotto to receive and place on file the correspondence. The motion carried.

CLERK/TREASURER REPORTS

A motion was made by Sullivan and seconded by Meierotto to approve the bills consisting of checks 13718 to 13758 totaling \$213,334.51. The motion carried.

CLERK/TREASURER REPORT
February 9, 2009 to March 2, 2009

BANK BALANCES

		Previous	Current	Change
Bremer General Checking	2/28/09	\$1,253.47	\$9,047.41	\$7,793.94
Cash	2/28/09	\$5,327.72	\$-0-	(\$5,327.72)
Bremer Investors	2/28/09	\$271,384.92	\$271,946.54	\$561.62
Totals		\$277,966.11	\$280,993.95	\$3,027.84

DISBURSEMENTS

Cleared checks	2/28/09	\$214,760.59
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BUDGETS vs. ACTUAL

	Feb 2009	Y-T-D	Budget	
Income	\$36,812	\$80,832	\$ 423,613	8%
Expense	\$32,077	\$83,079	\$ 423,613	10%
Balance	\$4,735	(\$2,246)	\$ -	
Accts Recv	Previous Mo. \$35,625.72	Current \$26,024.25		
Accts Pay	\$235.50	\$5,338.48		

1. Tax collections settled and posted for January Settlement.

A motion was made by Sullivan and seconded by Basina to approve the Clerk/Treasurer Report. The motion carried.

Chairman, Supervisor and Clerk/Treasurer Reports – None.

Annual Meeting will be held at 6 p.m. on April 14, 2009 with the Regular Town Board Meeting immediately following at the Community Center.

A motion to adjourn at 8:05 p.m. was made by Basina and seconded by Sullivan. The motion carried.

The minutes respectfully submitted by:

David L. Good, Clerk/Treasurer

Joint Town Board and Comprehensive Plan Committee Meeting – March 19, 2009

Posted Tuesday, March 17, 2009 at 2:00 p.m. at the Town Garage, Buffalo Bay Store, Tribal Administration Building, Peterson Foods and the Town of Russell website. Revised and re-posted Wednesday, March 18, 2009 at 4:00 p.m.

The meeting was called to order at 6:02 p.m. by Chairman Paul “Rocky” Tribovich at the Town of Russell Town Garage Meeting Room. Board members present were Leon Basina and Larry Meierotto. Supervisors Philip Gordon and Don Sullivan were excused as well as Clerk/Treasurer David L. Good. Comprehensive Plan Committee members present were Sam Atkins, Linda Brown and Dave Martinson. Bob Kent was excused.

The Pledge of allegiance was recited by all present.

Ten members of the public were present.

Tribovich explained the purpose of the meeting and stated he called for the joint meeting of the Town Board and Comprehensive Plan Committee.

Rules of Conduct for Town Board and Committee Members - Tribovich stated that Wisconsin Towns Association recommends that all official Town Committees, as an extension of the Town Board, follow the Rules of Conduct 19.41 and Ethics Policy 19.59 as set forth in Wisconsin State Statutes. They should be officially adopted and distributed to all committee members and it should be duly noted that they have received them.

A motion was made by Basina and seconded by Meierotto that the following resolution be adopted:

**TOWN OF RUSSELL
Bayfield County, Wisconsin**

Resolution 02 - 2009

A Resolution adopting Code of Ethics for Non Board Members

This resolution rescinds resolution 01-2003 and is re-codified as follows:

WHEREAS, The Town of Russell may appoint individuals to serve on special and/or ad hoc committees from time to time to accomplish tasks or address issues of importance to the Town.

WHEREAS, Wisconsin State Statue 19.59 sets forth certain rules governing individuals who serve on government committees.

BE IT RESOLVED, that the Town Board of the Town of Russell, being duly assembled at a Special Town Board Meeting on Thursday, March 19, 2009, at the Town Garage Meeting Room, do hereby adopt and approve the following resolution:

All individuals serving on committees and task forces appointed by the Town of Russell Board shall be provided a written copy of Wisconsin State Statue 19.59 – Code of Ethics for Non Board Members.

Each member of the committee will be required to provide written evidence of receipt of this Statue and agreement to abide by the Code.

Adopted this 19th day of March in the year 2009.

Paul “Rocky” Tribovich, Chair

Donald Sullivan, Supervisor

Leon Basina, Supervisor

Larry Meierotto, Supervisor

Philip Gordon, Supervisor

Attested by: _____
David L. Good, Clerk/Treasurer

The committee reviewed the Statues and discussed several points for clarification.

The motion carried.

Resignation of Comp Plan Committee Member Rich Wszalek – Tribovich referred to written resignation that Clerk Good received on March 11, 2009 addressed to the Clerk and Chairman

Tribovich. The letter was read as follows: "Please remove my name from the Comp Plan Development Committee. Some personal family matters have come up and I won't be able to have the time these decisions deserve. Thank you respectfully, Rich Wszalek." He noted the letter was dated March 3, 2009. A motion was made by Meierotto and seconded by Basina to accept the resignation of Rich Wszalek. The motion carried. Tribovich explained what the family matter was.

Discussion Regarding Possible New Member, Membership of the Comprehensive Plan Committee, or Removal of Comprehensive Plan Committee Members(s) – Tribovich explained that the Town hired a consultant for \$5,000 to help develop the plan for the Town by January 1, 2010. This will be an aggressive and fast paced committee to serve on. It will take a lot of time and effort and cooperation of committee members of the whole and the Town of Russell Community as a whole. We have a public participation plan that encourages public input. All local meetings will be held at the Town of Russell Community Center to accommodate bigger groups. The Plan has many segment but the big topics will be conservation, potential growth and development and things of that nature be it large scale or small scale, rural character, etc. The Land Use plan will be separate but a portion of the Comprehensive Plan. If we do not develop and implement this Comprehensive Plan by January 1, 2009 we will be under the Bayfield County Comprehensive Plan somewhat like we are under Bayfield County Zoning. The committee will need to agree to disagree at times and will need to get along, no little side groups, etc. but represent the best interests of this community on a whole. We want to ensure this committee operates under the same aspects of the Town Board.

Tribovich explained the timing regarding the receipt of Wszalek resignation. He was out of town when he wrote it on March 3, 2009. The resignation was received by Dave Good on March 11, 2009. Good then faxed the resignation to Tribovich. The following is a summary of a conversation Good had with Martinson on March 16, 2009.

Rocky:

Dave Martinson showed up at the Town Garage today and wanted to know what will happen now that Rich resigned. He also implied your sister quit? I told him she was on a planned trip out of town when we met on 3/10 and as far as I know she did not quit.

He stated you knew Rich resigned at the 3/10 meeting. He said Rich said he told you two weeks ago.

I told Dave the Board will need to decide what to do. He reviewed the list of names with me. I told him it was up to the Board if they want to add another member or not. Also told him the Board is not meeting until April 14.

I showed him the letter from Rich. He said it was dated 3/3. I told him I did not get it until 3/11. I faxed it to you (Tribovich) on 3/12.

Plan Committee will be meeting on March 25 at 4 p.m. at the Great Lakes Visitor Center and the joint county meeting will be held at 5 p.m. which we need to attend anyway. Notices will be going out today.

Dave

Martinson responded to this as follows. "Rich told me at the coffee shop on March 11 that he told you (Tribovich) that he resigned two weeks ago. I asked him twice. When I talked to Dave (Good) I was curious about what was going on. I was only repeating what Rich told me."

Tribovich stated the following per a telephone conversation with Rich since he was still out of Town. "Third eighteen 09 conversation with Rich Wszalek. Conversation via telephone with Rich. Rich stated Dave Martinson approached him about why he was not at the meeting. Rich said that he was in Milwaukee on a family problem. Rich told Nic to tell me he would be at the meeting. Nic never told me. I asked Rich, what meeting were you referring to? He stated the one with the SEH Consultant. That is the meeting that was prior to our 10th Board Meeting when we were going to meet here at 1:30 p.m. with the SEH Consultant. It was not the 10th meeting. I asked not the meeting on the 10th? He said no. He then told Dave he sent a letter to the Town with his resignation. Dave said that Rocky never said anything at the meeting on the 10th. That's Rocky trying to pull the wool over peoples eyes to try to get who he wants on the committee. The letter was received by Dave Good on March 11th and he faxed it to me on March 12th. On which I received it."

Martinson stated that was not the understanding by me.

Tribovich stated Lynda Good called me to tell me Don Sullivan would not be here tonight or be late and that you (Martinson) had left a message yesterday at 2:04 p.m. at the Goods. The following is the message left by Martinson. "I have not checked my e-mail yet but have been told that by somebody else that Rocky changed the agenda and that it was posted. The acting chair is to call the meeting. The meeting should be at the Community Center, not the Town Garage. Don't know if anybody will be there."

Martinson asked what the purpose of this was. Tribovich stated he is getting to that. Martinson stated he was not going to sit here and listen to this. Tribovich stated this is not just me picking on you here Dave. The whole committee is going to listen to this. This is going to be nine months of a very busy committee. Contrary to what people like I said earlier, contrary to peoples likes and dislikes. We are going to work together in the best interest. If somebody has a problem with somebody else, set it aside and work in the best interests of this community. I personally am going to say this. "It doesn't make any difference to me who is on the committee, who is not on the committee. It is just that people who are on the committee be there and work diligently for this so we don't go beyond January 1st and we spend \$5,000 of the peoples tax money for nothing."

Martinson asked what agenda item we were on. Tribovich said 6.

Martinson stated, "You are going to have to excuse me, this is misconstrued. I came in here because I was concerned we were not being told everything that you knew and you could have told us that night". Tribovich stated he did not know it until the 12th. Martinson said he was repeating what Rich told him. Martinson said he was not going to spend the next year going through this stuff. So you can replace me as well. Tribovich asked that he not be replaced.

Martinson said he was not going to sit and take this. Tribovich and Martinson both stated they were not fabricating.

Martinson said “Good night” and left the meeting at this time.

Basina stated this is not what he was expecting to happen. Basina stated “Rocky had nothing to do with the selection of committee members. It was Larry and myself. We picked each name and Rocky simply went along with what we selected. The people on the committee now are the people we selected. Rocky had nothing to do with it. So, as far as people being on this committee, if anyone wants to blame anybody for who’s on there. We are the two.”

Tribovich gave an example about he and his sister being on school board together and that they did not agree on everything together. People can have different opinions but the bottom line is to get the job done. It does not matter who it is on the committee but that we get the job done. Tribovich stated he like Dave and that he would be an asset on the committee but we cannot have this type of thing going on. We must work collectively in a group. He said there will be issues everyone does not agree on but we must agree on what is in the best interest of this community. Tribovich stated we should have been working on this issue of a Comprehensive Plan a year ago. It was discussed by the Board but we felt it would not be needed and be abolished by the Legislature. It could still happen but we are going to need a plan to address the Compton Road issue or we will be under the Bayfield County Plan.

Tribovich stated the last thing he wanted to do was to have Dave leave. He is not accepting a resignation from him because nothing is written. He asked people that know Dave to ask him not to resign. It is not easy serving on a committee or the Town Board.

Meierotto agreed that he did not want to see Dave resign. Discussion followed about he and Rich would be replaced and if additional members of the committee are needed. Atkins said he felt Red Cliff was under represented. Basina stated he has talked o the Tribal Chairperson and the Tribal Planner. He felt the Tribal Planner would be a person to provide input. Atkins felt we should have seven members. Tribovich stated the public input activity is how we get community input. The process to update the Town Board was discussed.

Agenda item 7 was discussed but no action was taken.

Meierotto reviewed the process he and Basina used to select members. Each picked people separately and they happened to be the same people. If additional committee members are selected they should come from the list of people whom originally applied and were not selected.

Discussion followed about the next meeting on March 25, 2009 at the Great Lakes Visitor Center.

Road Weight Restrictions – Tribovich stated we moved the road weight restrictions to 12:01 a.m. on Monday, March 23, 2009.

A motion to adjourn the meeting at 6:43 p.m. was made by Meierotto and seconded by Basina. The motion carried.

Minutes Respectfully Submitted by:

David L. Good – Clerk/Treasurer