

**MINUTES OF THE TOWN OF BARNES
PUBLIC HEARING AND SPECIAL TOWN BOARD MEETING
TUESDAY, JULY 31, 2018
2:00PM at the Barnes Town Hall**

(UNAPPROVED)

At 2:00PM, Chairperson Christine Webb called the Public Hearing to order. Roll call was taken with Supervisors Zach Desrosiers, Seana Frint and Tom Emerson present for the Town Board establishing a quorum. Donna Porter was absent. The Town Attorney, John Carlson, was also present.

Motion made (Frint/Emerson) to approve the agenda. Voice vote taken with no opposition, motion carried.

Clerk Bourassa confirmed that the Public Hearing Notice was posted locally in three places and published in the Sawyer County Record on June 27th, 2018. The Special Board Meeting Notice and Agenda was posted in three places and on the Town's website on July 27th, 2018 at 8:08am.

Chairperson Webb then appointed Attorney Carlson to moderate the Public Hearing. He then called on the people who signed up on the Public Comment Speakers sheets: Susan Pagnucci, Larry Brown, Carol Lund, Carol LeBreck, Anne Torrey, Christine Smith, Jim Krook, Paul Swanson, Thom Storm, Susan Jansen, Mary Streitz, Barb Romstad, JoAnne Katzmarek, Sunne Thomas, Bob Schoneberger, Kevin Shriver and Denise Scharlemann. The floor was opened up to anyone wishing to speak and the following spoke: Lloyd Pickering, P.J. Foat, Vern Wilcox, Eric Neff, Jean Rehl, Bill Webb, Melanie Goldish, Martha Heisel, Lori Niemann, Cris Neff, Marcia O'Brien, Mark Little (Conservation Warden) and Larry Trotter.

Motion made (Desrosiers/Frint) to close the Public Hearing. Voice vote taken with no opposition, motion carried.

The Public Hearing portion of the meeting concluded and the Town Board then discussed the repeal of the Jet Ski and Water Skiing Restriction.

Donna Porter called in remotely at 4:12pm.

Supervisor Emerson stated he would like the board to reverse the motion to repeal the ordinance and appoint a committee. Attorney Carlson said the motion at the June meeting did not repeal the ordinance. A Public Hearing needs to take place and then the board votes on the repeal and then it becomes effective in 30 days. Chairperson Webb stated that an Ad Hoc Committee was approved at the June meeting and members are presently being appointed; the committee will consist of 5 members and there are currently 3 people who have agreed to serve. A few people at the Public Hearing offered to serve on the committee so the Chairperson will be contacting them.

She said based on her research, she would like to repeal the ordinance and come up with a better solution. Supervisor Desrosiers stated that he has heard from several citizens and he's here to uphold public rights so he maintains his position to repeal the ordinance. Supervisor Porter said she still is maintaining her position to keep the ordinance because she feels the majority of people follow the ordinance. Supervisor Frint stated that many of the comments she's heard are issue with state laws, not the town ordinance. She also has had several conversations with citizens who she feels responded to the survey without fully understanding the issue. Supervisor Emerson stated the survey must mean something and most people abide by the ordinance and there are other issues besides the 10am-5pm hours that need to be addressed.

Attorney Carlson stated the board would have to repeal the ordinance with a resolution that would include direction to the Ad Hoc Committee to address the issues.

Supervisor Frint asked Attorney Carlson if it makes a difference whether the ordinance is repealed or left in place while the committee works on the issues. Her concern is with citizens trying to enforce the ordinance and what the cost might be to the Town to enforce it. Attorney Carlson said if a ticket is issued, it's followed by a hearing and unless it's contested, there is no cost to the town. There would be additional cost to prosecute if it's contested. Supervisor Desrosiers questioned how the ordinance can be enforced without a law enforcement officer. Attorney Carlson said the resolution would state the effective date of the repeal.

Motion made (Desrosiers/Frint) for the Town Attorney to draft a resolution to repeal the Chapter 8, Section 4 ordinance effective December 31, 2018 and direct the Ad Hoc Committee to research and make recommendations to the Town Board for consideration.

Before the motion was voted on, a motion was made (Emerson/Porter) to amend Supervisor Desrosiers' motion to remove the repeal of the ordinance. A roll call vote was taken with Supervisors Porter and Emerson voting yes and Supervisors Frint and Desrosiers and Chairperson Webb voting no, motion failed.

The board then took up the original motion. A roll call vote was taken with Supervisors Porter and Emerson voting no and Supervisors Desrosiers and Frint and Chairperson Webb voting yes, motion carried.

Motion made by (Frint/Emerson) to adjourn the Special Board Meeting at 4:55pm. Voice vote taken with no opposition. Motion carried.

Submitted by:
Judy Bourassa, Clerk-Treasurer