

**MINUTES OF THE
SPECIAL TOWN BOARD MEETING
Wednesday August 16, 2017 at 6:00PM
At Barnes Town Hall**

(UNAPPROVED)

At 06:00 PM Chairperson Chris Webb called the Special Town Board Meeting to order. Roll call was taken with Town Supervisors Tom Emerson, Zach Desrosiers, Donna Porter and Seana Frint present, establishing a quorum. Matt Koshollek, Conservation Warden, Steve Olson, Douglas County Sheriff's Department, Mark Little, Recreational Safety Warden with the DNR were also in attendance and representatives of the Town of Gordon: Denny Kline, Town Chair and Pam Boettcher, Board Supervisor, and representatives of the Town of Highland: Charles Khalar, Town Chair, Sam Jones and PJ Foat, Board Supervisors. The Towns of Highland and Gordon established quorums as well. Mike O'Keefe, Constable of Barnes and Eric Altman, Roads & Property Foreman were also present. The clerk verified notice.

Agenda: Intergovernmental discussion of Barnes Boating and Water Safety Ordinance

Motion made (Porter/Emerson) to approve the agenda. Voice vote taken, motion carried.

Matt Koshollek addressed the boards. He stated that he cannot enforce the ordinance and would like to present some options. He said most of the calls are on the Lower Eau Claire Lake and Pickerel Lake.

Chairperson Webb asked the Town of Gordon if their ordinance applies to all lakes in Gordon, they said it only applies to the Lower Eau Claire Lake. The Constable of Barnes stated he can enforce the ordinance but doesn't have the equipment to patrol all 11 lakes in the Town. No citations have been issued, only warnings. He feels that 99% of the boaters obey the ordinance. The Town of Gordon has a Constable as well but is also unable to enforce their ordinance due to lack of a boat and limited hours the Constable can spend enforcing it. The Town of Highland does not have an ordinance.

Mark Little addressed the options. One option is to rescind the ordinance, another to amend the ordinance and a third option is to do nothing. There is a legal process to be followed if it is rescinded. If the Town of Barnes were to rescind the ordinance, that would void the ordinance in Gordon and vice versa. PJ Foat asked about an Advisory Review that he thought should have been required when the ordinance was adopted back in 1973. Mark Little said that was not required at the time the ordinance was adopted. **Only the local jurisdiction can enforce the ordinance** even if the ordinance says the DNR, Sheriff's Departments of Bayfield and Douglas or the Conservation Warden will enforce it. Mark Little said there are some funds available to help municipalities pay for equipment and for the hours paid for enforcement. Matt stated that if the board were to choose to rescind the ordinance, a public hearing needs to be held within 30 days of effective date. A hearing would be required 30 days before the ordinance was set to be rescinded. The Town of Gordon would consider rescinding their ordinance because they feel it is unenforceable. The Town of Highland was in favor of the Town of Barnes rescinding their ordinance. Chairperson Webb suggested that we need to work on educating the public on the State Laws. Seana Frint was in favor of more education and said that a lot of boaters aren't familiar with Boating Safety and State Laws. Mark Little said every registered boat owner receive the regulations, getting them to read them is the issue. It was suggested that some of the resorts could post some informational posters, they could also be posted at the boat landings and taverns, and published in the local publications. The Town of Highland would like a ruling if the ordinance was NOT rescinded as to how Ellison Lake would be affected. The Towns of Gordon and Barnes will discuss how to proceed.

Motion made (Desrosiers/Porter) to adjourn. Voice vote taken, motion carried.

The meeting was adjourned at 7:55 pm.

These minutes represent the general subject matter discussed in the meeting but do not reflect a verbatim documentation of the subjects and conversation that took place.

Submitted by Judy Bourassa, Clerk-Treasurer