

TOWN OF NAMAKAGON
For - TOWN BOARD MEETING–Wednesday, April 9, 2024
At - NAMAKAGON TOWN HALL – 7:30pm
MINUTES

Chairman Rasmussen called the meeting to order at 7:30pm. Present were Chairman Rasmussen, Supervisors Jack McGregor and Jim Krueger, Treasurer Skultety, Clerk Bjork and 7 others.

The agenda was posted at the Town Hall and on the website and the Daily Press was informed. The Pledge of Allegiance was recited.

The minutes from the March monthly meeting and work meeting were presented. MOTION made by Supervisor Krueger to dispense the reading of the Town Board minutes from March 14th and approve them as presented. MOTION seconded by Supervisor McGregor and carried.

The Financial Report was read by Treasurer Skultety; checks approved and signed #5440 through #5473. Town Financials are available to the public upon request from the Treasurer.

Comprehensive Planning Report – Dave Hanks stated that the items are on the agenda that were discussed at the meeting.

Library Report –The report will be posted on the website.

Epic Bike Festival Event by American Birkebeiner Ski Foundation on June 9th, 2024 – The route was discussed. MOTION made by Supervisor Krueger to approve the Epic Bike Festival event by the American Birkie Ski Foundation on June 9th, 2024. MOTION seconded by Supervisor McGregor and carried.

Chequamegon 100 Event by Chequamegon Area Mountain Bike Association, on June 22nd, 2024 – The route was discussed. MOTION made by Supervisor McGregor to approve the Chequamegon 100 event by CAMBA on June 22nd, 2024, contingent upon payment. MOTION seconded by Supervisor Krueger and carried.

Road Easement for 42730 Birch Bend Road, Tax ID #39014 – Karl Kastrosky presented a certified survey map of the area. There was discussion and confusion on the ownership of the road. He explained that the town has the right to reduce the right of way to 49.5'. That would reduce the county set back line. There was confusion as it seemed that the road is not as surveyed. It was noted that if the right-of-way was reduced then part of the deck can be built. MOTION made by Supervisor McGregor to reduce Birch Bend Road right-of-way to 49.5' with compliance of state statute and a survey map completed and recorded as such to be expended by the property owner. MOTION seconded by Supervisor Krueger and carried.

Town of Namakagon Plan Commission Recruitment Checklist – Dave Hanks stated that the checklist is specifically for when recruiting for the Plan Commission to give information on the scope of what is expected. The Town Board supported the policy/checklist submitted.

Airport Operation Ordinance Amendment – An ordinance amendment was presented by the Airport. MOTION made by Supervisor Krueger to approve the Airport Operation Ordinance.

**AIRPORT OPERATION ORDINANCE
CABLE UNION AIRPORT
CABLE, WISCONSIN**

AN ORDINANCE Establishing Airport Operation Policies and Land Use within the Boundaries of the Cable Union Airport.

The Cable Union Airport Commission and the Towns of Cable, Namakagon and Drummond do ordain as follows:

SECTION I. DEFINITION OF WORDS AND PHRASES

- A. "Airport" means the Cable Union Airport.
- B. "Corporate Hangar" means a building housing one or more aircraft for the personal or business use of the hangar owner or lessee, and wherein no commercial activities are allowed.
- C. "Fixed-Based Operator" means any person, firm, corporation, or association conducting any aeronautical business on the airport.
- D. "Manager" means the person employed by the Commission under SECTION III.
- E. "Multiple T-Hanger" means a building composed of partitioned, nested units designed to house no more than one aircraft in each unit and having single door openings for each unit.
- F. "Owner" means The Towns of Cable, Namakagon and Drummond, of Bayfield County, Wisconsin.
- G. "Commission" means group of six members made up of two people from each town with one recommended being a town board member. Five members will vote and the Chairman will refrain from voting unless a member is absent and there is a tie.
- H. Election of officers will be conducted at the first meeting of each year consisting of a Chairman and Vice Chairman. Each town board will appoint two (2) Commission members. They will be appointed for a three year term. Notwithstanding anything to the contrary in this agreement, any term can be terminated within the three (3) year term. This is at the pleasure of each town.

SECTION II. AIRPORT LAND USE.

In order to regulate the development and use of the Airport, Attachment A, affixed hereto and made a part of this Ordinance, depicts those areas dedicated to the specific uses described in SECTION V herein.

SECTION III. AIRPORT COMMISSION

- A. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.
- B. The Commission shall adopt regulations and establish fees or charges for the use of the Airport (consistent) with this Ordinance. Such regulations, fees, and charges will become effective when approved by the owner.
- C. The Commission may employ a Manager whose duties and responsibilities shall be specified in writing and whose salary shall be approved by the Owner.
- D. The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances, leases and agreements, and rules and regulations.

- E. The Commission and the Manager shall meet at the Airport at least once each calendar quarter to inspect the Airport facilities, review Airport operations and financial matters, and discuss proposed Airport development and other business.
- F. The Commission shall, in cooperation with the appropriate municipal department, establish an airport accounting system of sufficient detail to enable the Commission to accurately establish rates and charges, improve efficient operation and maintenance practices, and accomplish sound financial planning.
- G. The Commission shall prepare and submit an annual report to the Owner. Such Report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year and projections for the coming year, and include other information deemed pertinent.
- H. The Commission shall prepare and submit to the Owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
- I. The Commission shall prepare and submit for adoption by the Owner standard leases and agreements for the various types of airport activities and land uses authorized in this Ordinance.
- J. The Commission shall make studies and conduct surveys as appropriate to assist in improving the operations of the Airport. It shall cooperate with the Wisconsin Division of Aeronautics and The Federal Aviation Administration in airport and system planning functions and other activities.
- K. The Commission shall cooperate with, and receive the cooperation of, all municipal departments providing services or assistance to the airport.
- L. The Airport Commission shall maintain a reasonable policy of insurance coverage for liability, fire and casualty.

SECTION IV. AIRPORT OPERATION POLICIES.

The Commission, in carrying out its duties and responsibilities shall adhere to the following policies:

- A. The Owner shall refrain from engaging in any activity or providing any Service, excluding Airport maintenance using public employees or funds that can be conducted or provided satisfactorily by private parties through proper lease arrangements.
- B. The Owner shall encourage the development of the Airport, especially in those areas where substantial building costs are incurred by lessees, by approving long-term leases which provide for the re-examination and readjustment of rates and charges at specified periods of time during the term of the lease.
- C. The Owner may provide or participate in the installation of utility service up to a lessee's property line. The lessee shall bear such cost on his leased property.
- D. No person shall engage in any business or commercial activity whatsoever on the Airport except under the terms and conditions prescribed in a written Agreement between the lessee and the Commission. Lessees shall be selected on the basis of their qualifications, financial capabilities, and services offered: and not solely by bid basis. In determining the use of public building space first consideration shall be given to public necessity and convenience.
- E. Buildings to be constructed by lessees shall conform to all state and local Building codes, and the building plans subject to the approval of the Commission; Wisconsin Department of Industry, labor and Human Relations; Wisconsin Division of Aeronautics; and the Federal Aviation Administration.
- F. No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except by written agreement with the Commission.
- G. No person shall engage in the activity of storing, transporting, or dispensing of non-commercial aviation fuels except those persons satisfying the requirements as set forth under SECTION V., L. Fuel Farm Area, and holding a written agreement with the Commission to do so.
- H. The storage of all aviation fuel shall be in State approved tanks only and the Commission shall encourage the installation of all aviation fuel storage in the Fuel Farm area.
- I. Aircraft ground access to the Airport property shall not be allowed except by written agreement with the Commission

SECTION V. ESTABLISHMENT OF LAND USE AREAS.

In order to carry out the provisions of this Ordinance, the following land use areas are hereby established and depicted in Attachment A and Attachment B:

A. Municipal Terminal Area.

This area shall be reserved for the public terminal building and other public use facilities.

B. Utility and Service Area.

This area shall be reserved for utility, service, crash, fire and rescue and maintenance facilities operated by the Owner.

C. Commercial Aviation Areas.

1. This area shall be reserved for commercial aviation business normally conducted by fixed base operators. Allowable activities include but are not limited to: aircraft sales and rental; airframe, power plant, and instrument repair; aircraft fuel and oil dispensing; flight training, and air taxi services.
2. Setbacks shall be 20 feet between hangars and 40 feet from the centerline of taxiways, and building heights shall conform to Federal Aviation Regulations.
3. The location of specialized commercial aviation businesses that pose special safety and operational problems, such as agricultural spraying facilities, shall be considered on an individual basis by the Commission.

D. Corporate Hangar Area

1. This area shall be reserved for non-commercial hangars, excluding multiple T-Hangars, and the exclusive use of this area shall be aircraft housing. No commercial activities shall be conducted from a corporate hangar. No flammable liquids shall be stored above or below the ground, nor shall aviation fuel be dispensed in this area other than by dispensing equipment operating for the commercial aviation areas or fuel farm areas.
2. Lot sizes shall be determined by the Commission, setbacks shall be 20 feet between hangars and 40 feet from centerline of taxiways, and building heights shall conform to Federal Aviation Regulations.

E. Multiple Hangar Areas

1. This area shall be reserved for the location of single unit Hangars and/or multiple unit T-Hangars for the storage of aircraft. No commercial activities shall be conducted from a single unit Hangar and/or a multiple T-Hangar. No flammable liquids shall be stored or used in this area, nor shall aviation fuel be dispensed into any aircraft while in a hangar. Aircraft, vehicles, and equipment shall be parked in a manner which does not interfere with the movement of aircraft. Aircraft and maintenance or repair that creates a fire hazard or endangers other aircraft or property of another is prohibited.
2. Setbacks shall be 20 feet between hangars and 40 feet from the centerline of taxiways, and building heights shall conform to Federal Aviation Regulations.

F. Tie-Down Areas. These areas are reserved for long term parking of aircraft based on the Airport, or those transient aircraft remaining overnight. Temporary tie-down areas may be designated by the Commission or Manager.

G. Public Apron Areas. These areas are reserved for unloading or loading passengers and cargo, refueling aircraft, and temporary parking of aircraft.

H. Auto Parking Areas. These areas are reserved for automobile parking. Temporary vehicle parking areas may also be designated by the Commission or Manager.

I. Fuel Farm Area. This area is reserved for the storage of fuel used in aircraft. A written agreement between a fuel farm tenant other than a fixed base operator and the Commission shall contain, but not be limited to, the following provisions:

- a. At no time, shall tenant share, sub-lease, or in any other manner provide fuel or fueling facilities to any other tenant or any other aircraft except those aircraft owned or leased for the exclusive use of the tenant designated in this agreement.
- b. Tenant shall install and maintain all fuel facilities within the Fuel Farm in accordance with plans and specifications approved in writing by the Commission.

- c. Tenant shall comply with all federal, state, and local laws and regulations governing the installation, operations, and maintenance of all fueling facilities, equipment and dispensing trucks.
- d. Dispensing trucks, bulk fuel trucks, emergency vehicles, and other vehicles approved by the Commission or Manager shall be the only vehicles permitted within the Fuel Farm.
- e. All fuel storage and fuel delivery equipment must be in State Approved tanks.
- f. Each prospective Fuel Farm tenant shall submit to the Commission a written proposal, which sets forth the extent of operations to include: fuel grades; estimated annual volume; experience and training of fueling facilities and equipment to be used; and provisions for the security and safety of the facility.

SECTION VI. SEVERABILITY.

The several provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Owner would have passed the other provisions of this Ordinance, irrespective of whether or not one or more provisions may be declared invalid. And, if any provision of this Ordinance held invalid, the remainder of the Ordinance and the application of such provisions to the other persons or circumstances shall not be affected thereby.

MOTION seconded by Supervisor McGregor and carried.

Bayfield County Forestry Road Aid – Clerk Bjork stated that the town applied for \$1,500 of road aid for Old Grade Road and Wilderness Road, and \$1,000 was approved for 2024.

Town Hall Roof & Town Shop Roof – The Town Hall Roof is leaking in the section next to the clerk’s office and the town shop is leaking in the cold storage area. The board will look into.

Short-Term Rental Application – There are two pending applications on hold for information. There are three that need to come into compliance with Bayfield County. There has been no response from the denial letter that was sent.

Class “B”/”Class B” picnic license for Teal Lost Land Ghost Lakes Improvement Association Inc. for July 28, 2024 at Lakewoods Resort, 21540 County Hwy M, Town of Namakagon – There was discussion on the need for a picnic license and the supplier when it is being held at Lakewoods. Tabled for more information.

Town Hall Sign – A preliminary sign was presented from Woodland Signs. The board inquired about having raised letters, changing the sun a bit and how thick the cedar board was and if there are boards being glued together.

Bayfield County Community Wellness Grant – Clerk Bjork presented a grant application that supported building outdoor restrooms at the Town Hall. The Town Board supported pursuing the Bayfield County Wellness Grant to build outdoor public restrooms, a very needed addition to the park area.

Walking/Biking Trails – Supervisor Krueger presented a stone biking/hiking trail to get people off of County Hwy M with a long-range plan of going around the lake. The trail would start at Namakagon Sunset, (using Forest Service land, power company right-away, and private land), and be located between Namakagon Sunset and Frels Road (first

phase). The second phase would go down Dam Road to Crystal Lake Road entering Grand View township. Crystal Lake Road to Pioneer to Old Grade to Namakagon Sunset to make a loop. The cost should be covered by grants 75/25 or 90/10. Jon Schubbe from Rock Solid Trail Contracting will work on the engineering plans with a fee for Master Planning of \$15,900 to be done by 7/1/24. It is a qualified expenditure for room tax funds. The 2024 budget was looked at. Tabled for more information.

Demo Site Operations – Chairman Rasmussen stated that the new well will be drilled May 7th. Gene Lemmenes sent a new contract of \$1,020 for the landfill. MOTION made by Supervisor McGregor to approve Lemmenes Hydrometric Service to continue monitoring the wells at the demo site. MOTION seconded by Supervisor Krueger and carried. Supervisor McGregor stated that the work meeting motion that was made would open the demo site for out-of-town contractors. That was not the intent of the Town Board. The charges will not discourage contractors from using the landfill. He feels that we should not allow any out-of-town people to use the demo site. Chairman Rasmussen noted that the new owners of Thompsons will be opening a site. There was discussion on a sign by the transfer site gate. MOTION by Supervisor McGregor to rescind the motion from March 20th(to post a sign by the entrance gate “any out of town landfill demo will be charged \$60/yd”). MOTION seconded by Supervisor Krueger and carried. The Town Board agreed to put a sign by the gate that said, “This transfer site is for Namakagon property owners or from a town of Namakagon property ONLY”.

New Site for Landfill – The Town Board agreed that the first step towards planning for a new landfill site would be to have Nelson Surveying complete an entire property survey. This will be pursued.

Chairman Rasmussen appointed Dave Hanks and Larry Pribyl to the Plan Commission for a three-year term of 5/2024 through 4/2027.

Review Correspondence

ARIP update: It will cost a million per mile from a WTA estimate on any project.
A Community Resources Forum will be held on April 18th from 9:30am to 2:30pm at the Northern Great Lakes Visitor Center.
Bayfield County Ordinance Amendment Title 13 was reviewed.

Public Comment

Joanne Schultz requested that the squeaky table be replaced.
Mary D’Andrea stated that the walking/biking trail is a fabulous idea!
Dave Hanks complimented the board for the decision made for the transfer site.
Road Bans go off from Bayfield County on Thursday and the Town of Namakagon will be going off a week from that.
Discussion on Northland College and the effects of the programs that they are involved in.

Set date for the next Board meeting, May 14, 2024 @ 7:30pm
Plan Commission meeting, May 6, 2024 @ 7pm
Namakagon Community Club, May 2, 2024

Annual Town Meeting, April 16, 2024 @ 7pm
Open Book May 9, 2024 4pm to 6pm
Board of Review May 21, 2024 5pm to 7pm

MOTION made by Supervisor McGregor to go into Closed Session at 9:33pm pursuant to S.19.85(1)(c) of the WI Statutes for considering employment, promotion, compensation, or performance evaluation data of any public employee over which the Governmental body has jurisdiction or exercises responsibility. The board will reconvene in open session to take necessary action as required and resume regular town business. MOTION seconded by Supervisor Krueger and carried.

MOTION made by Supervisor Krueger at 9:38pm to reconvene in open session to take necessary action as required and resume regular town business. MOTION seconded by Supervisor McGregor and carried.

Chairman Rasmussen adjourned at 9:38pm.

Respectfully Submitted by

Laura Bjork, Town of Namakagon Clerk