

TOWN OF BARNES
MONTHLY TOWN BOARD MEETING MINUTES
TUESDAY – DECEMBER 17, 2013 AT 6:30 PM
AT BARNES TOWN HALL

1) Call the Monthly Town Board Meeting to Order, do Roll Call to establish a Quorum & Verification of Public Notice
Chairperson Tom Krob called the Monthly Town Board Meeting to order at 6:35 PM. Roll call was taken. Present were Supervisors Chris Webb, Jack Meinke, Donna Porter and Mitch McGee, and Chairperson Krob. A quorum was established. Town Staff attendees were Clerk-Treasurer Brenda Bakke, Deputy Clerk-Treasurer Dorothy Vogel, Property and Roads Foreman Bob Lang, and Emergency Services Director Tom Renz. Bakke verified the meeting notice had been posted per State Statutes.

2) Pledge Allegiance to the Flag

All stood to say the Pledge of Allegiance to the Flag.

3) Motion to approve the Agenda and the Minutes of Board Meetings, and to dispense with the reading of those minutes.

Motion by Webb/Meinke to approve the Agenda with one change, which was to move Item 7) b) to 7) a). Roll call vote was taken with all voting yes. Motion carried.

Motion by Webb/Porter to approve the Minutes and dispense with the reading of those Minutes. Requested that the dates of the prior Meeting Minutes be listed on the Agenda. This motion covers Minutes from November 19, December 2 and December 4, 2013. Roll call vote was taken with all voting yes. Motion carried.

4) Public Comment Session – 5 minute limit for those not on Agenda

There were no public comments.

5) Voucher's Approval – Discuss/Motion to Approve November Vouchers

Motion by Porter/McGee to approve November vouchers. Roll call vote was taken with all voting yes. Motion carried.

6) Clerk/Treasurer Report: Brenda Bakke

a) Treasurer's Report

1) November Treasurer's Report

Bakke read the November Treasurer's Report.

Motion by Webb/Porter to approve the November Treasurer's Report. Roll call vote was taken with all voting yes. Motion carried.

2) Motion to amend 2013 Town Budget if expenditures are over budget in any of the major categories

Motion by Webb/McGee to table Items 6) a) 2) and 6) a) 3) and schedule a meeting at the end of the month. Roll call vote was taken with all voting yes. Motion carried.

3) Motion to move unspent budget monies from the 2013 Town Budget to Designated Sinking Funds

b) Clerk Correspondence

1) Forestry Notices

Bakke read Forestry Notices.

2) Election Inspectors – appointment of Election Inspectors by Tom Krob

List of applicants was read by Krob. They are: Linda Frank, Beverly Lowery, Dorothy Mueller, Linda Nowaczyk, Lucille Peet, Florence Prickett, Mary Sadenwasser and Debra Soar. All were approved with Debra Soar being an alternate. Webb questioned the need for 7 poll workers. It was explained that small elections only require 3 to 5 poll workers. Poll workers will require election training. This will be done by the Clerk.

Motion by McGee/Meinke to approve the list of Election Inspectors. Roll call vote was taken with all voting yes. Motion carried.

7) TOB Department Head Reports:

a) Fire & Ambulance Departments – Monthly BES Reports – Tom Renz

Renz read the Monthly BES Report. Stated the BES Department has received two donations; \$1,400 from the sale of t-shirts from the Germann Road fire (had also received \$1,200 from a prior fund raiser) and \$500 from the State Bank of Drummond. The Fire Department will be attending a meeting for FIT testing required by the National Fire Association and OSHA.

Webb questioned since Renz had tendered his resignation at the November 19 Board Meeting, which the Board did not accept, would he consider rescinding his resignation. Renz stated that as he has received many messages of support from the Board and the Townspeople, and the Board has taken some steps to alleviate problems within the department, that he is rescinding his resignation. Webb stated that the Board will continue working with Renz to update policies and procedures.

b) Highway Department – Monthly Roads Report – Bob Lang

Lang read the Monthly Roads Report. Krob expressed his appreciation for the good job the road crew is doing. Webb verified the good job the new truck is doing with the ability to plow and scrape in one swipe which saves fuel, and safer roads as the end result. Also expressed appreciation for his ability to deal with so many different issues at one time.

1) Discussion of Reclassification of Pease Rd. to a Class B road

Lang stated that with the large trucks traveling Pease Road it is starting to form ruts. To save it would require reclassifying it. Lang requested the Board's permission to post the following document in the Minutes to help explain the situation. Further discussion ensued regarding enforcement, fines, exemptions, safety, etc. It was suggested this issue be added to the January 14, 2014 agenda to give the public time to review and conduct further discussion.

Motion by Porter/Krob to open the floor for discussion. Roll call vote was taken with all voting yes. Motion carried.

Colin Nowaczyk questioned whether this was a year-round situation or do 'frozen road' conditions apply. Lang replied that it is year-round.

Greg Martin stated when Pease Road was last blacktopped they did not go down to the base, just ground the existing blacktop and relaid it with cold mix. It would be a good idea to get the big trucks off the road since ice now builds up in the ruts and causes icy conditions.

Motion by Porter/Krob to close the floor. Roll call vote was taken with all voting yes. Motion carried.

Following is the information regarding Reclassification and the State Statutes associated with it:

The Town of Barnes has the option to classify Pease Road as a Class B road.

HISTORY:

The Town of Barnes stuck a major investment into Pease Road around 2004. It is my understanding that Pease Road was pulverized with 3 inches of additional gravel and then overlaid with 2 inches of cold-mix asphalt. I'm told this cost around \$600,000 for the almost 6 miles of road.

In today's practices we know that 3 inches of gravel was insufficient as well as cold mix is 90% of the cost of hot-mix, but has considerably less structure to it. Financially, this was a huge undertaking for the Town as it was.

This summer I noticed a considerable degradation of the asphalt. It is rutting and developing longitudinal cracking which are signs of base failure. Long story, short, the road is not holding up to the weight of the traffic and will likely completely fail in less than ten years considering the amount of degradation that occurred during the last 18 months.

Pease road is a main artery/short cut for trucks, mostly logging trucks, coming down County A on their way south. Just to be clear, these trucks WILL be able to use Pease Road when empty, so we are only inconveniencing them in one direction.

What this means is that vehicles will be only be able to travel the road at 60% of their licensed weight. The practical application of this is that an 80,000 pound vehicle (mostly logging trucks) would be limited to 48,000 pounds.

348.16 Weight limitations on class "B" highways.

(1) In this section, "class `B' highway" includes those county trunk highways, town highways and city and village streets, or portions thereof, which have been designated as class "B" highways by the local authorities pursuant to s. 349.15.

*(2) Except as provided in sub. (3) and s. 348.175 and subject to any modifications made by a city of the first class pursuant to s. 349.15 (3), no person, without a permit therefor, shall operate on a class "B" highway any vehicle or combination of vehicles imposing wheel, axle, group of axles, or **gross weight on the highway exceeding 60 percent of the weights authorized in s. 348.15 (3).***

(3) Any motor vehicle whose operation is pickup or delivery, including operation for the purpose of moving or delivering supplies or commodities to or from any place of business or residence that has an entrance on a class "B" highway, may pick up or deliver on a class "B" highway without complying with the gross vehicle weight limitations imposed by sub. (2).

History: 1981 c. 312; 2001 a. 16; 2009 a. 177; 2011 a. 257.

349.15 Authority to modify weight limitations and classify highways.

(1) The limitations on size and weight imposed by ch. 348 are lawful throughout the state and local authorities may not alter such limitations except as otherwise provided in this chapter.

(2) The county highway committee with respect to the county trunk highway system and the local authorities with respect to highways maintained by them may designate all or parts of such highways to be class "B" highways for the purpose of putting into effect the weight limitations set forth in s. 348.16, except that no portion of any such highway which is a state trunk highway or connecting highway may be so designated.

(3) Any city of the first class may, with respect to the streets of such city, by ordinance increase the maximum weight limitations specified in ss. 348.15 and 348.16.

History: 1977 c. 29 s. 1654 (3).

The police power under this section need not be based on the condition of the roadbed, but may be exercised to promote the general welfare of the public. 66 Atty. Gen. 110.

349.16 Authority to impose special or seasonal weight limitations.

(1) The officer in charge of maintenance in case of highways maintained by a town, city or village, the county highway commissioner or county highway committee in the case of highways maintained by the county and the department in the case of highways maintained by the state may:

(a) Impose special weight limitations on any such highway or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations;

(b) Impose special weight limitations on bridges or culverts when in its judgment such bridge or culvert cannot safely sustain the maximum weights permitted by statute;

(c) Order the owner or operator of any vehicle being operated on a highway to suspend operation if in its judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the permanence thereof or the public investment therein, except when s. 84.20 is applicable or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway. Traffic officers also may order suspension of operation under the circumstances and subject to the limitations stated in this paragraph.

(2) Imposition of the special weight limitations authorized by sub. (1) (a) shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. Imposition of the special weight limitations authorized by sub. (1) (b) shall be done by erecting signs before each end of the bridge or culvert to which the weight limitation applies sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. All weight limitation signs and their erection shall comply with the rules of the department and shall be standard throughout the state.

(3) The authority in charge of the maintenance of the highway may exempt vehicles carrying certain commodities specified by the authority or which are used to perform certain services specified by the authority from the special weight limitations which are imposed under sub. (1) (a), or may set different weight limitations than those imposed under sub. (1) (a) for vehicles carrying those commodities or which are used to perform those services, if such exemption or limitation is reasonable and necessary to promote the public health, safety and welfare. The authority in charge of the maintenance of the highway shall exempt from the special or seasonal weight limitations imposed under sub. (1) (a) a vehicle that is used to transport material pumped from a septic or holding tank if, because of health concerns, material needs to be removed from a septic or holding tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is operated for the purpose of emptying the septic or holding tank and disposing of its contents and is operated on a route that minimizes travel on highways subject to weight limitations imposed under sub. (1) (a). Within 72 hours after operating a vehicle that transported material pumped from a septic or holding tank and that exceeded special or seasonal weight limitations as authorized by this subsection, the owner or operator of the vehicle shall notify the authority in charge of maintenance of the highways over which the vehicle was operated.

2) Discussion regarding reactivation of the Town Roads and Right-of-Way Committee

It would be advantageous to have more public input on road decisions. Would like to see four members of the Committee from the public, Lang and any Board member(s) who want to be involved. Meinke stated the old committee worked well. Webb agreed. They made informed decisions, looked at road discontinuances, etc. Krob will publish an ad for interested parties. Meinke and McGee are willing to represent the Board again, and Greg Martin has agreed to join again. Meetings and Minutes would be posted so townspeople can attend.

c) Constable – Monthly Report from Mike O’Keefe

Krob read the Constable’s Monthly Report.

8) TOB Committee and Commission Reports:

a) Transfer Site Committee: – Mitch McGee

Nothing to report.

1) Discussion and possible action on Continental Computer Recycling 2014 contract

Discussion ensued regarding the 2 year contract renewal.

Motion by Meinke/Webb to accept the 2 year contract and authorize Krob to sign on behalf of the Town. It was suggested we look for other options in the meantime. Roll call vote was taken with all voting yes. Motion carried.

2) Discussion and possible action regarding current recycling policies

Since recycling contract does not charge for microwaves and the Transfer Site is holding its own, it was decided there would be no charge for microwaves.

Motion by Porter/Meinke that there is no longer a charge for microwaves as of January 1, 2014. Clerk will update the information found in the Blog. Roll call vote was taken with all voting yes. Motion carried.

b) Cemetery Sexton & Committee: Dave Schiess

Nothing to report.

c) Land Use Planning Commission: Gene Ratzel

1) Buck-n-Bass – Class B zoning request for use of pole barn to store boats, campers, and mini-storage

Ratzel reported the committee’s recommendation was to not approve the application based on current open zoning issues and violating the original conditional use permit which does not allow rentals. Ratzel advised if the Board should decide to approve the application the Land Use Commission be allowed to add

timeframes and the ability to monitor occasionally. Krob had taken pictures that morning of the equipment outside the sheds showing violations of the original conditional use permit. If more storage is allowed, conditions could worsen.

Motion by Webb/Porter to recommend to the County to deny the application based on past history and incompatibility with surrounding residential area. Roll call vote was taken with all voting yes. Motion carried.

9) Discussion and possible action regarding formation of Tourism Committee which may include appointment of committee members

Formation of committee had been brought up at the last Board Meeting. A group has met a couple of times and have come up with some good ideas. Has also talked with a representative from Washburn County Tourism and the Iron River Chamber who will be contributing ideas and assist with getting the committee up and running. To date, five people are interested in serving on the committee: Barb Romstad, Julie Bohl, Sharon Hough, Suzanne Widmar and Tom Krob. Carol LeBreck will serve as an alternate. Webb stated if the tourism committee is supported by the Town they will require a mission statement or goal, decide whether it will be a short term or long term committee, notices, agendas and minutes have to be published, and no financial support from the Town.

Motion by Webb/Meinke to continue with formation of committee of the five people who have shown interest. Will need to approve mission statement once completed. Roll call vote taken with all voting yes. Motion carried.

10) Last Month's Meeting Follow-up –

a) Town Board Issues Timeline Log - Review & Update

Discussion ensued regarding need to update employee handbook and policies, SOGs, ordinances, etc. Scheduled meeting for Wednesday, January 8, 2014, from 4:00 to 6:00 PM at the Barnes Town Hall.

11) Adjourn

Motion by Webb/Meinke to adjourn the December 17, 2013 Monthly Town Board Meeting. Roll call vote was taken with all voting yes. Motion carried.

Respectfully Submitted,

Dorothy Vogel
Deputy Clerk-Treasurer
This 20th day of December, 2013