

Special Monthly Town Board Meeting: July 16, 2018

This meeting was properly posted according to Wis Statutes and Open Meeting Law. The building is handicap accessible. It was posted at the Landing, County Y, Schaefer's Wharf, County L, and the Nokomis Town Hall posting boards.

**Attendees:** Bette Stillman, Supervisor  
Brian Schmidt, Supervisor  
John Bowman, Chairman  
Wendy Smith, Clerk  
Judi Asmondy, Treasurer

**Call to Order:** John Bowman, Chairman, called meeting to order in accordance with the open meeting law at 6:00 p.m., noting that the meeting notice had been properly posted and that the building and meeting room are handicap accessible. 1. M/M Brian 2. M/M Bette All in favor

### **Pledge of Allegiance**

**Approve Agenda:** 1. M/M Brian 2. M/M Bette All in favor

**Public Comments:** Would like a brief summary that put assessors plat into play. Explanation of assessors plat. Surveyor did survey in are and found discrepancies vs what land owners think are their lot lines. Terry Lang had hired the surveyor. Lines could be fixed with 20 ft. lake access. DNR would need to approve the 20 ft. Question on when the board decided to get involved. August 2017 is the first time this appears on the agenda. A survey was mentioned in the minutes. This was Terry Lang's survey. There is no approved resolution for the assessors plat as it hasn't been voted on yet.

**Greg Harrold (attorney) in attendance to discuss/answer questions regarding land issue and assessors plat Point O Pines Rd E:** Greg Harrold wasn't sure what the discussion points are. The assessors plat is a procedure designed to make points certain. Wisconsin statute read for definition. Discussion of identify owners and designated areas. Owners pay cost of all or any cost is charged to land. Would be based off formula and assessed value. Special assessments have their own process. Surveyor would work with property owners. Surveyor also comes up with recommendations.

Robert Ernst would like to know how this can be done without knowing who own land. Greg Harrold may have conflict as he worked in the past with Robert Ernst regarding land.

Why should other people be charged when issue is between two land owners. There are two 20 ft. access points in assessors plat. Descriptions read from title search regarding Robert Ernst and Clara Ernst.

Question on what is owned by the Ernst family and discussion of laws suits and adverse possession. This was land that ended up being sold.

Discussion of location of access strips. Between 10 and 11 Block 1. Explanation of the two blocks.

All descriptions are from title search dated 11-27-17 on file.

Deed to Town of Nokomis and discussion of unrecorded 1939 plat. Per title search lot 19. 2<sup>nd</sup> access is between 10 & 11 and Town owns both.

Discussion of which lots are in assessors plat.

Concern on conflict with attorney and the Ernst family.

The board will need to decide if want to move forward.

Question on if 18 landowners have to be used to correct issue.

Line by agreement would work.

The rest of landowners don't have an issue. They don't understand why everyone needs to be involved.

Landowners should learn to problem solve vs involving so many people.

This has been wrong for so long issue is with two people.

This needs to be solved between them vs so many people.

County line issues are common and shouldn't be a financial burden of landowners.

This won't stop with this land will continue with others.

Both landowner's good people let them try to work it out between themselves.

John is trying to resolve but others feel that another sit down with owner is needed.

Need to determine Ernst ownership.

Discussion of funding formula

Discussion of scheduling meeting with landowners that have problem.

Discussion of line by agreement if 20 ft. is purchased and how it effects other land owners.

Driveway used by two residents needs to be included.

**Accept/Deny Contract Services for Prairie Rapids Bridge through Hunter Engineering & Design:** They will check and verify that construction is correct. 1. M/M Brian to accept contract. 2. M/M Bette All in favor

**Update Swamp Lake Dam and water level:** Secretary DNR would like agreement with landowners where permit states where it should be and where it is.

Maybe difficult for agreement.

A new permit would need to be requested with new agreed level

Short time fix and discussion of leak

Plugging holes between stop logs.

Material can be put in for short term

All stop logs need to be replaced.

Need to work on extension will try for 90 days

Stop logs need to be rot resistant material

Question on who would replace. And how to hold water back while repairing.

What is liability of being on private land? Would need to approach landowner.

Before starting work crew needs orders in writing.

Question on which specialist was talking with.

Ecological extension could be available

Keith Patrick DNR states list of grants available.

No written plan of action at this time.

John will turn something in before the 21<sup>st</sup>

**Future Agenda Items and Dates:**

Property Line meetings

Open Book 7/24/18

Board of Review 7/31/18

LNLD 8/11/18  
Monthly Board 8/13/18

**Public Comments:**

None

**Adjourn Meeting:** 1. M/M Brian 2. M/M Bette All in favor

NOTE a complete recording of town board meetings are available for residents review in the clerk's office.