

Town of Mercer Meeting Minutes

Special Meeting

January 20, 2020 (approved)

Order of Business

- a. Chairman John Sendra called the meeting to order at 9:00 am in the Town Hall
- b. Present were Supervisors Chuck Schroepfer, Eric Snow, Opal Roberts, Mike Lambert and Interim Clerk Debbie Hohner.

Sendra discussed the progress about the process of fixing Shay Dam. While going through the paperwork John questions who actually owns the dam. 1895-1936 the Fisher Lake dam deteriorated and then the Town of Mercer requested a permit to fix it. 1936/1937 the Town's application stated that the land is owned by Iron County and has permission From Iron County to redo the dam. Sendra also questions since Lake of the Falls Dam and the property is owned by Iron County. Why would the situation be different for Shay Dam.

Bill Pfahler from the Fisher Lake Association wants to ensure that the dam is properly fixed. He was assured by members of the Board that the dam will be properly repaired the question is who is going to pay for it.

Chuck questioned the spelling of Shea (Shay) Dam. Chuck and Opal remember that the dam was officially changed to be spelled Shay Dam.

John will contact Mike Saari to ask for this to be on the Iron County agenda.

John contacted the Recorder of Deeds and he was told that the Iron Co is the owner of the land. John believes Mercer requested the permit and asked permission from the owner of the property, Iron County. He believes the law of real property supports the idea that Iron County owns the land they thus own the dam.

Chuck mentioned that there were issues in the past of Mercer having to pay for portions of Lake of the Falls but after fighting it Iron Co accepted owning it.

Opal Made a motion, seconded by Eric, to go into Executives Session per WI State Statues 19.85 (1)(c). Roll call vote: all yes. Motion carried at 9:14

Eric made a motion, seconded by Chuck, to return to open session at 10:18. Roll call. All yes

Motion made by Eric, seconded by Chuck to appoint Deb Hohner as Mercer Town Clerk.
Roll Call. All yes

Discussion returned to the Shay Dam since Attorney Schellgell was able to attend the meeting. Fritz discussed that there could be two ways to interpret the situation. Either that the dam is real property and is then owned by Iron County or that it is an easement and thus is maintained by the Town of Mercer.

Eric suggested that John speak with the Chairman of Oma since there are so many Oma property owners on Fisher Lake. John will contact Mr. Finco from Oma

Motion to adjourn by Opal, seconded by Eric Snow, at 10:42.

Respectfully submitted,

Debbie Hohner

Clerk

(approved)