

**VILLAGE OF EPHRAIM
COMMUNITY PROTECTION COMMITTEE MINUTES
MONDAY, JANUARY 4, 2024 – 3:30 PM
9996 WATER STREET**



ACTION ITEMS:

Dukehart moved, Hart seconded to approve the minutes of December 7, 2023, as corrected, all ayes. Motion carried.
Hart moved, Dukehart seconded to adjourn at 4:28 PM, all ayes. Motion carried.

Present: John Cox, Tad Dukehart, Laird Hart, Keith Krist, and Carly Mulliken - Chair.

Absent: None.

Staff: Justin MacDonald – Village of Ephraim Fire Chief and Kim Roberts - Deputy Clerk.

Guests: Mike Neal – DNR Warden, BD Thorp, and “Caller 01”.

1. **Call to Order:** The meeting was called to order by Mulliken at 3:30 PM. A quorum was present for this meeting.

2. **Changes to the agenda:** There were no changes.

3. **Approval of the previous minutes:**

Dukehart moved, Hart seconded to approve the minutes of December 7, 2023, as corrected, all ayes. Motion carried.

Mulliken pointed out the word “Ephraim” had a typo in section 8(d).

4. **Visitors’ Comments:** There were no comments.

5. **Discussion on various topics with Wisconsin DNR Warden Mike Neal:**

Mulliken provided background regarding concerns related to hunting season to commence a discussion with DNR Warden Mike Neal. She reviewed the Village of Ephraim Discharge Ordinance which prohibited the discharge of any firearm within the Village and permitted bow hunting. Krist asked who was in charge of regulating hunting on Land Trust properties within the Village. The Village does not allow the discharge of firearms and the Land Trust allows hunting with firearms from what he understands. Neal stated that the Land Trust properties while they are privately owned, are open to the public. It is essentially an access, so the Land Trust has the ability, depending on how the property was acquired, to not allow access to it for hunting. If the Land Trust took grant money to purchase the property, then they are required to mirror the rules that the state allows for hunting. If the property falls within a municipality that has a no-discharge ordinance that prohibits the use of firearms, then that becomes a local issue because it wouldn’t fall under any regulations of the Department of Natural Resources “DNR”; it would be an ordinance ticket. It would be up to the Land Trust to determine what properties they are going to allow access to.

Dukehart asked if the Village of Ephraim's No-Discharge Ordinance superseded the State DNR regulations.

Neal explained that a hunter could still archery hunt within the Village. The only thing that the Village can do is to have the No-Discharge Ordinance which prohibits the discharge of a firearm or some other device because of public safety. He further explained that duck hunting with a firearm in Eagle Harbor was permitted because the Village ends at the waterline. The second thing that is considered is public safety, if a shotgun is aimed at Michigan to shoot at a duck, then there is no public safety issue there. Some hunters hunt ducks and geese with bows and arrows. The only thing that the Village can do is regulate the discharge of a firearm and/or bow and arrow.

Further discussion was held regarding permission granted by the Land Trust to hunt. Neal explained that it is up to the Land Trust. He explained that the Ridges Sanctuary requires an access paper; a hunter has to have a document that states what parcels of Ridges Sanctuary land have been granted permission by the Ridge’s Sanctuary for the individual to hunt. Dukehart asked if a requirement for written permission documents should be added to the Village of Ephraim ordinance to hunt on Land Trust properties within the Village. Neal stated that it would be up to the Village but it still be a question of who would enforce it. The DNR would not enforce it and the Sheriff’s Office probably would not enforce it. It would likely be a private property agreement that the Village could request but it doesn’t have to be honored. Neal also cautioned the committee regarding issues that develop with splitting hairs over property lines and where the discharge originated from.

Neal clarified that the Village regulates the discharge of firearms. The Land Trust has control over access. However, depending on how the money was obtained to acquire the land, if a deed restriction was placed on a property, or if they got money from the DNR to allow them to purchase that property through a grant cycle, they would have to mirror the same rules for any state wildlife area.

Discussion continued about permissible locations for the discharge of firearms. Krist discussed hunters discharging from the road into Anderson Woods. Neal explained that if it was observed and not reported, that is an issue. People complain but won't report it; it's on the person who didn't call. We can't fix it if we don't know about it. Krist discussed previously having a constable and the decreasing amount of land to hunt due to development. Neal stressed that hunting cannot be banned, it is a legal activity which is justification for a No-Discharge Ordinance.

A discussion was held regarding DNR regulations relating to permissible discharge distances from homes, property lines, lawful engagement in hunting or fishing, baiting, permissible distance from shore (500 feet), lands of another permission, and hunting as a management tool. Neal reminded the committee that the ordinance does allow archery. In summary, local governments cannot regulate hunting but they can regulate discharge.

6. Discussion on Overhead Lighting within the Village:

A discussion was held regarding lighting within the Village. Mulliken reviewed the discussion from the December meeting regarding a specific dark spot within the Village. Krist expressed concern regarding dark spots on German Road specifically at German Road and Norway Street. Hart recapped Cox's concerns from December regarding the dark spot at the bottom of the hill by the golf course at the south end of the Village. Cox had questioned why after so many years of service was the light removed. Was it removed during the Streetscape project or at a different time? Mulliken suggested an organized approach to reviewing lighting within the Village. Dukehart asked if they were creating a problem they didn't have. He expressed concern about the cost and that the money could be spent in better ways. McDonald noted lighting would be at the cost of the Village. Krist requested that they find out what the cost would be. Mulliken added it would be more powerful if the committee heard from residents that there was an issue. She also spoke about resident support of maintaining a dark sky. Cox stated that the streetlight that was removed had been there for decades. The basis of the conversation, Cox said, is safety. There has been an accident in that location. Mulliken suggested that she would continue the conversation with the chair of the Physical Facilities Committee, Matt Meacham and MacDonald.

7. Discussion on Vision Triangles with Ephraim Code of Ordinances:

A discussion was held regarding vision triangles. Dukehart suggested a letter be drafted to request that plantings be lowered to correct the visual problems / blind spots at intersections. MacDonald pointed out that some business signs could be an issue concerning the Vision Triangle Ordinance. Cox suggested that this was more of an administrative matter and that the history of the signs in question should be researched. Mulliken concluded she would speak with Administrator Bristol.

8. Update on requests from the Village to the Sheriff's Office for more patrol on CTH Q:

A discussion was held regarding the request for more patrol on CTH Q by the Door County Sheriff's office. The Village President has been looped in on the conversation and the Sheriff's Department is aware of the problem and has the speed data on file. It is to be determined if a letter is to be drafted to the Sheriff's Department to request additional presence on CTH Q and who would draft the letter.

9. Discussion of general safety issues in the Village: Nothing was discussed.

10. New business for the next meeting:

- a. Update on Vision Triangles.
- b. Update on requests from the Village to the Sheriff's Office for more patrol on CTH Q.

It was noted that there would be no meeting in February or March for the CPC Committee.

11. Adjournment:

Hart moved, Dukehart seconded to adjourn at 4:28 PM, all ayes. Motion carried.

Recorded by, Kim Roberts – Deputy Clerk