

To: Oakland Township Board
From: Roger and Sandra Summers
Subject: Dufour's Campground
Date: 8/11/21

Dear Oakland Township Board members,

My wife and I are full-time residents at 28977 East Yellow River Road, and are members of the East Yellow Road Landowners Association [EYRRLA]. I am also disclosing that I am personally a member of the EYRRLA Board of Directors, but this letter presents my wife's and my own personal input only. I do not speak for or represent the EYRRLA BOD on this subject.

The following points outline our major personal points of concern, regarding DuFore's as a neighbor to the East Yellow Road Landowners Association [EYRRLA], as stated below:

1. **Accountability** – regarding the July 31st trespassing and fire event:
 - a. On 8/10/21, the DNR notified the landowner whose property was violated, and stated the violators will be issued only a warning to the group that started the fire because it is the first instance they've been "**caught in person**", and that's what DNR guidelines dictate. So, a little slap on the wrist for trespassing, shooting fireworks off on someone else's property and ultimately setting a fire on someone else's property. What kind of message does this send to others? It sure isn't a very strong message to change behavior, in our opinion, and this "warning" will likely not stop others from exhibiting the same behavior.
 - b. Local, County & State resources [Burnett County Taxpayers money] have been utilized by this event, and Burnett County taxpayers will be eating all the costs involved with the public services that responded. The people that caused the damages and expenses

incurred are not being held accountable for incurred costs to the taxpayers. Public services involved include:

- i. Webster Fire & Rescue
 - ii. Burnett County Sheriff's Deputies [2 Deputies were on scene]
 - iii. DNR personal
 1. DNR crew on sight during fire
 2. DNR personal follow up visits in the days after the fire checking for hotspots
 - iv. North Memorial Ambulance and crew
 - v. Oakland Township Board – via this meeting
- c. While it may have been the first time these people were “**caught in person**”, doing something illegal [they admitted to starting the fire to a Sheriff's Deputy], the same individuals on the same golf cart have been observed trespassing by EYRRLA landowners over the course of the summer on East Yellow River Road and Woodland Pass. They just have not been previously “caught in person” committing any lawbreaking acts, by our very thinly spread law enforcement officials.
- d. The landowner whose property was damaged asked DuFore's owners to evict the lawbreakers, a very reasonable request, in our opinion. DuFore's ownership has not evicted the lawbreakers, and nobody has apologized to the landowner. The perpetrators are also not being held accountable for the property damages incurred by the landowner. Not only was the landowners request reasonable, but DUFOURS CAMPGROUND TERMS AND CONDITIONS [as found on <https://www.dufourscampground.com/rates-rules>] state the following:
- i. “23. **Immediate Termination.** Landlord is entitled to terminate this Agreement, without notice, upon Landlord being notified of or witnessing any criminal activity being engaged in by Tenant or Tenant's family, guests or invitees on the Leased Premises or the grounds of Dufour's Campground.”
 1. So, if the fire started by the discharge of fireworks had occurred on Dufore's Campground property, these campers could have been terminated immediately, per their own contract terms and conditions – in other words, **the campers would have been held accountable.**

But this event occurred outside of campground property, on neighbor's property, so no action is being taken by the campground.

- e. In my experience with this landowner and neighbor, I know of several instances where he has taken the high road to discuss and educate on issues with violators vs. pressing charges. This had been an effective outcome, up until this event, and had DuFore's been reasonable with the landowner's request, I doubt this meeting would have needed to occur, and the many of us spending time contributing to this meeting would not have needed to spend our personal time regarding this matter. However, we are sick and tired of people that don't belong on our property violating our property and doing whatever they please, and we want accountability!
 - f. As it stands now, **nobody is being held accountable** for the trespassing, discharge of fireworks, the fire and the property damages, as the DNR has only issued a warning:
 - g. Given that DuFore's has ~135 campsites from what I recall, theoretically, people from all ~135 campsites could trespass and violate EYRRLA member properties without any repercussions, except a warning. We find this to be outrageous and unacceptable!
2. **Access to DuFore's** – Dufour's Campground holds an easement from the East Yellow River Road Landowners Association [EYRRLA], to access their property, and has held this easement for many years. Access to the campground property was vital to their planned expansions, both the expansion already completed, and any potential future expansion.
- a. **Easement access is only via the Hayden Lake Road Extension – travel on any other EYRRLA road is trespassing, and this includes East Yellow River Road, Woodland Pass and Whitetail Trail, as well as the EYRRLA boat ramp and beach access area.**
 - b. Dufore's has a map on its website that shows allowable routes for ATV's, side by sides and golf carts, and **also where ATV's are not allowed on campground property**, but fails to show on the same map that East Yellow River Road is off limits. [See map below taken from DuFore's website.] They missed an easy opportunity to educate their campers here.



ATV Dufours Campground Route



1. Speed limit is 10 MPG
2. Reduce dust and excessive noise
3. No joy riding on Dufours Property without permission
4. Drive ATV to and from site to Bathroom, Pool, River, or Trails
5. Orange trail above is preferred route to locations stated above
6. Respect that not everyone loves ATVs or UTVs
7. When an issue arises please contact camp host or owners, don't take matters into your own hands

3. Beyond the fire incident of July 31st

- a. Traffic from the DuFore's expansion has significantly increased traffic on Hayden Lake Road Extension. DuFore's doesn't own the road, EYRRLA does, but DuFore's profits from use of our road.
- b. Traffic on East Yellow Road is also up more than we've ever seen since we moved here in 2014. We are always seeing cars, trucks, golf carts, vehicles bringing in boats and pontoons, ATV's and side by sides that we don't recognize driving on our road, and using our **private boat launch**, owned by the members of EYRRLA. We are also seeing a large increase of damage to the road from vehicles doing "donuts" on the road, and much more garbage. These roads are owned and maintained by the members of EYRRLA, but are being used by campground people, without permission, and for the profit of DuFore's owners. We want trespassing to stop!
- c. Traffic on the Yellow River is also considerably greater, and the new boats and pontoons often don't follow the rules of the river either, for example, the no wake rules of the river. This creates damage to our shoreline properties and can cause property damage to watercraft moored to docks along the river.

- d. We are personally witnessing more unknown vehicles enter our driveway, as shown on our trail camera. I keep photos of unknown vehicles in case of issues that may arise.

4. Closing comments –

- a. On the evening of the fire of July 31st, we had friends meeting us at our home at about 4:30pm so we could go out and enjoy dinner at a local restaurant. I was sitting on my deck with my dog waiting for them, and I heard 3 loud discharges East of my location, in the general direction of the subject property that ultimately had a fire.
- b. Our friends arrived and we left within a few minutes of their arrival. A golf cart with 3 kids passed us going north on East Yellow River Road, as we were going South. I stated that I didn't know who they were. My wife did not either, so we figured they were probably from the campground.
- c. We got just about to the corner of Woodland Pass and an ATV flagged me down and asked if I had a cell phone, I said yes, what's the problem, and he told me there was a fire just around the corner.
- d. I drove around the corner and saw the smoke and fire and I immediately called 911, then the property owner, and then the neighbor of the property owner, to get the key to open up the big gate for access for the fire department trucks, as I know the land and how it's set up.
- e. While on the phone with the 911 dispatcher, our friends said they saw the kids on the golf cart we had just passed a minute earlier, on the property when they drove in, which was about 7-8 minutes earlier, and there was no smoke or fire at that time.
- f. When we arrived, there was significant smoke and visible flames between the north side of Woodland Pass, and the east-west roadway on the landowner's property.
- g. The neighbor I called arrived with a bolt cutter to open the big gate for the fire trucks. The neighbor and I walked through the property to assess the extent of fire before the Sheriff's deputies or fire department arrived. The fire had already jumped the landowner's interior road spreading North, directly towards an inhabited EYRRLA member's home clearly in sight of the fire.

- h. A deputy arrived, then the first fire truck. The deputy wanted to talk to the person that called fire in, which was me, so I told him what occurred in the few minutes' prior. He asked me to drive around and try to spot the golf cart, and he'd follow us.
- i. As we drove around the 1st corner of Woodland Pass, we saw the golf cart and 3 minors heading back our way and signaled to the deputy that this was the golf cart and the people seen on the property a few minutes earlier by our friends.
- j. The deputy took it from there and told us we could leave the scene.
- k. If our friends had not witnessed these kids and that golf cart at the scene of the fire, I can only wonder if we'd have ever known who had started this fire.
- l. I feel the neighborhood had a "near miss", as the fire grew significantly in a very short time, and had a call to 911 not been made for another 10 minutes, or 20 minutes, how much it would have spread or what damages might have been incurred, or what injuries or even deaths might have occurred to neighborhood residents or 1st responders.
- m. We do not want future "avoidable" incidents like this in our neighborhood, and I feel accountability for this incident continues to be passed on without any implications to anyone.

All we want is for others to respect our property and the rules, but it's been a battle to have this. Something needs to change and people need to be held accountable when they break the rules.

Sincerely,

Roger and Sandra Summers

