

**Lake Ripley Management District
Meeting Minutes
January 10, 2004**

I. Call to Order

The meeting of the Lake Ripley Management District (LRMD) was called to order by Chairman Molinaro at 9:00 a.m. Secretary Derek Hoffman took roll call. Board members present were John Molinaro, Pam Rogers, Mike Sabella, Derek Hoffman and Dennis McCarthy. Paul Jorstad and Joanne Knilans were absent. Others present included Paul Dearlove (Priority Lake Project Manager) and Gary Zibell (Cambridge Cable TV 12).

II. Public Comment

There were no public comments.

III. Minutes of Last Meeting

The Board reviewed the minutes of the last meeting and had no additions or corrections. *Rogers moved to accept the minutes as written. McCarthy seconded. Motion carried on a 5-0 vote.*

IV. Treasurer's Report

Sabella distributed and summarized the year-end financial statements for both the LRMD and Lake Ripley Priority Lake Project (LRPLP) accounts. Financial statements included Balance Sheets, Statements of Operations, Actual-to-Budget/Budget Remaining Reports, and general ledgers detailing individual transactions. The following is a brief summary:

The LRMD had a cash position of \$100,293.22 as of 12/31/03, with a \$13,000.00 receivable due from the LRPLP. There was a net operating profit of \$20,647.27 for the year. \$35,978.11 in operating expenses was incurred out of a \$37,850.00 total budget. The LRPLP had total assets of \$24,627.09, with \$200.00 in petty cash, \$616.77 in general checking and \$23,810.32 in the nonpoint source account. There was a \$13,000.00 liability due to the LRMD. Net income for the year was \$15,621.87. Sabella noted that funds will need to be transferred from the LRMD back to the LRPLP in early 2004 to cover project costs until our \$46,350.00 staffing grant is received.

Rogers moved to accept the Treasurer's Report. McCarthy seconded. Motion carried on a 5-0 vote.

V. Project Manager's Report

Dearlove summarized the status of the Lake Ripley Priority Lake Project and his activities since the 11/15/03 meeting. Highlights from his report are presented below.

Financial News:

- Forest K. Elson memorial donations were received totaling \$230.00
- A final grant reimbursement of \$2,500.00 was received for the completion of our Aquatic Plant Management Plan in early 2003 (our Rock Lake partner submitted a plan later in the year and was the cause of the delay)
- The 2004 staffing grant contract for the Priority Lake Project was approved for \$46,350.00
- DNR paperwork was submitted authorizing the carryover of \$1,042.90 in unspent 2003 ACRA funds to 2004
- \$26,652.90 in state cost-share funding will be available for 2004, with an additional LRMD contribution of \$23,810.32

Carrying Capacity Analysis:

- Reviewer comments were received and incorporated into the recreational carrying capacity report
- 27 copies of the report were printed in-house and disseminated to interested parties, including the Oakland Town Board
- Findings will be presented and next steps will be discussed at the February meeting of the Oakland Town Board
- A PowerPoint presentation is being prepared for the upcoming WI lakes conferences
- The report has been posted to the LRMD web site at www.lakeripley.org

Cost-Share Projects:

- The Taylor/Buchanan shoreline riprap project was installed to stabilize 90 ft. of eroding shoreline
- Installation of the Stoehr shoreline-riprap and bank-terracing project is scheduled this month to stabilize 70 ft. of shore

- Will be meeting with Cedar Shores Association to move forward on a possible shoreline-repair project (~400 ft.)
- No word from Long Sod Farms on whether final ditch repairs can be completed this year

Aquatic Habitat Study:

- A partnership has been formed with the DNR and Jefferson County to conduct a research project on Lake Ripley and Rock Lake; the study is intended to determine the effects of pier-shading on near-shore aquatic habitat
- A grant application is being completed and will be submitted prior to the 2/1/04 deadline

I&E News:

- The LRMD web site (www.lakeripley.org) has been updated, and now includes a number of reports and planning documents available for download
- “Welcome Wagon” informational packets were distributed to 18 new property owners
- Attended the DNR’s NR115 listening session, and submitted written testimony supporting strong shoreland zoning protections
- Attended Jefferson Co. parks & open space planning hearing to promote inclusion of the Lake District Preserve for Stewardship funding purposes
- Plans are underway to conduct the annual “Ice Lab” with Cambridge H.S.
- Work will soon begin on our next newsletter

Other Announcements:

- A formal complaint was filed with the county sheriff’s department regarding John Probst’s continued farming encroachment into the Lake District Preserve; a small claims action will be pursued if the matter cannot be resolved
- Several property owners are attempting to find financing and get permit approvals to dredge a portion of the inlet channel

VI. Old Business

A. Probst Farming Encroachment into Preserve

Molinaro informed the Board that Mr. Probst is continuing to encroach into the Lake District Preserve with his farming operations. Continued encroachment is occurring despite repeated, written warnings from our attorney. The most recent trespass took place in mid-November when harvesting was performed within about a one-acre area of the Preserve. Immediately prior to this incident, Mr. Probst had contacted Attorney Behling and promised to deliver a \$514.83 check that day to cover earlier property damages. The promised check was never received. Molinaro indicated that Dearlove has filed a formal complaint with the Jefferson County Sheriff Department, and that a small claims action will be pursued if the matter cannot be resolved. Dearlove said the Sheriff’s Department will either issue a county ordinance citation or pursue criminal charges, depending on Mr. Probst’s level of cooperation when contacted. Dearlove explained that criminal charges could lead to restitution, thereby eliminating the need to file a small claims action.

B. Recreational Carrying Capacity Report

Final copies of the *Lake Ripley Watercraft Census & Recreational Carrying Capacity Analysis* were distributed to the Board members. The report included an appendix with the raw boat-count data that were gathered during the study. Molinaro said he was very pleased with how it turned out, and pointed out that the printing and binding was all done in-house to save money. He indicated that there was a great deal of interest throughout the state regarding this report since it was believed to be the first of its kind in Wisconsin. He and Dearlove are now preparing to give PowerPoint presentations at two upcoming conferences sponsored by the Wisconsin Association of Lakes. Molinaro said they were also requesting to make a presentation to the Oakland Town Board in February. Since boat traffic was found to routinely exceed carrying capacity on busy summer weekends, one objective of meeting with the Town Board is to discuss next steps. Molinaro said he was going to propose forming a joint committee of Town and LRMD Board members to delve further into potential policy strategies.

C. 01/31/04 Recreational Lake-Use Workshop

Flyers and registration materials were distributed for the upcoming recreational lake use workshop, and Board members were encouraged to attend. The workshop will take place Saturday, January 31, 2004 at the Waukesha County Technical College. Molinaro said that he and Dearlove will be making their carrying capacity presentation from 10:30 to 11:30 a.m. A couple of our Lake Watch volunteers (Kent & Jane Brown) will also be at the workshop participating in a panel discussion on rule enforcement.

D. NR115 Shoreland Zoning Listening Session

Molinaro and Dearlove informed the Board that they attended a recent NR115 Listening Session in Madison, and provided written comments in favor of strong shoreland zoning protections. The Listening Session was hosted by the DNR to gather public input on proposed revisions to the state's shoreland zoning rules. Molinaro explained that a diverse public advisory committee is attempting to rewrite rules which have not been updated for many years. These rules pertain to issues such as shoreline building setbacks, nonconforming structures, vegetative buffers, impervious surface limits, and a number of other topics related to development within the shoreland zone. Molinaro guessed that the rewrite process could drag on for at least another couple years before anything is finalized, and that the legislature could decide to kill the whole thing in the end. To get more effective protections in place sooner, he and the Jefferson County Lakes Enhancement Committee had recommended that county zoning start moving forward with these issues on its own. However, he noted that this was unlikely to happen since the zoning administrator is reluctant to implement any changes before the state officially weighs in on the matter.

E. WI Association of Lakes Convention

Molinaro reminded the Board that the annual Wisconsin Association of Lakes Convention will be held April 15-17, 2004 in Green Bay. He encouraged anyone who was interested in learning more about lakes and their management to consider attending.

VII. New Business

A. Winter Lake Status

Molinaro said a couple issues had arisen since the lake froze in mid-December. First, he encouraged people to remove their ice shanties and trailers from the lake whenever warmer temperatures threaten safe ice conditions. He reminded people that they could be fined for allowing an ice shanty or vehicle to drop through the ice. The second issue involved some controversy over what to do about a deer carcass that was found washed up on shore. The deer was not able to be retrieved since it was found partially decomposed, frozen into the ice, and at the bottom of a steep hillside. Molinaro was unsure how the deer died and got into the lake, and pointed out that the DNR was unwilling to retrieve it for CWD testing purposes. In any case, he suspected it might have fallen through the ice before the lake was sufficiently frozen.

Hoffman added his concern with a number of steel posts that were left sticking out of the ice, and which were creating a safety hazard. It was suspected that the pipes were driven into the lake bed over the summer as part of a pier or boat-mooring system and never removed. He said he was unsuccessful in trying to remove one of them, and was concerned that a snowmobiler was going to get injured or killed since they are not marked. Molinaro said that he personally asked the owners of the pipes located near Shore Place Beach to remove them. He said it was an illegal practice to the best of his knowledge, and that the owners would be liable if anyone got hurt. Discussion then ensued on how to address the issue. McCarthy offered to try and mark the pipes with orange cones, but Sabella cautioned that the District could open itself up to liability issues. He suggested that the Board go on record condemning the practice as a safety concern, and then turn the matter over to the correct authority for enforcement. Board members agreed it was important that the rules get enforced and that the potential hazards be removed immediately. Dearlove volunteered to contact the DNR Warden to inform him of the situation and find out what can be done to resolve the matter.

B. Next Meeting

The Board agreed it would not meet during the month of February. The next meeting will be held at 9:00 a.m. on March 20, 2004 at the Oakland Town Hall.

In other New Business, Dearlove reminded the Board that it needed to approve an authorizing resolution and MOU with Jefferson County for the aquatic habitat study. Molinaro read aloud the wording of each document and asked for motions of approval.

Rogers made a motion to approve the authorizing resolution. Hoffman seconded. As a point of discussion, Sabella voiced concern over what he perceived as the District's open-ended financial commitment to the proposed project. He requested attachment of the MOU to the authorizing resolution upon submittal of the grant application so that respective financial responsibilities are clearly established. Motion to approve the authorizing resolution carried on a 5-0 vote. Rogers then moved to approve the MOU between the District and Jefferson County Land Conservation Committee. McCarthy seconded, and there was no discussion. Motion carried on a 5-0 vote.

Dearlove also suggested that the Board accept the *Lake Ripley Watercraft Census & Recreational Carrying Capacity Analysis* into the official record. He said it would be helpful to show Board acceptance of the report before he and Molinaro discuss its implications with the Town Board in February.

Molinaro moved to accept the findings of the Lake Ripley Watercraft Census & Recreational Carrying Capacity Analysis as part of the official record of the LRMD. Hoffman seconded, and there was no discussion. Motion carried on a 5-0 vote.

Finally, Hoffman reported that he and representatives from DNR, DOT, DATCP and Dane County Land Conservation Department recently formed the North American Stormwater and Erosion Control Association (NASECA). Hoffman said he is serving as vice president of this newly incorporated, not-for-profit organization. He said the idea is to provide members with education and training on stormwater and erosion-control issues. He indicated that there has already been a great deal of interest, and that chapters are being set up in a number of Midwestern states and Canada. Hoffman announced that their next workshop will be held at the Heritage Center in Madison on January 28, 2004, and will focus on construction site erosion control. Those who may be interested were encouraged to get more information of the web site at www.naseca.org.

VIII. Correspondence

Correspondence since the last meeting included a 1/6/04 cover letter to the Oakland Town Board with attached copies of the carrying capacity report. The letter explained the nature and purpose of the effort, and requested the opportunity to present some of the key findings at the Town Board's February meeting.

IX. Adjournment

Rogers moved for adjournment. Sabella seconded. Motion to adjourn was carried on a 5-0 vote.

Next meeting: March 20, 2004 (9:00 a.m. @ Oakland Town Hall).

Respectfully Submitted,

Derek Hoffman, Secretary

Date

Recorder: PDD