

**Lake Ripley Management District
Meeting Minutes
January 21, 2006**

I. Call to Order & Roll Call

The Lake Ripley Management District (LRMD) Board of Directors met at the Oakland Town Hall at N4450 CTH A on January 21, 2006. Chairman Molinaro called the meeting to order at 9:05 a.m. Secretary Hoffman took roll. Board members present during roll call included Dennis McCarthy, Jane Jacobsen-Brown, Gene Kapsner, John Molinaro and Derek Hoffman. Sheri Walz arrived late, and Mike Sabella was absent. Also present were Paul Dearlove (LRMD Project Manager), Kent Brown, Rachel Veltman (Natural Resources Consulting, Inc.), Steve Bentz, and Cambridge Cable TV 12.

II. Public Comment

No public comments were submitted during the Public Comment period.

III. Minutes of Last Meeting

The Board reviewed the minutes of the 12/17/05 meeting and had no additions or corrections. *McCarthy moved to approve the minutes as written. Motion was seconded by Hoffman with no further discussion. Motion carried 5-0.*

IV. Treasurer's Report

Year-end adjusted balance sheets, statements of operations and general ledgers for the one-year period ending December 31, 2005, for both the LRMD and Lake Ripley Priority Lake Project (LRPLP) were distributed for review. Discussion and acceptance of the report was tabled until Treasurer Sabella could be present to answer questions.

V. Project Manager's Report

Dearlove distributed his Project Manager's Report, phone logs, and copies of recent correspondence. He reviewed the status of 2006 cost-sharing projects, and provided the Board with an updated summary spreadsheet. There were about a dozen projects in various stages of implementation. More refined cost estimates and the impact on available funding was discussed. He asked the Board how it wanted to address the two "treefall" projects that qualify for F.K. Elson funding. It was explained that the low-cost projects fall outside normal cost-share contract procedures. *Following Board discussion, Kapsner moved for the preparation and deed recording of formal cost-share agreements for any F.K. Elson projects that exceed \$1,000.00 in estimated costs; and for the preparation of Memoranda of Understanding for projects that fall below this cost threshold. Motion was seconded by McCarthy without further discussion. Motion carried 5-0.*

Dearlove said he was hoping to start planning the next phase of public-access improvements at the Lake District Preserve. Previous activities included the walking path, elevated boardwalk, and informational kiosks. He asked the Board what specific projects it was interested in having him pursue. The consensus opinion was to look into the cost and feasibility of a nature-viewing platform. Dearlove said he would start soliciting concept drawings and cost estimates.

April 28th was announced as the date for the annual litter cleanup. Cambridge High School and the Friends of Cam-Rock Park had agreed to co-host the event. Work would be conducted in the Town Hall rain garden that same day, including the placement of an educational/sponsorship sign. He also announced that May 13th was the training date for the volunteer watercraft-inspection program. The free training session was set for 8:00-12:00 at the Rock Lake Park. Any prospective volunteers were encouraged to contact the LRMD office to pre-register.

It was noted that the harvester was currently undergoing repairs at Aquarius Systems. Costs were estimated at close to \$2,000. After discussing the quote, the Board decided it may not be necessary to fix the trailer lights. A short travel distance, infrequent use, use of a "follow" vehicle, and the high probability that damages would re-occur from future loading of the harvester were all cited as reasons. Dearlove said Aquarius removed and inspected the outboard motors as was requested, but that they were in pretty bad shape. Molinaro asked that they be returned so they could be sold at a later date.

Dearlove next informed the Board of the recent Town ordinance approvals. The approvals related to commercial waterfront zoning limitations, slow-no-wake areas within 200 feet of shore, and a keyholing prohibition on new developments. These actions were previously recommended by the joint LRMD-Town of Oakland ordinance review committee. He and Molinaro had offered to amend the rule postings at the public landing to reflect the changes. Kapsner said they should proceed with the modifications as planned. Kapsner also mentioned that the Town Board agreed to make the port-a-potty available at the landing throughout the winter for the ice fishermen. Aside from the boat-launch postings,

Dearlove said he would continue disseminating news and information through the Ripples newsletter and LRMD website. The Board was asked to submit any recommendations on how the website can be enhanced to attract greater public use.

Finally, Dearlove advised the Board to consider convening an ad-hoc strategic planning committee. He felt such action was warranted given that the District would be losing about \$72,000 in annual grants as the Priority Lake Project comes to an end this year. He said this year also marks the planned retirement of Ed Grunden, bringing to question the future of some long-standing project partnerships with Cambridge H.S. To prepare for this transition, he proposed that the committee could work with him to: 1) evaluate the status of the District's long-term goals and objectives; 2) prioritize current programs and activities; 3) identify future programmatic needs and budget requirements; 4) explore alternative funding options; and 5) propose recommendations to the full Board prior to the budget hearing and annual meeting in August. Molinaro said he supported the idea and hoped to get something in the works by the next meeting.

VI. Old Business

A. Lake Pointe Easement Proposal: Osprey Nesting Platform

Steve Bentz was invited to present his proposal for an osprey nesting platform within the conservation easement area. Bentz submitted a written proposal and updated the Board on the issue. He explained that he was in communication with a number of wildlife consultants, American Transmission Company (ATC) representatives, and DNR officials to determine an optimal location and construction method. He said a meeting was scheduled to take place at his house at 9:00 a.m. on February 1st. Bentz thought it would be helpful if Dearlove and Mike Halsted from DNR attended the meeting, and asked if an invitation should be extended to the Lake Pointe Homeowner's Association. He said he was now looking for DNR and LRMD Board approval so he could pursue the matter.

Molinaro said he personally supported the proposal. He said he also had a contact at ATC who may be able to offer additional assistance. Dearlove added that he had spoken to Halsted who expressed his support of the idea. ***Molinaro moved to approve an osprey nesting platform within the Lake Pointe Conservation Easement. McCarthy seconded. As a point of discussion, Jacobsen-Brown asked who would be responsible for doing the work. Bentz replied that he was hoping that ATC would volunteer to do the work since they have the necessary equipment and materials. He said the other option was to build a tripod mounting structure on his adjoining property and walk it in by hand. Motion carried 6-0.*** Dearlove agreed to attend the February 1st meeting, and said he would forward Bentz's invitation to Halsted. He also promised to get him in contact with a representative from the homeowner's group.

B. Lake Pointe Easement Proposal: Kaashagen Restoration Plan

Rachel Veltman from Natural Resources Consulting, Inc. was invited to speak on behalf of her client. Ms. Veltman said she was hired by Mr. Kaashagen after he had clear-cut through the easement to develop a wetland restoration plan for the property. She had asked to be on the agenda to describe the details of the restoration plan, answer any questions, and get direction from the Board on how it wanted to proceed. She then distributed a memorandum summarizing the proposed restoration activities. She said it was her assessment that the cutting mainly targeted the invasive buckthorn, and that the activity did not cause any permanent damage to the marsh. Rather, she felt the cutting and any subsequent restoration would ultimately benefit the condition of the marsh.

Molinaro responded that the issue is not just what is good or bad for the wetland, but what kind of precedent the clear-cutting sets. While the plan appeared well written, he pointed out that her client had been repeatedly warned not to touch that area without prior authorization. He said it sets a bad precedent when someone knowingly breaks the rules to enrich his property, namely by creating a viewing and access corridor to try and increase a home's resale value. He then read into the record a January 16th e-mail from Sabella. In his e-mail, Sabella condemned the clear-cutting. He wrote that Kaashagen should not be allowed to profit from the activity by being able to falsely market his property as having a certain level of lake access or lake viewing. He went on to implore the Board to demand nothing short of a total restoration of the property, including the removal of the illegally obtained viewing and access corridor.

After requesting permission to address the Board, Kent Brown asked if a lien could be placed on the property. Molinaro replied that it was a legal question for which he did not have an answer. Copies of the DNR's January 18th notice of violation were then distributed, which included a request for a February 8th enforcement conference at the property. Jacobsen-Brown felt the notice could have been more strongly worded. In addition, she thought it was important for any prospective buyers to be informed that the clear-cut area would not be preserved. Kapsner said that while the buckthorn removal may have been a blessing in disguise, he too was troubled by the manner in which it occurred. He was afraid that a fine may only prove to be a slap on the wrist. He wanted to see a fine and an order to restore the property. Hoffman said that lower-growing replacement vegetation could preserve the view corridor, thereby encouraging others to break the rules and accept a small penalty or restoration cost to get the view they want. Referencing Veltman's memo, McCarthy said he

objected to the proposal that her client was to “serve as project manager, coordinator, and oversight.” The other Board members concurred with McCarthy, calling for oversight from the DNR and LRMD.

Molinaro then informed Veltman that the Board was not be in a position to accept a restoration plan until after the DNR holds its enforcement conference. He thanked her for coming and agreed to put the issue back on the agenda for the March 18th meeting. Dearlove, McCarthy and Jacobsen-Brown volunteered to represent the LRMD at the enforcement conference.

C. Proposed County Ban on Phosphorus Lawn Fertilizers

Molinaro asked Dearlove to provide an update on the status of the proposed ban. Dearlove said he prepared a draft letter to the county as the Board had previously instructed. Copies of the letter were distributed. He indicated that he was currently soliciting several other lake organizations and conservation groups in the county to sign on to the letter. He said he was getting nothing but positive feedback so far from the various groups. He announced that just this week the Rock Lake Improvement Association voted unanimously to be a co-signer. The plan was to temporarily hold off on sending the letter until some of the other groups had a chance to meet and consider the proposal.

Molinaro added that he spoke with Mark Watkins, Director of the Jefferson County Land & Water Conservation Department, to inform him of the letter that was being drafted. He said Watkins reacted positively to the proposal and was willing to bring it before the county’s Land & Water Conservation Committee. Molinaro said he was pleased with the progress that was being made, but cautioned that a great deal of work still lies ahead. He felt that it was imperative that we take the time to get as many co-signers as possible before sending off the letter. He also extended his appreciation to Ms. Kubly for bringing the issue before the Board at its last meeting. In reference to the Dane County model, Kapsner suggested amending the letter to include a recommendation that any restrictions also apply to incorporated areas. Molinaro said he would discuss the idea with Phil Ristow, Jefferson County’s corporation counsel, to see what advice he may have.

D. Wisconsin Pier Rules Update

Molinaro announced that the legislative natural resource committees were holding a February 8th public hearing for which he planned to attend. The hearing will be on a proposed bill sponsored by representatives Guard and Gunderson. He felt that Guard and Gunderson were trying to circumvent two years of formal rule-making and public-hearing efforts. He also felt the proposed legislation was the result of special-interest lobbying, which would dramatically increase pier and boating densities on our lakes by relaxing current standards. Board members were encouraged to attend the hearing or write to their legislators to make their opinions known. Molinaro reassured pier owners that, regardless of what happens, it was highly unlikely that anyone on the lake would be negatively affected.

E. S.E. Wisconsin Lakes Conference (2/18)

Molinaro reminded the Board that the S.E. Wisconsin Lakes Conference would be held in Waukesha on February 18th. He said that he and Dearlove will both be speaking at the conference. Dearlove passed around a brochure and registration materials. Conference topics will include groundwater management, lake-restoration tools, recent changes in waterway permitting, and lake-management planning.

VII. New Business

A. Wisconsin Lakes Convention (4/20-4/22)

Molinaro announced that the Wisconsin Lakes Convention will be held in Green Bay from April 20th to April 22nd. He and Dearlove will be speaking at the event and hosting a recreational carrying capacity workshop. He said their registration fees will be waived for the days they are scheduled to present. Molinaro discussed the format of the conference and said he anticipated several hundred attendees from around the state. Board members were encouraged to consider attending. He noted that some money was budgeted to help reimburse costs.

Also under New Business, Kent Brown wanted to inform the Board of shoreline damages caused by recent Sanitary District work. Pictures were passed around showing the damages that occurred on and adjacent to his property on Sleepy Hollow Rd. He explained that during the repair of a sewer, a large piece of equipment fell through the ice and is now stuck on shore. The shoreline had been torn up as a result of unsuccessful efforts to remove the equipment. He requested that the LRMD do everything it can to make sure the restoration is properly implemented. Molinaro said he was aware of the situation, and that the LRMD would do what it can to help. Dearlove indicated that he was presently in communication with the responsible parties. He said he would continue to offer his assistance in the development of a restoration plan. Molinaro also asked that Dearlove send a letter to the Sanitary District. The letter would let them know about the complaints we’ve received, that we were available to offer technical expertise for the restoration of the shoreline, and that we felt it was important that the repairs be properly implemented.

VIII. Correspondence

- 12/22/05 letter from Todd Ambs, DNR Water Division Administrator, thanking us for our outstanding research work on the effects of piers on Wisconsin lakes.
- 12/27/05 invoice and MOU from Town of Oakland regarding 10-year lease agreement for storage of weed-harvesting equipment.
- 12/29/05 letter from Wayne Ringquist, DNR Recreation Enforcement & Safety Section, approving waterway marker permit for no-wake zones.
- 01/09/06 letters to Jefferson County lake districts/associations and conservation groups soliciting co-signers for a proposal to ban phosphorus-containing lawn fertilizers.
- 01/16/06 e-mail from Mike Sabella to LRMD Board with respect to enforcement and restoration recommendations related to the Kaashagen clear-cutting incident through conservation easement lands.
- 01/18/06 notice of violation from Pamela Kober, DNR Environmental Enforcement Specialist, to Dag Kaashagen for illegal clear-cutting activities in the Lake Pointe Conservation Easement.
- 01/21/06 memorandum from Rachel Veltman to the LRMD Board regarding the Kaashagen restoration plan.

IX. Adjournment

Kapsner moved to adjourn the meeting at 10:30 a.m. Motion was seconded by Hoffman without further discussion. Motion carried 6-0.

Next meeting: March 18, 2006

Respectfully Submitted,

Derek Hoffman, Secretary

Date

Recorder: PDD