

**Lake Ripley Management District**  
**Meeting Minutes**  
**March 18, 2006**

**I. Call to Order & Roll Call**

The Lake Ripley Management District (LRMD) Board met at the Oakland Town Hall at N4450 CTH A in Cambridge on March 18, 2006. Chairman Molinaro called the meeting to order at 9:00 a.m. Secretary Hoffman took roll. Board members present included Jane Jacobsen-Brown, John Molinaro, Derek Hoffman and Sheri Walz. Mike Sabella, Gene Kapsner and Dennis McCarthy were absent. Also present were Paul Dearlove (LRMD Project Manager), Kent Brown, Georgia Gomez-Ibanez, and Cambridge Cable TV 12.

**II. Public Comment**

There were no public comments.

**III. Minutes of Last Meeting**

The Board reviewed the minutes of the 01/21/06 meeting and had no additions or corrections. *Walz moved to approve the minutes as written. Motion was seconded by Hoffman with no further discussion. Motion carried 4-0.*

**IV. Treasurer's Report**

Financial reports for the two-month period ending February 28, 2006, for both the LRMD and Lake Ripley Priority Lake Project (LRPLP) were distributed. These reports are summarized below. Discussion and acceptance of the Treasurer's Report was tabled until Sabella could be present to go over the numbers and answer any questions.

LRMD: Receipts for the period were \$15,976.05, consisting of \$15,940.54 in real estate tax revenues and \$35.51 in interest income. Disbursements for the period were \$1,995.61. The transaction ledger showed one disbursement to D&D Products, Inc. for harvester repairs and maintenance. As of February 28, 2006, there were cash balances of \$52,799.67 in general checking and \$95,000.00 in an investment account. A \$31,395.66 receivable from the LRPLP was also reported.

LRPLP: Receipts for the period were \$46,373.65, consisting of a \$46,350.00 DNR Local Assistance Grant and \$23.65 in interest income. Disbursements for the period were \$14,017.30. The transaction ledger showed that disbursements were primarily for staff wages, office expenses, and landowner cost sharing. As of February 28, 2006, there were cash balances of \$38,162.42 in general checking, \$24,621.83 in the Non-point Source (landowner cost sharing) account, and \$200.00 in petty cash. A \$31,395.66 payable to the LRMD was also reported.

**V. Project Manager's Report**

Dearlove distributed copies of his report, phone logs and relevant correspondence. He noted that some items referenced on the report would be discussed later in the meeting as separate agenda items. He then reviewed the status of 11 cost-sharing projects which were in various stages of implementation. A summary analysis showed that current projects would completely exhaust the DNR cost-sharing grant by year's end, as well as most of the money the LRMD had budgeted for cost sharing. Dearlove said that, unless the Board objected, he would not be accepting additional projects at this time. Instead, a waiting list was started with one eligible landowner currently on the list. He said that landowners would be moved off the waiting list if and when additional funds are budgeted. Jacobsen-Brown suggested the issue of cost sharing was something that needed to be discussed as part of any future strategic planning effort. Molinaro expressed his concern about proposed legislation that would impose artificial tax caps on local governments. He said it would adversely affect the District's ability to make needed budget adjustments, namely to make up costs that were previously covered by grants. Next, he asked Dearlove to summarize recent changes in shoreline permitting requirements, and the implications those changes are having on project efforts. Dearlove then offered a brief synopsis of some of the new permitting challenges. Other significant activities completed or started since the last meeting included the following:

- The Ripples newsletter was produced and disseminated.
- An osprey nesting platform was erected on shoreline owned by Steve Bentz, located adjacent to the Lake Pointe Conservation Easement in the southwest corner of East (Milwaukee) Bay.
- Repairs were completed on the weed-harvesting equipment which is now in storage at the Town Hall. Regarding the sale of the outboard motors, Walz suggested looking into eBay or LUST Auctions if they don't sell right away.
- Work has started on the 2005 Priority Lake Project Accomplishment Report. The report documents pollutant-load reductions and other progress made in meeting Project objectives, and must be submitted to the DNR by April 15<sup>th</sup>.
- Planning and coordination continues for the upcoming litter cleanup and rain garden dedication on April 28<sup>th</sup>.

## VI. Old Business

### *A. Coalition letter to Jefferson County to ban phosphorus lawn fertilizers*

Dearlove reported that the Rock River Coalition, Rock Lake Improvement Association and Friends of Allen Creek Watershed have so far agreed to act as co-signers. In addition, the Town of Lake Mills had decided to send its own letter at the urging of the Joint Rock Lake Committee. Representatives from several other groups also expressed their support, but, because of infrequent board meetings, have not had a chance to take formal positions. Molinaro recommended that Dearlove move forward with getting the letter out. He suggested adding a statement in the letter about how other groups were still contemplating the issue, and that we would keep the county apprised of their positions.

### *B. Wisconsin Lakes Conferences*

Molinaro and Dearlove volunteered and spoke at the February 18<sup>th</sup> S.E. Wisconsin Lakes Conference in Pewaukee. Molinaro said about 200 people attended the regional conference, and that the presentations were informative and well received. He said preparations were now underway to volunteer and present at the April 20<sup>th</sup>-22<sup>nd</sup> statewide lakes conference in Green Bay. The convention is expected to draw several hundred participants representing lake groups from around the state. Molinaro and Dearlove will lead a two-hour workshop on evaluating recreational carrying capacity, as well as a session on working collaboratively with town governments in developing lake-management policies.

### *C. Discussion and possible approval of Kaashagen restoration plan*

Molinaro reported that he and Dearlove have been meeting with DNR officials to collaborate on an enforcement strategy. A preliminary enforcement conference took place at the Kaashagen property on February 8<sup>th</sup>, primarily for the purpose of interviewing the landowner, walking the property and gathering information pertaining to the violation. Jacobsen-Brown remarked that she wished others had the opportunity to walk the site. She said she was startled by the extent of the clear cutting. Molinaro said DNR staff was now working with legal counsel in drafting an enforcement letter to Kaashagen. The letter is intended to document the violation and set forth punitive requirements, including monetary damages and mandatory restoration of the clear-cut area. He said the DNR was recommending that the payment of any monetary damages be directed to LRMD to fund special projects in the area. Only after the actual damages are cured will a formal, written proposal for additional restorative measures be entertained. Dearlove added that a letter was sent to Kaashagen's realtor on February 10<sup>th</sup>, as the Board had requested, asking that any prospective buyers be advised of the conservation easement and the pending enforcement situation. Walz asked if the idea of placing a lien on the property was considered. Molinaro responded that the DNR attorneys had advised against the idea. However, he said he had made it clear to DNR that this Board was not presently excluding any options. He concluded with the admission that more information was still needed, such as the DNR's enforcement letter, before the Board could give full consideration to accepting a restoration plan.

## VII. New Business

### *A. Lake Pointe pier permit request*

Molinaro informed the Board that Carl Lang of Lake Pointe had submitted a permit application to DNR. After consulting with LRMD and DNR last summer, a proposal was submitted to reconfigure an existing pier in the southwest corner of East (Milwaukee) Bay. The purpose of the request was to avoid impacting valuable plant communities and aquatic habitat in the area. Because the pier's size, location and configuration are stipulated in the Lake Pointe Conservation Easement, formal approval by both the DNR and LRMD Board is required. Dearlove passed around photographs and described the configuration options set forth in the permit application. He then explained why he thought certain modifications, which would not increase the size of the pier or number of boat slips, supported the objectives of the easement. He said that Mr. Lang, on his own initiative, had worked closely with him and Mike Halsted at DNR to come up with the proposal.

***Molinaro moved to accept a reconfiguration of the Lake Pointe pier as illustrated and described on page 2 of the DNR permit application signed 11/17/05, and pending formal, written approval by DNR. Motion seconded by Jacobsen-Brown without discussion. Motion carried 4-0.***

In other pier-related news, Molinaro informed the Board that there is still no compromise on a set of new, statewide pier rules. He explained that the latest deal was killed by Representative John Gard who wants all existing piers in the state—regardless of size and impact—to be grandfathered from any permitting requirements.

### *B. LRMD Strategic Planning Committee*

With Priority Lake Project funding coming to an end, the formation of a strategic planning committee was discussed to prepare for the transition. Molinaro asked the Board to give some thought as to who should serve on the committee, what it should set out to accomplish, and how often it should meet. He also asked Dearlove to try and track down a strategic plan that could be used as a model, and preferably one that another lake district developed. His hope was to form a committee by the April or May meeting. Responding to taxing-related questions posed by Hoffman and Jacobsen-Brown,

he explained that lake districts have statutory authority to tax up to 2.5 mills. He explained that the LRMD has never in its history taxed more than 0.5 mill, and operates under a current levy of about 0.28 mill. Molinaro pointed out that roughly \$72,000 in annual grants received over the last 13 years has helped keep the mill rate at such a low level. He then reiterated his position that any legislatively-mandated tax cap would be fiscally irresponsible and an affront to local representative government. He said such a measure would actually penalize the LRMD's budget-cutting efforts over the years, while encouraging government to tax up to the cap. He added that spending increases are basically approved by voter referendum already at every Annual Meeting as part of the budget-approval process. Molinaro said it was now incumbent upon the Board to determine its priorities and plan for the future.

Jacobsen-Brown commented that this was one of the most important and pressing matters for the LRMD at this time. She felt that committee deliberation should be open and participatory, and take place well before the Annual Meeting in August. She said the committee would need ample time to look at everything, including what activities are currently covered under the grant. Molinaro felt there was still time to prepare since some money had been set aside over the years in anticipation of this eventuality. That money would be carried over and used in 2007. Dearlove cautioned that many people are likely to be shocked when they discover just how much of our operation was covered by the grant. Molinaro asked the Board members go back and review their copies of the Lake Ripley Management Plan and Nonpoint Source Control Plan for the Priority Lake Project that we have been operating under up until this point. He also recommended that the Board start thinking about what current and future projects might be needed to maintain lake health well into the future.

Walz proposed having someone from U.W.-Extension help facilitate. Molinaro offered to talk to Steve Grabow to see if he would be interested. Jacobsen-Brown said she preferred to first sit down with Dearlove to become more familiar with existing projects and operations. Hoffman suggested it would be a good idea to learn from their experiences of other lake districts that may have gone through similar transitions. Dearlove offered to track down other lake groups that may have administered Priority Watershed Projects. Molinaro responded that he was adamantly opposed to dramatically scaling down our efforts, shutting down the office or losing our project manager. He felt it would be taking a big step backwards. He added that the office phone logs alone speak volumes as to the importance of having someone at the office responding to calls and doing the work of the District.

#### **VIII. Correspondence**

- 3/02/06 letter and shore restoration plan from Terra Engineering to affected landowners concerning the repair of damages incurred as a result of Oakland Sanitary District work. Kent Brown expressed his concerns and frustrations regarding the plan. Dearlove said he would continue to do whatever he could to support the homeowners.
- 3/01/06 e-mail from Pat Sheahan (DNR) stating that the adopted fee schedule for the public landing was not in compliance with parameters set forth in NR 1.91(11) of WI Administrative Code. Dearlove explained the nature of the controversy, and promised to continue working with the Town and DNR in getting the matter resolved.
- 2/22/06 Notice of Complete Application from Mike Halsted (DNR) to Carl Lang regarding Lake Pointe pier proposal.
- 2/10/06 letter to John Rausch (Dag Kaashagen's realtor at Century 21) providing notice of ongoing enforcement proceedings related to his client's property and associated conservation easement.
- 9/16/05 permit approval from Mike Halsted (DNR) to Allen Howe (Majestic Pines) approving 140' pier and 11 slips.

#### **IX. Closed Session [as per Wis. Stats. § 19.85(1)(g)]**

The Board did not enter into closed session to discuss possible litigation relating to the Kaashagen easement violation.

#### **X. Return to Open Session**

Not applicable.

#### **XI. Adjournment**

Announcing it was her last meeting, Walz thanked the Board for allowing her the opportunity to serve. Board members expressed their gratitude for her service and said her participation will be missed. **Hoffman moved for adjournment. Motion was seconded by Jacobsen-Brown without further discussion. Motion carried 4-0.** Next meeting: April 15, 2006

Respectfully Submitted,

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Derek Hoffman, Secretary

Date

Recorder: PDD