

**Lake Ripley Management District
Meeting Minutes
June 18, 2005**

COST-SHARE PROJECTS REVIEW COMMITTEE

I. Call to Order

John Molinaro called the meeting of the subcommittee to order at 8:45 a.m. All committee members were present with John Molinaro and Derek Hoffman attending. Paul Dearlove, Project Manager, was also in attendance.

II. Scoring of Proposed Projects

Dearlove distributed scoring sheets for the committee to use to rank the three proposed cost-share projects. It was agreed that only those projects that score a six (6) or higher would be recommended to the full board for approval. Dearlove then summarized the three projects and explained why they did not meet state eligibility criteria. He and the committee members had previously visited the project sites on 6/13/05.

A. Dieckhoff Habitat Restoration

The proposed project was to consist of a 3.2-acre habitat restoration located on the Duane and Linda Dieckhoff property at W8596 USH 18. The project was given an average total score of 7.5 and was recommended for Board approval.

B. Riedeman Shoreline Buffer

The proposed project was to consist of a 750-sq. ft. shoreline buffer located on the Bette Riedeman property at W9293 Ripley Rd. The project was given an average total score of 7 and was recommended for Board approval.

C. Hoiby Shoreline Riprap

The proposed project was to consist of a 15-ft. shoreline riprap installation located on the Jim and Janice Hoiby property at N4376 Friedel Ave. The project was given an average total score of 2.5 and was not recommended for Board approval.

III. Adjournment

Molinaro moved to adjourn the meeting of the subcommittee. Hoffman seconded. Motion carried 2-0.

REGULAR BOARD MEETING

I. Call to Order & Roll Call

The Lake Ripley Management District (LRMD) Board of Directors convened its regular monthly meeting at the Oakland Town Hall at N4450 CTH A in Cambridge. Chairman Molinaro called the meeting to order at 9:05 a.m. Board members present included John Molinaro, Jane Jacobsen-Brown, Sheri Walz, Dennis McCarthy, Mike Sabella, Gene Kapsner and Derek Hoffman. Public attendees included Barry Grossman (Cambridge Cable TV 12), Roger Rude, Kent Brown, Ron Buss, Dawn Kubly and Barb Knisely.

II. Public Comment

Dawn Kubly pointed out that the City of Madison had recently instituted a ban on phosphorus-based fertilizers. She said that a recent UW-Madison study had shown that high levels of existing phosphorus would persist in the soil, which would likely result in water quality problems for years to come. She asked if the Board was planning to do anything to address the issue here on Ripley. Molinaro thanked Ms. Kubly for her comments and offered to put the issue on next month's agenda for discussion.

III. Minutes of Last Meeting

The Board reviewed the minutes of the 05/21/05 meeting and had no additions or corrections. *Jacobsen-Brown moved to approve the minutes as written. Motion was seconded by McCarthy with no further discussion. Motion carried 7-0.*

IV. Treasurer's Report

Sabella distributed and summarized the financial reports for the one-month period ending May 31, 2005, for both the LRMD and Lake Ripley Priority Lake Project (LRPLP).

LRMD: Total receipts for the period were \$70.63, consisting entirely of interest income. Total disbursements were \$1,003.34. Individual disbursements were itemized in an attached accounting ledger. As of May 31, there was a cash balance of \$133,350.26 with a \$31,662.06 receivable due from the LRPLP. Sabella also noted that \$80,000.00 in funds was transferred on 6/3/05 to a six-month CD at Citizens Bank yielding 3.16%.

LRPLP: Total receipts for the period were \$20.10, consisting entirely of interest income. Total disbursements were \$7,048.76, consisting primarily of wages and office-related operating expenses. Individual disbursements were itemized in an attached accounting ledger. Cash balances included \$200.00 in petty cash, \$39,483.93 in general checking, and \$31,465.93 in the Nonpoint Source (cost sharing) account. There was a payable due back to the LRMD of \$31,662.06.

McCarthy moved to accept the Treasurer's Report as presented. Motion was seconded by Hoffman with no further discussion. Motion carried 7-0.

V. Project Manager's Report

Dearlove distributed copies of his report, office phone logs and correspondence, and then reviewed the status of new and ongoing projects. Activities since the last meeting included the planting of the Town Hall rain gardens. He expressed his gratitude to all the volunteers who helped with the planting of over 3,000 plant plugs. He also provided summary information on the rain garden project that he had submitted to the Cambridge News. As the gardens mature, the hope is that members of the community get inspired to do similar projects on their own properties. Kapsner said he liked the idea of erecting a small informational sign so community members can learn more about rain gardens when they visit the site.

Next, Dearlove distributed a spreadsheet summarizing projects that were either proposed or already approved for 2005-06. Information included project type and size, location, estimated cost, cost-share funding source and availability, and approval/completion status. He noted that he postponed several projects until next year to take full advantage of state funding sources.

Dearlove said arrangements had been made to bring the weed-harvesting equipment back to the lake on 6/20. Actual harvesting would begin that same week. Arrangements had also been made with DNR officials to conduct a grant-project scoping meeting. The purpose of the 7/13 meeting is to explore the feasibility and merit of two project ideas. These include the possibility of installing treefalls to serve as nearshore fish habitat, and developing a nutrient budget to assess phosphorus inputs to the lake. A 7/19 shoreline tour was also scheduled with DNR and county officials. The purpose of the tour is to inspect problem shorelines and come up with acceptable erosion-control strategies that satisfy new permitting requirements.

In addition, Dearlove said he would be working on the following projects over the next several weeks:

- developing an LRMD cost-sharing contract and rain garden technical standards
- producing a summer edition of Ripples
- preparing for the 6/21 Town hearing on the proposed ordinance changes
- videotaping the Lake Ripley shoreline and conducting a follow-up watercraft census
- organizing an informational boat tour of Lake Ripley for elected officials

VI. Old Business

A. Cost-Share Project Review Committee Recommendations

Project scoring sheets were distributed to the Board members. Molinaro and Hoffman then explained the factors they used to arrive at a score and recommendation for each project. Considerable discussion ensued as to what approach the Board should take in approving projects and how cost-share rates should be determined. Much of the discussion centered on whether it was appropriate to change the cost-share rate to a 50% match. The Board also fielded a number of clarifying questions from Barb Knisely regarding the budget and project-approval process.

Molinaro moved for the Board to accept each of the recommendations of the subcommittee. The recommendations were to approve the Dieckhoff and Riedeman projects, and to deny funding for the Hoiby project unless conditions change to warrant reconsideration. Hoffman seconded and there was no further discussion. Motion to accept the recommendation to approve the Dieckhoff and Riedeman projects carried on a 6-1 roll call vote with Sabella dissenting. Motion to accept the recommendation to deny funding for the Hoiby project carried on a 7-0 roll call vote.

Sabella moved for the Board to authorize a 50% cost-share rate for the two projects it just approved. Hoffman seconded. Sabella and Hoffman both reiterated their position that an increased landowner contribution would allow the Lake District to fund more projects. Motion failed on a 2-5 roll call vote with Molinaro, Jacobsen-Brown, Kapsner, McCarthy and Walz dissenting.

Jacobsen-Brown moved for the Board to authorize the traditional 70% cost-share rate for the two projects it just approved. Walz seconded and there was no further discussion. Motion carried on a 5-2 roll call vote with Sabella and Hoffman dissenting.

Walz moved for the Board to authorize a 70% cost-share rate for all future projects. McCarthy seconded. Sabella said it was fiscally irresponsible for the Board to adopt the DNR's 70% cost-share rate for projects that fail to meet state eligibility criteria. Kapsner said it was the Board's responsibility to reject projects without sufficient merit to warrant the cost sharing, and said he favored maintaining consistent cost-share rates. Hoffman asked Dearlove if he knew of any landowners who would choose not to implement a project if they were responsible for a greater share of the costs. Dearlove replied that he couldn't answer definitively, but suspected that would probably be the case for larger, more expensive projects. McCarthy concurred that the cost of some projects would fall outside the reach of the typical landowner, and that the lake would suffer as a consequence. Motion carried on a 4-2 roll call vote with Sabella and Hoffman dissenting and Jacobsen-Brown abstaining.

B. 6/21 Town of Oakland Open House and Hearing

Molinaro reminded the Board about the Town's informational open house and second public hearing regarding the proposed ordinance changes. Discussion ensued regarding what handouts and visual aids would be available, and who was in charge of organizing and running the event. Molinaro said he hoped all members of the Ordinance Review Committee will be available at the open house to answer questions from the public. He then reviewed the ordinance proposals that would be the subject of public comment. Barb Knisely asked why the recommendations dealing with sensitive areas were being dropped from consideration at this time. Molinaro responded that the Town agreed to address this particularly controversial issue separately at a later date. He said the decision was made after recognizing that the other recommendations were being overshadowed by all the controversy.

C. Lake Watch

Jacobsen-Brown reported that two more volunteers had signed on to participate. Kent Brown added that about 5-10 observations were being documented each week. Most of the recorded incidents were for violations of the slow-no-wake hours and locations. Molinaro pointed out that, aside from the violation reports, volunteers collect boat census data and other useful information pertaining to lake use. Jacobsen-Brown encouraged those interested in participating to contact her. Sabella said he had not yet received any reimbursement requests for Lake Watch-related expenses such as signs and t-shirts. Dearlove replied that no direct costs had been incurred to date. He said that identifying t-shirts and hats had been purchased in previous years, but that such expenses had not been necessary so far this year. Brown added that he, Dearlove and Officer Gondert decided that, in order to reduce the potential for confrontations, it was better if the volunteers remained visually inconspicuous.

VII. New Business

A. Town Hall Weed-Harvester Storage

Molinaro said that the Town of Oakland would soon be building a cold-storage shed adjacent to the Town Hall. He said the Town Board had discussed increasing the size of the shed to allow for the storage of our weed-harvesting equipment. The cost of the expansion was estimated at around \$8,000. Molinaro suggested the Lake District could pay for the expansion out of its capital reserve account assuming it was guaranteed the storage space. Considerable discussion ensued as to what type of long-term contractual arrangement would be acceptable.

Molinaro moved that the Lake District invest up to \$8,000 to expand the Town of Oakland's cold-storage shed based on a Memorandum of Understanding guaranteeing storage space for the dump truck, weed harvester and shore conveyor. Hoffman seconded and there was no further discussion. Motion carried on a 7-0 roll call vote.

B. Discussion Regarding Outlet and Lake Levels

The Board discussed the low-water situation due to the recent drought, and whether anything could or should be done at the outlet to regulate water levels. Following the discussion, Molinaro suggested inviting an expert from the DNR to meet with the Board and provide some advice on the issue. Dearlove agreed to track down the appropriate official. Sabella recommended also reaching out to the affected landowners. Molinaro said a letter could be sent to the landowners around the outlet once a DNR representative is lined up.

C. Lake Tour for Elected Officials

Molinaro announced his intentions of hosting another boat tour of Lake Ripley for the benefit of the Town Board members. The tour was tentatively set for July 18th at 6:00 p.m. Although strictly an informational tour, he said it would be duly

noticed as a meeting and open to the public in accordance with Wisconsin Open Meetings Law. He said that formal invitations will be sent to each of the Town Board members inviting their participation.

In other New Business, McCarthy was pleased to report getting 12- to 15-foot water clarity readings in recent weeks. He was also continuing to monitor for zebra mussels.

VIII. Correspondence

- Copy of letter dated June 8th from Mike Halsted (DNR) to Allen Howe reviewing the status of the Majestic Pines' pier permit.

Sabella requested that the letter be read into the record. Molinaro read the letter which stated that the original proposal for a 260-foot pier would result in long-term detrimental impacts to the public interests on Lake Ripley. The following modifications were proposed as a result of recent negotiations between DNR and the applicant:

1. Remove and prevent use of the wet boathouse
2. Remove and prevent use of the boat landing
3. Remove the short pier at mouth of channel
4. Limit number of boat slips to 13
5. Configure pier not to exceed adjacent property
6. Prohibit mooring on east side of pier through signage and construction
7. Provide historical reference of established use of property, including number of boats previously moored off this property
8. Conservation easement for wetland area within the shoreland zone

It was requested that the applicant provide an amended permit application that incorporates the aforementioned modifications before June 30, 2005.

- June 7th registered letter from Ripley Waters Association requesting financial aid consideration from LRMD for a proposed dredging project in the inlet channel.
- Copy of e-mail dated June 15th from Mike Halsted (DNR) to Ron Buss describing information gaps and unresolved issues of concerns pertaining to the Ripley Waters Association's dredging permit application.

Molinaro noted that the registered letter was received just prior to the meeting and after the agenda was published. Since it was not on the agenda, he explained that no formal decision or action could be taken at this time. Ron Buss then spoke on behalf of the Association. He said that mechanical dredging was estimated to cost approximately \$80,000, and that hydraulic dredging could be 2.5 times that amount. He said the Association was looking for some kind of LRMD cost sharing, and was of the opinion that the project would benefit the lake. Sabella asked if we had the science to support the claim that the project would benefit fish spawning and restore the channel. Dearlove responded that we did not. Sabella also pointed out that cost-sharing consideration was being requested and not a determination of whether dredging would be good or bad. Molinaro said that it was up to the DNR to make such a determination through its permitting process. Hoffman suggested that the project should be evaluated on its merit just like any other proposed LRMD cost-share effort. Given the large amount of money involved, Molinaro said it may have to involve a special line item in the budget and then approved at an Annual Meeting. He agreed to put their request on the July 16th meeting agenda for additional discussion. Meanwhile, he requested that they try to resolve any permitting concerns with DNR. He said the Board was open to considering their request, and that it would ultimately depend on the project's anticipated impact to the lake and budgetary factors.

IX. Adjournment

Hoffman moved to adjourn the meeting at 12:30 p.m. Motion was seconded by Jacobsen-Brown with no further discussion. Motion carried by a 7-0 vote. Next meeting: July 16, 2005 (9:00 a.m. at Oakland Town Hall)

Respectfully Submitted,

Derek Hoffman, Secretary

Date

Recorder: PDD