

**Lake Ripley Management District
Meeting Minutes
June 20, 2009**

I. Call to Order and Roll Call

The Lake District Board met at the Oakland Town Hall on June 20, 2009. Chairman Molinaro called the meeting to order at 10:00 a.m. Board members present: Gene Kapsner, Georgia Gomez-Ibanez, Jane Jacobsen-Brown, John Molinaro, Mike Sabella, Dennis McCarthy and Walt Christensen. Also present: Paul Dearlove (Lake Manager), Jim Dovgin, Greg and Mary Shafer, Peter and Patricia Finn, Debra Kutz, and Cambridge Cable TV 98.

II. Public Comment

There were no public comments concerning issues not already on the agenda.

III. Approve Minutes of Last Meeting

Draft minutes from last month's meeting were previously distributed for Board review. *Gomez-Ibanez moved to approve the 05-16-09 minutes as presented. Motion seconded by Christensen. Motion carried 7-0.*

IV. Treasurer's Report

Sabella presented his treasurer's report for the one-month period ending May 31, 2009. Receipts for the period totaled \$1,058.37, consisting of \$48.37 in interest income, a \$1,000.00 grant from Natural Resources Foundation, and a \$10.00 rain garden workshop registration. Disbursements for the period, which were detailed in an attached transaction listing, totaled \$6,806.00. Disbursements related mainly to staff payroll, a landowner cost-share payment, and miscellaneous weed-harvesting expenses. Asset balances at the end of the month included \$200.00 in petty cash and \$114,899.48 in general checking. *Jacobsen-Brown moved to accept the treasurer's report as presented. Motion seconded by McCarthy. Motion carried 7-0.*

V. Lake Manager's Report

Dearlove distributed handouts that included his activity report, phone logs, and materials related to upcoming agenda items. Recently completed cost-share projects included the Sylvan Mounds 1st Addition lakeshore planting, DeGidio rain garden (site preparation and hardscaping elements), and the Fischer tree-drop. Proposed bidding standards and planting criteria had also been developed for possible adoption later in the meeting.

The harvester was launched and operations had commenced starting on 6/15. It was suggested that the oversight committee consider scheduling a tour date to help evaluate cutting needs and overall program effectiveness. While weed growth currently appeared to be moderate, filamentous algal growth seemed to be more robust than in prior years. Also, recent Secchi disk readings taken by McCarthy revealed exceptional water clarity compared to prior years at this time. It was hypothesized that the observed lake conditions may be attributed, in part, to zebra mussel activity. Water quality testing protocols and related public-health implications were also discussed.

An updated aquatic plant management plan was completed and previously distributed for comment. Further discussion was reserved until later in the agenda. Goals for the July-August timeframe included completing the sediment-core analysis and any lake-modeling applications, and summarizing all major conclusions and recommendations for Board review. Sabella received clarification that DNR's delayed completion of the sediment-core analysis would in no way affect our grant. It was further clarified that the District would not be billed for any related expenses that might be incurred after the MOU expires later this month. Dearlove said he hoped to have all major sections of the management plan completed and reviewed prior to the 9/26 public hearing.

Lake District Preserve activities included the spraying and seeding of the 4.5-acre parcel west of CTH A. In addition, all federal grant-processing requirements had been fulfilled, including environmental and archaeological clearances. Accordingly, a grant agreement can now be finalized and the funds released sometime in the near future. Molinaro said that next month's meeting will include an agenda item to discuss how to use the \$75,000. Options could include paying off the bank loan and/or replenishing the capital reserve account. The Board agreed that the dedication event, tentatively scheduled for 7/18, would be postponed to a later date. This would allow for more time to plan the event and get a new welcome sign erected.

Dearlove next reported on the rain garden workshop that was held immediately prior to the meeting. A total of 13 people, including a few board members, were in attendance. Participant evaluation forms suggested that the workshop was well received. Other announcements included a DNR electrofishing survey conducted on 5/27, the solicitation of volunteers to record factors affecting boating decisions, and plans to videotape the shoreline and perform a pier/boat survey next month. Dearlove said he planned to start working on the next Ripples newsletter. The newsletter will be used to notice the Annual Meeting agenda and proposed budget as soon as each is developed.

VI. Old Business

A. Review and possible approval of contractor bids and cost-share amount for the Dovgin shore-restoration project located at N4294 Alpine Village Ln.

Dearlove explained that the Board had previously reviewed preliminary bids and had approved cost sharing up to \$7,000 for the Alpine Village Condo Association. The earlier approval was based on a scope of work that included riprap and a 35-ft. buffer. He explained that a 30-day extension on the contract-signing deadline was set to expire by the end of the day. Jim Dovgin, representing the Association, reported that while progress was being made in convincing his association members to sign-off on the work, he still needed more time to resolve some lingering issues. He said that while the riprap portion of the project was approved by the membership, the shoreline buffer was not. Since the project was scored and approved for cost sharing based on the combined scope of work, additional time was requested to try to resolve some points of contention relating to the buffer's size and location. Patricia Finn, a member of the Association, expressed her personal concerns about how unaddressed storm runoff and the proposed buffer would affect her property.

Sabella suggested the project be brought back before the review committee seeing that the contract-signing deadline was not met. Molinaro offered that another option was to allow for one last deadline extension. Jacobsen-Brown said she supported an extension given the association's apparent commitment to improve the shoreline, and the inherent difficulties in reaching group consensus. Sabella questioned whether another project extension was going to negatively impact other landowners who were in queue for funding. Dearlove explained that funds are allocated on a first-come, first-served basis. He said that deadline extensions or other delays would only reduce the Association's chance of claiming available funds, and would not impact the standing of other cost-share participants. Sabella consequently rescinded his earlier suggestion to deny an extension, but requested consideration of a rain garden in deference to Ms. Finn's concerns about runoff. Kapsner advised against the idea at this time since it would change the original scope of work for which the project was reviewed and approved.

Kapsner moved for a 90-day extension on the contract-signing deadline (new deadline: 9/18). He further moved that Mr. Dovgin submit a progress report by the July 18th meeting, particularly with respect to defining the buffer area and getting the pertinent County and Association-membership approvals. Motion seconded by Jacobsen-Brown. In discussion, Christensen requested and received verification that the issue of a possible rain garden was not part of the motion. Sabella asked if the project would still score high enough for cost sharing if Jefferson County did not require a 35-ft. planting depth. Molinaro said that as long as the District's 20-ft. minimum standard was met, then it would still qualify for funding. Molinaro added that it would then be up to the experts to come up with an exact buffer design. Jacobsen-Brown asked what was going to happen to the existing sand beach. Dovgin replied that the plan was to remove it. Motion carried 7-0.

B. Request by Greg Shafer to enter into acquisition and management negotiations with the Board related to Lake District Preserve lands next to his private residence

Molinaro asked Greg Shafer to summarize what he was requesting of the Board. Shafer asked if any further consideration was given to his earlier request to purchase some of the recently-acquired Preserve land surrounding his property. He said he was interested in buying a 150-200-ft. strip of land to serve as a buffer zone between his property and the public land. He indicated he was not sure what amount of acreage that entailed. Mary Shaffer added that her family has wanted to buy that adjoining land for many years. She suggested that if they were allowed to buy the land in question, the District could reinvest the money back into the Preserve. This was followed by extensive discussion and debate among Board members concerning the feasibility, justifiability and potential implications of selling off publicly-owned lands to a private interest.

McCarthy moved for the District to seek a written determination from the applicable grant authorities on whether any portion of the land that was acquired using public grant monies could be sold. Motion seconded by Sabella. Motion carried on a 4-3 roll call vote, with Christensen, Molinaro and Jacobsen-Brown dissenting. Molinaro

ATTACHMENT

Bidding Standards for Cost-Share Projects

1. Landowner shall be responsible for obtaining multiple bids from qualified contractors for any projects receiving cost-share grants in excess of \$500.00. This applies to any work that will be documented by cost-share-eligible, third-party invoices.
2. Bids must reflect any applicable project plans or specifications set forth by the Lake District (see examples on pg. 2).
3. Landowner shall make a reasonable effort to obtain not less than three (3) bids. The Lake District Board shall have the discretion to request that the landowner seek additional bids if deemed appropriate.
4. Landowner shall be solely responsible for soliciting contractor bids and making all hiring decisions. Any resulting contracts are between the landowner and the bidding contractor.
5. The Lake District may facilitate the bidding process by furnishing optional contractor lists (without endorsement), preparing any applicable technical specifications and bidding documents, and by reviewing submitted bids for completeness.
6. Both the landowner and Lake District shall maintain the confidentiality of contractor bids until the bidding process expires. Bidders may be asked to submit written cost amendments for any scope-of-work adjustments that will allow better comparisons among competing bids.
7. All bids shall be reviewed by the Lake District Board before final cost-share authorization is granted. The Board shall specify a cost-share amount based on what it considers to be the lowest responsible bid.
8. Responsible bids are those that: (1) are received from qualified contractors; (2) meet minimum project standards and technical specifications set forth by the Lake District; (3) propose methods and costs that are deemed appropriate and reasonable by the Board; and (4) contain sufficient information detailing the proposed work and associated costs.
9. Bid amounts for purposes of cost sharing may not be exceeded by more than 10% without prior approval by the Lake District. Site conditions, property boundaries, and applicable project specifications should be reviewed and verified by the bidder.
10. Amendments to bids are only allowed for additional implementation costs that were necessary for the project and unaccounted for in the original bid. All proposed amendments must be properly documented and receive prior approval by the landowner and Lake District. It is at the Lake District Board's discretion whether to approve additional funding as a result of any amendments.

Project-Specific Requirements

Rain Gardens

- Minimum 100 sq. ft. area per rain garden
- Must utilize a soil ridge, depression, and/or similar water-containment and infiltration feature
- Minimum 90% Wisconsin native plant species (See example list at <http://dnr.wi.gov/runoff/rg/RaingardenPlantList.pdf>) – No invasive or noxious species permitted
- Herbaceous plants shall be in 2.5-inch or greater containers (2.5"x2.5"x3.5", 32/flat), and exhibit robust health at time of planting
- Minimum of 5 different plant species with at least 30% grasses and/or sedges
- Average planting density of 1 herbaceous plant per every 2 square feet
- Minimum 2.0-inch mulch depth throughout planting area
- Design should conform to guidelines set forth in DNR Publication PUB-WT-776 2003 ("Rain Gardens: A How-To Manual for Homeowners"; www.dnr.state.wi.us/runoff/rg/rgmanual.pdf)
- Project plan that meets the above criteria and includes: location map and dimensions of rain garden; site-preparation method; name and quantity of each plant species proposed; quantity of mulch; cost breakdown for labor and materials)

Lakeshore Buffers

- Minimum 1,000 sq. ft. area (not applicable if buffer is required for shoreline rip-rap permit)
- Minimum 20-ft. average planting depth perpendicular to and along length of lake edge (min. 8-ft. average planting depth for cost-shared riprap projects approved without a standard buffer) – does not include access paths and pre-existing sand beach areas approved by the Lake District
- Minimum 90% Wisconsin native plant species (See example list at www.botany.wisc.edu/herb/countyssearch.html, or <http://uwarboretum.org/images/NativePlantsSoWis.pdf>) – No invasive or noxious species
- Herbaceous plants shall be in 2.5-inch or greater containers (2.5"x2.5"x3.5", 32/flat), and exhibit robust health at the time of planting
- The herbaceous cover layer shall be comprised of at least 30% grasses and/or sedges
- Minimum 2.0-inch mulch depth throughout planting area
- Minimum number of species and planting densities shall conform to Wisconsin Biology Technical Note 1: Shoreland Habitat (U.S. Department of Agriculture, Natural Resources Conservation Service; www.dnr.state.wi.us/org/water/wm/dsfm/shore/documents/NRCSBioTechNote.pdf)

Layer	Woodland		Wetland, Barrens, Dry/Wet Prairie	
	Min. Species	Density	Min. Species	Density
Trees	2	0.5-5 per 100 sq. ft.	0	0-0.2 per 100 sq. ft.
Shrubs	3	1-4 per 100 sq. ft. (If clumped, maintain min. 2-ft. spacing)	2	0.2-0.5 per 100 sq. ft. (If clumped, maintain min. 2-ft. spacing)
Herbaceous Cover				
Plant Plugs	3	25-75 plants per 100 sq. ft. (Soil must be mulched)	5	50-100 plants per 100 sq. ft. (Soil must be mulched)
Seeding	3	Grass/sedges: 4-8 oz. per 1,000 sq. ft. Forbs: 2-4 oz. per 1,000 sq. ft.	5	Grass/sedges: 4-8 oz. per 1,000 sq. ft. Forbs: 2-4 oz. per 1,000 sq. ft.

- Project plan that meets the above criteria and includes: location map and dimensions of buffer; site-preparation method; name and quantity of each plant species proposed; quantity of mulch; cost breakdown for labor and materials)