

**Lake Ripley Management District**  
**Meeting Minutes**  
**July 16, 2005**

**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. Chairman Molinaro called the meeting to order at 9:00 a.m. Board members present included John Molinaro, Jane Jacobsen-Brown, Sheri Walz, Dennis McCarthy, Mike Sabella and Gene Kapsner. Derek Hoffman was absent. Also present were Paul Dearlove, Project Manager, and six members of the general public. Following roll call, the agenda was amended so the invited speaker could give her presentation prior to the Public Comment section (see VII.A.).

**II. Public Comment**

There were no public comments.

**III. Minutes of Last Meeting**

The Board reviewed the minutes of the 06/18/05 meeting and had no additions or corrections. *McCarthy moved to approve the minutes as written. Motion was seconded by Sabella with no further discussion. Motion carried 6-0.*

**IV. Treasurer's Report**

Sabella distributed and reviewed financial statements for the six months ending June 30, 2005, for both the LRMD and Lake Ripley Priority Lake Project (LRPLP). Financial statements consisted of balance sheets, statements of operations, actual to budget/budget remaining reports, general ledgers and transaction listings. An abbreviated summary is provided below.

**LRMD:** Total current assets of \$161,969.32 consisted of \$50,317.26 in checking, \$80,000.00 in investments, and a \$31,652.06 receivable due from the LRPLP. There were no liabilities. Total revenue for the period was \$32,053.88. Total operating expenses for insurance, weed harvesting and general operations was \$6,184.45. There was a net "profit" of revenues over expenses of \$25,773.43. Sabella then compared actual expenses for the period versus the total annual budget for each revenue and expense category. He concluded that the financial position of the LRMD was extremely healthy. As a point of clarification, Molinaro noted that the LRMD's total current assets consisted largely of restricted funds. These funds can only be used for specific purposes, such as acquiring land or making capital equipment purchases. Sabella agreed to make this information available for the upcoming budget hearing.

**LRPLP:** Total current assets of \$53,492.22 consisted of \$200.00 in petty cash, \$33,032.17 in general checking, and \$20,260.05 in the Nonpoint Source (cost sharing) account. There was a liability payable back to the LRMD for \$31,652.06. Total revenue for the period was \$65,559.50, including \$19,161.47 in state cost-share reimbursements and a \$46,350.00 annual grant for program administration. Direct costs were \$32,772.68 for landowner cost sharing. Total operating expenses were \$28,114.30, consisting mainly of salaries, rent and general office expenses. After factoring in other expenses of \$1,493.21, there was net income of \$3,179.31. Dearlove pointed out that cost-sharing expenses will exceed state grant reimbursements this year by approximately several hundred dollars. He explained that such cost overruns were the nature of the program, and were the result of trying to maximize a fixed grant allocation to pay for variable project-implementation costs. Unless funds become available for transfer from another priority watershed project, he pointed out that the LRMD should expect to absorb such costs from monies already budgeted for this purpose.

Molinaro reminded those present of the August 13<sup>th</sup> budget hearing. He said the proposed 2006 budget and the Annual Meeting agenda will be posted and published within the next few weeks. Roger Rude commented that the Board might consider including a more detailed year-end financial statement for purposes of the Annual Report. He was of the opinion that the general reporting categories in the Annual Report were difficult for the public to interpret.

*Jacobsen-Brown moved to accept the Treasurer's Report as presented. Motion was seconded by McCarthy with no further discussion. Motion carried 6-0.*

**V. Project Manager's Report**

Dearlove distributed office phone logs and reported on his activities since the last meeting. Actions included the following:

- Launched the weed harvester on June 20<sup>th</sup> and started summer operations. Despite low lake levels and exceptionally high water clarity, milfoil growth was minimal and confined to Milwaukee Bay near the inlet.

- Continued work on the Town Hall rain gardens with regular weeding and watering. Mulching of the garden is next on the agenda. Dearlove thanked Cambridge News for publishing an article on the project in its Lake Ripley Edition. Also published was a ‘test-your-knowledge quiz’ intended to educate readers about the lake and its management.
- Attended and prepared handouts for the Town open house and public hearing on June 21<sup>st</sup>.
- Drafted a LRMD cost-share contract modeled after contracts used by DNR and Jefferson County. Dearlove asked the Board to review the draft so it could be finalized and approved at the September meeting. Sabella requested that the document be carefully reviewed by an attorney before the Board signs off on it. Per Walz’s suggestion, Molinaro offered to first ask if Phil Ristow, county corporation counsel, would be willing to review the document. If that presented a problem, the Board agreed it should be sent to Bill O’Connor.
- Met with Zoran and Debbie Maric (W9077 Ripley Rd.) to discuss a proposed 200-ft shoreland buffer restoration.
- Video taped the Lake Ripley shoreline to document shoreline conditions, piers and other improvements.
- Worked with Cambridge Aquatic Environmental Club to install additional nesting boxes at the Preserve.
- Met with Molinaro and Sabella to draft a 2006 LRMD operating budget.
- Held a project-scoping meeting with DNR and county officials to discuss possible fishery habitat projects.
- Tentatively scheduled Susan Josheff, DNR Water Regulation & Zoning Engineer, to speak at our Sept. meeting about the pros and cons of outlet control structures to manage water levels. Sabella requested that personal invitations be sent to the landowner(s) who own lands adjacent to the outlet.

Dearlove also reviewed some of his ongoing and planned activities. These included the following:

- Work with Molinaro to host a Lake Ripley boat tour for Town officials (7/18 at 6:00 p.m.).
- Host a shoreline-inspection tour with DNR officials to discuss permitting concerns (7/19).
- Produce and disseminate the Ripples newsletter by end of July. The newsletter will include the proposed 2006 budget and Annual Meeting agenda. Sabella prompted Board discussion after questioning the notification and procedural requirements for Board nominations. Molinaro said that he and McCarthy were up for re-election, and that they had each formalized their intentions to run again. Sabella wanted to see more of an effort in publicizing nomination and election protocols. After some discussion, Dearlove offered to put a short announcement in future newsletters to better inform the public of upcoming Board openings and nomination procedures.
- Develop rain garden technical standards for LRMD cost-sharing purposes.
- Continue working with Lake Watch coordinators with the processing of incident reports.
- Perform a follow-up census of moored watercraft on Lake Ripley.
- Currently providing comment to DNR regarding a possible conservation easement at Majestic Pines as part of a pier-permit condition.

## **VI. Old Business**

### *A. Ordinance Review Status*

Molinaro and Dearlove reported on the Town of Oakland’s June 21<sup>st</sup> open house and second public hearing pertaining to the proposed ordinance changes. Dearlove also noted that discussion and possible action on the proposals was included as an agenda item for the Town’s 7/19 meeting. Molinaro asked the Board for some direction on how it wanted to proceed from this point forward. Discussion ensued but a consensus opinion was not forthcoming. Molinaro said he would talk to the other committee members to discuss possible next steps, and would wait to see what happens at Tuesday’s Town meeting.

### *B. Weed Harvester Storage Agreement*

Molinaro reviewed the Town of Oakland’s storage proposal. The proposal was that the Town would provide adequate storage space for the weed-harvesting equipment for a minimum of 10 years, based on a one-time cost of \$8,000 that would pay for the expansion of the cold-storage facility. Molinaro said the proposal would represent a considerable cost savings to the District over that period. Molinaro said that while he would be willing to go along with the Board in accepting the agreement, he was concerned that District residents would essentially be paying for the same building twice. Sabella and Kapsner disputed Molinaro’s claim of inequity. After some subsequent debate, ***Sabella moved to accept the lease agreement as proposed by the Town of Oakland in its 6/30/05 letter. McCarthy seconded. As a point of discussion, Sabella said he was willing to accept the risk of a fixed-term storage agreement knowing that for the next 10 years we had a place to store our equipment at a fixed price. Walz expressed her concern that District residents would be disproportionately taxed for the cost of the building. A roll call vote resulted in the motion being carried 5-1 with Walz dissenting.***

### *C. Informational Boat Tour for Elected Officials*

Molinaro said a letter was mailed to each of the Town Board members inviting them on the informational boat tour. Invitations also were extended to the Town Police and DNR Conservation Warden. Kapsner said he planned to attend as

did Dale Falk, but he wasn't sure about the other Town Board members. Dearlove said he would be posting a notice of the tour immediately following the meeting in adherence to Wisconsin's Open Meetings Law. It was agreed that the boat tour would leave from the public landing at 6:00 p.m. Molinaro then reviewed the purpose of the boat tour. He reiterated that anyone from the public could join the tour, and that no official business or actions would be taken.

#### *D. Majestic Pines' Conservation Easement*

Molinaro reviewed the status of the Majestic Pines pier-permit application. He explained that the DNR was continuing to work with the applicant in an attempt to formalize a permit agreement. He said that a potential shoreland conservation easement was among the many permit conditions that were presently being discussed. Copies of a tentative easement that the Majestic Pines' attorneys had drafted were previously distributed for review. Molinaro said that a preliminary review of the draft document, which was supposed to be modeled after the Lake Pointe easement, found it to be unacceptably deficient. He pointed out some of these deficiencies. Jacobsen-Brown agreed and brought attention to some of the easement language that she felt was inaccurate or problematic. After discussion concluded, Molinaro promised to keep the Board members updated as this and other permit-related issues are brought to his attention.

#### *E. Inlet Dredging Cost-Share Request*

Molinaro indicated that Ripley Waters Association had filed for a DNR permit to dredge the inlet. He said that Association members were now requesting that the LRMD share in the expense of this proposed project. Mia Myklebust spoke as the group's representative. She showed the Board a recent picture of the inlet channel and one that was taken in 1996. She then provided her own historical perspective of what had taken place over the years, and claimed that dredging would be a restorative measure that would benefit the lake. Sabella pointed out that the two pictures that were being used for comparison purposes were not consistent. In particular, he noted that the 1996 photo was taken during the winter while the recent photo was taken during the summer during peak weed growth. He felt it distorted what was actually occurring.

Considerable discussion ensued as Dearlove and the Board debated with Myklebust regarding the factors that were contributing to the channel's condition. While Dearlove and the Board concurred with Ms. Myklebust that the channel had filled in due to various processes, they emphatically disagreed with her assertion that prior LRMD erosion-control efforts had contributed to the siltation. Myklebust then presented lab results she commissioned to demonstrate sediment-based phosphorus concentrations, claiming they were off the charts in terms of what was considered acceptable. Dearlove pointed out that there are no standards for sediment-based phosphorus, and that the critical question was whether phosphorus was being released into the water column. Assuming a DNR permit approval is forthcoming; he said he would be happy to offer any guidance necessary in obtaining the appropriate data so the Board could evaluate the project from a cost-share perspective.

Molinaro next tried to ascertain the potential costs of the dredging. Myklebust was unable to provide specific cost information, but offered that it could cost anywhere between \$45,000 and \$90,000. Molinaro pointed out that those figures are equal to or double the total annual budget of the LRMD. Myklebust replied that her group was only looking to work cooperatively with the District and perhaps obtain some level of financial assistance. Molinaro clarified that the Board had not taken a position either against or in favor of the project. In fact, he said he had personally communicated with DNR officials to try and figure out ways in which a dredging project could be done, and so as not to negatively impact the lake. He said the Board will continue to work cooperatively with her group and the DNR in determining the most acceptable course of action. Sabella added that the Board would consider cost sharing if the project could be shown to satisfy the mission and cost-share objectives of the LRMD. He said that the LRMD has the statutory authority to raise taxes considerably (up to 2.5 mil) if it felt that was necessary. Myklebust was advised to first work on getting the necessary DNR permit approvals. If a permit is granted, the Board indicated it would evaluate the project on its merits for the purpose of cost sharing.

## **VII. New Business**

### *A. Shore Restoration Speaker: Lisa Reas, LJ Reas Environmental Consulting Corp.*

Lisa Reas gave a slide presentation on the benefits and process of doing shoreline restorations, and then fielded questions from the Board. Ms. Reas is a shoreline restoration consultant from Green Lake, WI.

### *B. Zebra Mussel Report*

Molinaro informed the Board that zebra mussels had recently been discovered in neighboring Rock Lake. To date, ongoing monitoring has not turned up evidence of the invasive mussel in Lake Ripley. However, Molinaro explained that it was entirely possible that they are already present in the lake. Discussion followed pertaining to zebra mussel impacts, how they spread, available control strategies, and what the LRMD is currently or should be doing to address the issue. Dearlove distributed informational brochures that explained what boaters could do to help prevent the spread of zebra

mussels. Sabella and Jacobsen-Brown felt the Board needed to be proactive by doing everything it can do to prevent an infestation. Molinaro expressed his personal frustration with what he felt were a lack of effective or feasible options to control their spread. He said he plans to invite an invasive species specialist to give a talk at one of our next regular meetings. Meanwhile, he said he and Dearlove would continue to try to inform and educate the community.

### **VIII. Correspondence**

An e-mail dated 7/14/05 was received by Patricia Cicero of the Jefferson County Land and Water Conservation Department requesting letters of support for a proposed "Water Resources Management Specialist" position at the county. Dearlove read the e-mail to the Board which outlined various justifications for the new position. Board members were provided with contact information so they could obtain additional information and submit individual letters of support.

Additional correspondence included:

- Letter dated 6/21/05 from LRMD to Town of Oakland offering to contribute \$8,000 to pay for the expansion of the Town's proposed cold-storage building. Letter also requested a Memorandum of Agreement that guarantees the storage of the weed-harvesting equipment.
- Letter dated 6/23/05 from LRMD to Town of Oakland inviting elected officials to participate in an informational boat tour of Lake Ripley.
- Copy of letter dated 6/28/05 with attached information from Ripley Waters Association to Mike Halsted at DNR regarding inlet dredging proposal.
- Letter dated 6/30/05 from Town of Oakland to LRMD regarding proposed storage agreement for weed-harvesting equipment.
- Copy of letter dated 7/6/05 from Jefferson Co. Zoning to Jim Van Acker. The letter reminded the landowner of his tree-planting obligations under the county's shoreland zoning rules following completion of his home-building project.
- Copy of letter dated 7/6/05 from Jefferson Co. Zoning to Allen Howe of Majestic Pines regarding issuance of walkway permit and correction of prior violation.
- Copy of letter dated 7/11/05 from Mike Halsted to DNR resource managers pertaining to Majestic Pines' conservation easement review.
- E-mail dated 7/12/05 from Dearlove to Mike Halsted with additional comments on the proposed Majestic Pines' conservation easement.

### **IX. Adjournment**

*McCarthy moved to adjourn the meeting at 12:05 p.m. Motion was seconded by Walz and there was no further discussion. Motion carried by a 6-0 vote.* Next meetings: August 13, 2005 (Budget Hearing); August 20, 2005 (Annual Meeting)

Respectfully Submitted,

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Derek Hoffman, Secretary

Date

Recorder: PDD