

**Lake Ripley Management District
Meeting Minutes
July 21, 2007**

I. Call to Order & Roll Call

The Lake Ripley Management District (LRMD) Board convened its monthly meeting at the Oakland Town Hall on July 21, 2007. Molinaro called the meeting to order at 9:00 a.m. Board members present: Mike Sabella, John Molinaro, Gene Kapsner, Jane Jacobsen-Brown, Derek Hoffman and Dennis McCarthy. Mike Burow was absent. Also present were Paul Dearlove (LRMD Lake Manager), Kent Brown, Pam Dollard and Gary Zibel (Cable TV 12).

II. Public Comment

There were no public comments.

III. Minutes of Last Meeting

Sabella moved for approval of the 6/16/07 minutes, and was seconded by McCarthy. Motion carried 5-0.

IV. Treasurer's Report

Sabella presented the treasurer's report for the second-quarter ending June 30, 2007. Handouts included Balance Sheet, Statement of Operations, Actual-to-Budget/Budget Remaining report, General Ledger and Transaction Listing.

The Balance sheet showed total current assets of \$193,985.18, consisting of \$200.00 in petty cash, \$98,785.18 in general checking, and a \$95,000.00 six-month certificate of deposit due to expire on 12/24/07. Current liabilities consisted of \$963.88 in accrued federal payroll taxes that were paid in July. Total equity of \$193,021.30 consisted of \$500.00 in the Friends of the Preserve restricted fund, \$89,815.00 in the Land/Asset Acquisition restricted fund, \$33.00 in the F.K. Elson Memorial restricted fund, and a fund balance of \$22,150.12.

The Statement of Operations showed \$20,236.14 in revenues over the last three months ending June 30th, including a \$15,000.00 DNR Lake Planning Grant advance. Operational expenses were \$23,485.34 for the three-month period, which primarily consisted of wages, insurance, office expenses, board stipends and legal fees. Other income included \$2,221.00 received from Dag Kaashagen for easement enforcement costs.

The Actual-to-Budget/Budget Remaining report showed actual revenues of \$66,016.28 for the six months ending June 30th, compared to an annual budget of \$67,570.00. Revenues consisted of \$45,286.91 in property taxes, \$4,579.37 in interest income, \$1,100.00 in Friends of the Preserve donations, a \$50.00 FK Elson donation, and a \$15,000.00 DNR Lake Planning Grant advance. Direct costs for the six-month period were \$5,162.50 for cost-sharing projects, of which \$10,000.00 was budgeted for the year. Total operating expenses were \$40,127.55, compared to a total annual budget of \$82,070.00.

McCarthy moved to accept the treasurer's report, and was seconded by Jacobsen-Brown. Motion carried 5-0.

V. Lake Manager's Report

Dearlove summarized his activities since the last meeting:

- An informational boat tour for Lake District and Town Board officials took place on 6/16. Molinaro and Jacobsen-Brown were thanked for the use of their pontoon boats. Participants included Dearlove, Gene Kapsner (Town/LRMD), Dale Falk (Town), Tom Jensen (Town), Paul Heiberger (LRMD intern), Mike Sabella, Mike Burow, John and Ann Molinaro, Jane Jacobsen-Brown and Kent Brown.
- The weed harvester was launched on 6/27, marking the start of summer operations.
- Sediment coring was rescheduled for 8/13. Board members were invited to come along to observe the core extraction.
- The Ripples newsletter was sent to the printer and will be ready for bulk mailing next week.
- A press release and Lake Ripley E-Bulletin were distributed. The news release appealed for volunteers to participate on Lake Watch and the Lake District Preserve Long-Range Planning Committee. Molinaro added that volunteers were needed to help count piers, lifts and parked boats on 7/25.
- Annual Meeting preparations included a 7/9 meeting with Sabella and Molinaro to prepare the 2008 budget. It also included a review of the Lake District by-laws and their consistency (or lack thereof) with applicable state statutes.
- Work on developing two public opinion surveys has started. One survey relates specifically to attitudes about rain gardens, while the other is more comprehensive and deals with an array of Lake Ripley-related topics. U.W.-Madison and U.W.-Extension partners are assisting in the effort.
- A brief status report on several pending and proposed cost-share projects was provided.

- The Board was updated on the status of a tree-harvesting proposal that was being prepared for the Lake District Preserve woodlot we share with the Oakland Conservation Club. He said he was working with Dale Evenson of the Club and a retired DNR forester to develop a management and logging plan. He said Evenson has requested that the District cover about \$160 of these initial consulting and tree-marking expenses.

VI. Old Business

A. Construction site erosion-control rules

Dearlove distributed handouts summarizing current rules, enforcement mechanisms and ongoing problems associated with construction site erosion control. Handouts included photos of problem sites around Lake Ripley. He said he was particularly concerned with smaller projects that are not subject to permits, as well as continued problems with general erosion-control monitoring and compliance. He said problems persist despite frequent contact with the building inspector.

Hoffman noted that the Town building inspector could issue stop work orders in worse-case situations. He said that an erosion-control certification program was offered by the Department of Commerce, and wondered whether the Town's inspector had been certified. Kapsner said the Town ordinance was probably strong enough, but that erosion-control measures were not being installed correctly. He asked for caution when contemplating any blanket rules that may unfairly restrict landowners who are not part of the problem due to their location. He felt the inspector needs to more aggressively enforce the Uniform Dwelling Code around the lake. Jacobsen-Brown expressed concern about building projects that do not require permits. Sabella felt that while the District's authority was limited, we should continue to make the inspector aware of problems. He recommended coming up with a plan to identify problem sites and educate the offending landowners. Molinaro said erosion control was probably low on the priority list of inspectors. He suggested inviting the inspector to a future meeting to discuss the matter, and for Dearlove to consider becoming DOC certified himself. He said he would appoint a subcommittee if it was felt we needed to make recommendations to change the Town ordinance.

VII. New Business

A. Appointment of Lake District Preserve long-range planning committee

Dearlove reported that six individuals had expressed interest in serving on the long-range planning committee. Prospective committee members included Pam Dollard, Jeff Spindler, Jim Rank, Kent Brown, Georgia Gomez-Ibanez and Terri Baker. Molinaro proceeded to appoint all six to the committee, and asked Dearlove to facilitate the first meeting. He requested that the committee appoint a chair, agree on a timeline, and eventually prepare a report with recommendations to present to the Board. *Sabella moved to approve Molinaro's appointments to the Lake District Preserve Long-Range Planning Committee. Hoffman seconded. As a point of discussion, Sabella asked whether both permanent and seasonal residents were represented on the committee. Dearlove confirmed that was the case. Motion carried 5-0.*

B. Action on subcommittee recommendations for landowner cost sharing

Dearlove reported that the cost-share subcommittee met on 7/9 to review and score three projects. He described each of the proposed projects and how they scored. Projects included: Bill McCarthy rain garden at W9114 Ripley Rd. (score=12); Arne Maage rain garden at N4625 Prairie Rose Rd. (score=10); and Golf Side Association shoreline repair/buffer next to W9442 Golf Side Ln. Subcommittee recommendations included entering into a new contract with Golf Side Association at the 50% cost-share rate, and funding the two rain garden projects.

Dearlove explained the difficulty in obtaining good cost estimates prior to putting projects out for bid. Sabella said he was reluctant to approve projects without cost estimates. Kapsner recommended that the Board make preliminary approvals based on merit and a rough idea of what it might cost. He said the Board would then have discretion on when to actually move forward with a project, based on budget limitations and workload considerations. Hoffman wondered if a cost-share spending cap might be appropriate. Sabella said that when funds are lacking, projects should get delayed until the following year when the necessary funds can be budgeted. Dearlove verified that that was essentially the procedure currently used, and that available cost-share dollars are allocated on a first-come, first-served basis. Jacobsen-Brown said she was concerned about cost-share money being held for landowners who were non-committal. Dearlove responded that the new cost-share agreement requires projects to be completed within one year following the signing of a contract. Hoffman asked what would happen if a very big and important project comes up that should take precedent. Sabella replied that in such emergencies, the District could borrow money and then budget for the repayment of the loan.

Sabella moved to approve the subcommittee's recommendations, including 50% cost-sharing for the Bill McCarthy and Arne Maage rain garden projects. Motion was seconded by McCarthy. Motion carried 5-0.

C. Notice of 8/18 budget hearing and Annual Meeting

Dearlove reviewed noticing procedures for the 8/18 budget hearing and Annual Meeting. He indicated that meeting notices and copies of the budget had been duly posted, and that they were being disseminated by newsletter to every elector on the tax roll. Notices would also be published twice in the Cambridge News. Dearlove then explained the advice he received from legal counsel to ask the Annual Meeting to repeal the by-laws. He pointed out that the by-laws are no longer consistent with the Wisconsin Statutes that govern Lake Districts. A model resolution to repeal the by-laws was distributed for the Board's consideration. Kapsner questioned whether the by-laws contained any procedural mandates that go beyond what is in the statutes. If that was the case, he said we might want to take a closer look to consider any potential ramifications. The Board was in agreement that the matter should be included as an agenda item for the Annual Meeting.

D. LRMD purchasing procedures

Molinaro asked for guidance on the types of purchasing decisions that might require Board authorization. He gave the example of upgrading the office computer and copier, which would have to be done in the near future. He said that while money is budgeted for these types of expenses, there is no policy in place on making individual expenditures within a particular budget category. He thought it might make sense to search for models from other places, but wanted to first get direction from the Board. Sabella recommended establishing a \$500 spending threshold, and having a three-member "finance committee" review and authorize purchases exceeding that threshold. Kapsner questioned consulting expenses related to the preparation of a tree-harvesting proposal for the Preserve. He thought the expenses seemed high, and said the District should only be paying a share of the total expenses. Dearlove confirmed that the District was being asked to cover only a fraction of the costs based on its percentage ownership of the woodlot. Molinaro added that a breakdown of expenses would be needed before any payment could be authorized.

VIII. Correspondence

- 6/19/07 letter from Sabella to the Cambridge State Bank authorizing the closure of Priority Lake Project accounts.
- 6/25/07 E-Bulletin soliciting volunteers to serve on a long-range planning committee for the Lake District Preserve.
- 7/11/07 letter from Captain Bruce Gondert reporting on Town of Oakland lake patrol activities. Jacobsen-Brown clarified that her original questioning of the lake patrol officer's hours was not meant as a criticism, as she felt the tone of the letter suggested. Rather, she explained that she had not seen the officer very much on the lake, and that her request for information was strictly for Lake Watch coordination purposes. Kapsner said he was going to ask Captain Gondert why only 76 hours were reported for June when the officer was hired to work 35 hours per week.
- 7/20/07 letter to Gerry Gunnelson (N4116 Milwaukee Ln.) regarding a new, larger pier within a designated sensitive area subject to the Town pier ordinance.

IX. Closed Session [as per Wis. Stats. Sec. 19.85(1)(c) for the purpose of considering employee compensation]

Jacobsen-Brown moved to enter into Closed Session at 10:40 a.m. as authorized by Wisconsin Statutes for the purpose of considering employee compensation. Motion seconded by Sabella. Motion carried by a unanimous roll call vote.

Kapsner moved to return to Open Session at 11:30 a.m., and was seconded by McCarthy. Motion carried by a unanimous roll call vote. Sabella moved to approve a two-year contract for Dearlove that would include a 5% increase in base compensation for 2008, subject to approval of the electorate at the Annual Meeting, and to guarantee a minimum 3% cost-of-living increase for 2009. Motion was seconded by Jacobsen-Brown. Motion carried 5-0.

XI. Adjournment

Kapsner moved for adjournment at 11:30 a.m., and was seconded by Hoffman. Motion carried 5-0. Meeting adjourned. Next meeting: August 18, 2007 budget hearing and Annual Meeting.

Respectfully Submitted,

Jane Jacobsen-Brown, Secretary

Date

Recorder: PDD