

**Lake Ripley Management District  
Meeting Minutes  
September 20, 2008**

**I. Call to Order and Roll Call**

The Lake Ripley Management District (LRMD) Board convened its regular monthly meeting at the Oakland Town Hall on September 20, 2008. Chairman Molinaro called the meeting to order at 9:00 a.m. Board members present: Gene Kapsner, Mike Sabella, John Molinaro, Jane Jacobsen-Brown, Walt Christensen, Dennis McCarthy and Georgia Gomez-Ibanez. Also present: Paul Dearlove (Lake Manager), Gary Zibell (Cambridge Cable TV 12), Jim Degidio, Debra Kutz, Richard Kutz and Susan Graham.

**II. Public Comment**

There were no public comments.

**III. Elect Board Officers**

*Sabella moved to re-elect Molinaro as chair and Jacobsen-Brown as secretary for the coming year. Motion seconded by McCarthy. Motion carried 7-0. Jacobsen-Brown moved to re-elect Sabella as treasurer. Motion seconded by McCarthy. Motion carried 7-0.*

**IV. Approve Minutes of Last Meeting (7-19-08)**

Minutes of the prior meeting were distributed for the Board's review. *Gomez-Ibanez moved to approve the 7-19-08 minutes without additions or corrections. Motion seconded by Sabella. Motion carried 7-0.*

**V. Guest: Susan Graham, DNR Lake Management Coordinator, speaking about critical habitat area assessment to be performed on Lake Ripley**

Susan Graham talked about the DNR's ongoing work on Lake Ripley to designate critical habitat areas. The objective was to identify and document outstanding areas of healthy aquatic habitat and public-interest features around the lake so they can be better protected. She reviewed the designation procedure, explained why these areas were so important to overall lake health, and discussed the potential regulatory implications in terms of permit reviews. A preliminary map from the Lake Ripley assessment was shared with the Board. This was followed by a short question and answer period. Graham explained that draft copies of the report will be widely distributed for public comment. Findings and recommendations would also be shared with affected property owners. She said some grants were available for larger-scale shoreline restorations that contributed to the enhancement of these high-quality areas.

**VI. Treasurer's Report**

Sabella distributed the treasurer's report for the two-month period ending 8-31-08. Total receipts for the period amounted to \$42,947.90. Receipts consisted of \$240.03 in interest, \$37,163.87 in property tax revenue from Jefferson County, \$1,500.00 in unrestricted donations, \$4,015.00 in land-acquisition donations, and \$29.00 in miscellaneous income. Total disbursements for the period amounted to \$23,015.06. A Transaction Listing was provided that listed individual disbursements. Asset balances at the end of the period included \$200.00 in petty cash, \$120,342.49 in checking, and \$99,658.53 in a bank certificate of deposit. The bank CD was set to mature on 9-19-08 with interest earned of approximately \$850. Sabella noted that this money would be transferred to the checking account where it would be available for the planned land acquisition. *McCarthy moved to accept the treasurer's report as presented. Motion seconded by Jacobsen-Brown. Motion carried 7-0.*

**VII. Lake Manager's Report**

Dearlove reviewed a summary report and office phone logs highlighting his activities since the last meeting. Major activities included: producing the Ripples newsletter and conducting other outreach efforts; preparing for the budget hearing and Annual Meeting; facilitating efforts related to several landowner cost-share projects; thanking donors, obtaining a second property appraisal and addressing other land-acquisition matters; supervising the weed-harvesting program; assisting with both the floodplain study and critical habitat area assessment; and co-hosting an informational boat tour for Town Board members. He also noted that a Lake Planning Grant extension had been requested, in part because the sediment core analysis would not be completed until next spring. If approved, the updating of our existing management plans would be wrapped up by 12-31-09.

## **VIII. Old Business**

### **A. Review outcome of floodplain study**

Molinaro provided an update on the status of the floodplain study. He noted that the preliminary findings show a floodplain elevation about 1.5 feet below that which was set by DNR.

### **B. Review contractor bids and approve cost-sharing amount for Sylvan Mounds 1<sup>st</sup> Addition shoreline riprap project**

Debra Kutz, Richard Kutz and Jim Degidio were in attendance representing the homeowner's association. Five project bids were distributed for consideration. Dearlove summarized the bids and indicated the group's interest in going with Preuninger Enterprises for \$11,552. The Board agreed that Preuninger should be considered the lowest responsible bidder. Molinaro pointed out that the bid was very close to Dearlove's initial cost estimate for the project. Kapsner received clarification from Debra Kutz that the anticipated completion date was later this fall, after a DNR permit is granted. *Molinaro moved to approve 50% cost-sharing for the Sylvan Mounds 1<sup>st</sup> Addition project based on the Preuninger bid of \$11,552. Motion seconded by Sabella. Discussion: Sabella voiced concern about the wide disparity in bid amounts, and asked why this was the case. Possible reasons were discussed, including differences in overhead costs, equipment-mobilization expenses related to travel distances, and other factors. It was noted that contractors fill out the same bid sheet that includes all relevant project specifications. Motion carried 7-0.*

### **C. Subcommittee proposal for new rain garden cost-share policy**

A written version of the proposed rebate policy was distributed and read into the record. "Landowners who install rain gardens would be eligible to receive a rebate equal to 50% of material and installation costs, up to a maximum of \$250, upon project completion. Rebates would be offered to pre-approved landowners on a first-come, first-served basis pending the availability of cost-share funds. Rain gardens must meet minimum design standards in terms of size, location and construction specifications. Third-party receipts for labor and material costs would be eligible for reimbursement. Requirements include 1) a pre-installation site inspection and consultation; 2) a post-installation inspection to verify minimum design standards; and 3) a signed landowner-commitment form outlining maintenance responsibilities. Rain garden projects of high strategic importance due to their scale and/or landscape position could still apply for standard cost-share treatment." *Jacobsen-Brown moved to approve the above-described rebate policy for rain gardens. Motion seconded by Gomez-Ibanez. Discussion: Sabella asked if this policy risked diverting limited cost-share dollars to distant rain gardens that could not be shown to have a direct or measurable impact on the lake. This led to discussion of the cumulative impacts that could be gained from the widespread application of this type of BMP, and specifically in the District and watershed areas around Lake Ripley. Molinaro added that the committee would not recommend cost sharing for any projects that were unlikely to benefit the lake in some way. Motion carried 7-0.*

## **IX. New Business**

### **A. Subcommittee recommendation on allocating cost-share responsibilities for projects jointly funded by Jefferson County**

Dearlove distributed the proposed policy statement and read it into the record. "Projects (or subcomponents thereof) approved for joint cost-share assistance through the Jefferson County Land & Water Conservation Department would be eligible for 50% reimbursement of either 1) total eligible project costs or 2) any remaining eligible landowner costs after the County match. Separate cost-share contracts between the County and District would be required, and the landowner would have to meet the terms and conditions of each contract." Dearlove explained that the County cost shares only certain practices, such as shoreland buffers, at a 70% reimbursement rate up to a maximum of \$4,000. Examples were given to illustrate how respective cost-share dollars would be allocated under different project scenarios. The arrangement was shown to benefit both the landowner and the District as project costs are shared with the County. *Gomez-Ibanez moved to approve the above-described policy relating to projects jointly cost shared with Jefferson County Land & Water Conservation Department. Motion seconded by McCarthy. Motion carried 7-0.*

### **B. Subcommittee recommendation to impose six-month deadline for the signing and deed recording of approved cost-share projects**

Dearlove distributed the proposed policy statement and read it into the record. "Projects approved or contingently approved by the Board for cost sharing shall sign and deed record a cost-share agreement within six (6) months of the approval date. In the event that a contract is not formalized within this timeframe, the landowner must re-apply for funding consideration. Letters shall be sent to all existing participants to inform them of the new policy, and allowing six months from the date of the letter to formalize a contract. This signing deadline would be in addition to the one-year project-completion deadline already specified in the contract." *McCarthy moved to approve the above-described policy*

*relating to a contract-signing deadline for approved cost-share projects. Motion seconded by Jacobsen-Brown. Motion carried 7-0.*

**C. Establish ad-hoc committee to review proposed LRMD by-law revisions, as per Annual Meeting directive, to ensure consistency with state statutes**

Molinaro appointed Sabella and Jim Degidio to serve on the by-law committee, with Dearlove acting as a committee advisor.

In other New Business, Kapsner inquired whether the District planned to take any oversight action related to the Andy North home-construction project on Ripley Rd. Both he and Molinaro expressed concerns about potential impacts to the sensitive shoreline area. Molinaro reported that a DNR grading permit had been issued, and that multiple jurisdictions were involved with granting the necessary project approvals. Dearlove offered to investigate the situation, including any related permit conditions that applied.

**X. Correspondence**

- 9-17-08 email from Jefferson County Land & Water Conservation Department soliciting interested individuals to serve on the Land & Water Conservation Committee that recently expanded from three to five members.
- 9-18-08 letter from Wisconsin Lake Leaders Institute (Crew VII) requesting letters of support to perform a shoreland restoration at the Governor's Mansion on Lake Mendota as a demonstration project.

**XI. Closed Session [as per Wis. Stat. §19.85(1)(e) to deliberate or negotiate the purchase of public properties, and Wis. Stat. §19.85(1)(c) for considering employment, promotion, compensation, and performance evaluations of employed personnel]**

*Jacobsen-Brown moved to enter into closed session at 10:50 a.m. Motion approved on a 7-0 roll call vote.*

*Molinaro moved to return to open session at 11:50 for purposes of adjournment. Motion seconded by Gomez-Ibanez. Motion carried 7-0.*

**XII. Adjournment**

*Jacobsen-Brown moved for adjournment at 11:50 a.m., and was seconded by Christensen. Motion carried 7-0.*

Meeting adjourned. Next meeting: October 18, 2008.

Respectfully Submitted,

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Jane Jacobsen-Brown, Secretary

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Date

Recorder: PDD