

**Lake Ripley Management District
Meeting Minutes
November 15, 2003**

I. Call to Order

The meeting of the Lake Ripley Management District (LRMD) was called to order by Chairman Molinaro at 9:00 a.m. Board members present were John Molinaro, Pam Rogers, Mike Sabella and Paul Jorstad. Joanne Knilians, Derek Hoffman and Dennis McCarthy were absent. Others present included Paul Dearlove (Priority Lake Project Manager) and Gary Zibell (Cambridge Cable TV 12).

II. Public Comment

There were no public comments.

III. Minutes of Last Meeting

The Board reviewed the minutes of the last meeting and had no additions or corrections. *Rogers moved to accept the minutes as written. Sabella seconded, and the motion carried on a 4-0 vote.*

IV. Treasurer's Report

Sabella distributed and summarized financial reports for the one-month period ending October 31, 2003 for both the LRMD and Lake Ripley Priority Lake Project (LRPLP) accounts. Highlights are provided below.

LRMD: Total receipts were \$101.76, consisting of a \$50.00 donation and \$51.76 in interest earned on investments. Disbursements totaled \$1,601.22. A copy of the transaction register showed that most of these disbursements were for Board stipends and office petty-cash expenses. As of October 31, 2003, the LRMD had a total cash balance of \$80,474.11. There was also a receivable due from the LRPLP account for \$45,286.16.

LRPLP: Total receipts were \$19.33 from interest earned on investments. Disbursements totaled \$3,968.24. A copy of the transaction register showed that these disbursements were mainly for wages, rent and office expenses. As of October 31, 2003, the LRPLP had the following cash balances: \$200.00 in petty cash, \$34,233.32 in the general checking account, and \$19,799.06 in the Nonpoint Source account. There was also a liability of \$45,286.16 payable back to the LRMD account.

Molinaro asked how long the LRMD would have to carry the \$45,286.16 receivable on the books. Sabella responded by first explaining that the money was loaned to the LRPLP to help cover operational expenses. He and Molinaro estimated that of the approximately \$58,000 in LRPLP expenses, about \$46,000 gets reimbursed from the annual state grant and the difference is covered by the LRMD. Sabella noted that much of the borrowed funds are used to maintain the bank's minimum balance requirements as we draw down the grant each year. He said he preferred to carry this receivable over from year to year in order to maintain that minimum balance and avoid service charges.

Molinaro then asked if next year's tax-levy request needed to be adjusted to account for an extra \$10,000 that will have to be carried over. He explained that the money was originally budgeted to be used for a cost-share project this year, but that the landowner elected not to complete the work at the last minute. Discussion then ensued as to whether any adjustments could be made at this late juncture, and whether such adjustments would require a special budget hearing. It was agreed that Linda Dieckhoff (Town Clerk) should be contacted to first find out if there was still time to make changes to the tax-levy request. If so, Attorney Behling would be contacted to obtain her legal advice on this budgeting matter.

Rogers moved to accept the Treasurer's Report. Sabella seconded, and the motion carried on a 4-0 vote.

V. Project Manager's Report

Dearlove detailed the activities of the Lake Ripley Priority Lake Project since the 10/18/03 meeting. He indicated that the bulk of his time was spent completing the Lake Ripley Watercraft Census & Recreational Carrying Capacity report, and that he would provide a more in-depth summary later in the agenda under Old Business. An overview of his report is presented below.

- Completed the Lake Ripley Watercraft Census & Recreational Carrying Capacity Analysis
- Prepared and submitted a DNR permit application for the Stoehr shoreline riprap installation
- Developed a proposed cost-share agreement with the Cambridge Foundation to install a rain garden demonstration

- project at Ripley Park prior to year-end; worked with a contractor on a preliminary design and budget
- Compiled data from 10/1/03 DNR fishery survey; performed 10-year trend analysis
 - Met with DNR representatives to plan a grant-funded, pier-shading study on Lake Ripley
 - Met with Sarah Mountin and Mike Hasted (DNR) to discuss a proposed dredging project in the inlet
 - Met with Dag Kaashagen and Mike Halsted (DNR) to discuss a proposed boardwalk through the Lake Pointe conservation easement

Referencing the Kaashagen boardwalk proposal, Jorstad cautioned that the Oakland Town Board already recently rejected a similar proposal made by another resident of Lake Pointe. He pointed out that Mr. Kaashagen should know that he cannot encroach into the wetlands and clear a path down to the lake. Molinaro said that the area in question is part of a conservation easement owned by the Lake District and DNR. He said that the landowner was required to obtain prior written approval by both the DNR and Lake District Board before the project could occur, and that it was unlikely that such approval would be forthcoming given the nature and purpose of the easement. Molinaro also noted that some illegal wetland filling is already suspected to have taken place on that property. He said the DNR is presently looking into the matter.

VI. Old Business

A. Probst Farming Encroachment into Preserve

Molinaro informed the Board that Attorney Mary Behling had recently received a phone call from John Probst. According to Behling, Probst had promised to hand-deliver a check this week to cover the expenses we incurred as a result of his farming encroachment into the Lake District Preserve. Molinaro said he was still waiting to receive confirmation that the check had been received. Jorstad asked how much money was owed and what expenses it was intended to cover. Dearlove responded that Probst owed just over \$500.00 to cover the costs of a prairie restoration that was destroyed, as well as for surveying and legal costs that were incurred.

B. Lake Pointe Pier

Dearlove and Molinaro reviewed the situation with the Lake Pointe pier. The Board was reminded that the pier was recently measured and found to exceed its length and width requirements as stipulated in the easement contract. The Association has agreed to bring the width back into compliance, but it contested the District's position that the length was in violation. Dearlove said he and Mike Halsted (DNR) further investigated the situation and agreed not to pursue enforcement action with regard to the pier's length. The decision was based on two considerations. First, there was no evidence indicating that the pier's length had been extended. Second, the easement contract was very unclear as to how the pier's length is to be measured in the first place. According to Dearlove, Halsted agreed to send a letter to the Lake District and Lake Pointe Association that documents the current pier length. The letter will also explain the exact procedure that should be used for future measuring and compliance monitoring.

Jorstad asked why Lake Pointe was allowed to have a 100-foot pier while his homeowner's association was only allowed a 60-foot pier. Molinaro explained that the 100-foot length requirement for Lake Pointe's pier was established as part of a 1995 legal settlement.

C. Recreational Carrying Capacity Report

Molinaro and Dearlove distributed draft copies of the "Lake Ripley Watercraft Census & Recreational Carrying Capacity Analysis" to the Board, and summarized the study's methods, findings and conclusions. They also announced that they had been invited to give presentations at regional and statewide conferences sponsored by the Wisconsin Lakes Partnership (Wisconsin Association of Lakes, DNR and UW-Extension).

Their analysis concluded that the lake's estimated carrying capacity was routinely exceeded by 141-171% during peak-use periods. Discussion then took place on the science and assumptions that went into the analysis, as well as a variety of potential actions that could be taken to address overcrowding. Molinaro and Dearlove stressed that the intent of the study was to collect baseline information on existing lake use, and to devise a procedure for approximating the lake's recreational carrying capacity. While a number of possible access controls and regulatory measures were briefly discussed in the report, the formation of an advisory committee was recommended to further explore these management strategies and propose a course of action. It was recommended that committee members include representatives from the Lake District Board, Town of Oakland Board, and the general public. The Board commended Molinaro and Dearlove for their excellent work, and suggested that the document be made readily available for public inspection. Molinaro indicated that the report will be posted on the Lake District web site, and that extra copies will be on hand at the District office, Town office and local library.

Jorstad expressed his concern about the added boat congestion that is likely to be created by new backlot subdivisions around the lake. He also voiced concern over the increase in personal watercraft and their negative impact on the public's ability to safely enjoy the lake. Molinaro pointed out that measures could be taken to address these and other concerns, and that many were preliminarily reviewed in the Discussion section of the report.

Sabella added that the Board now had the tough decision of figuring out what to do to bring boat traffic down to an acceptable level. In particular, he felt the District should be aggressive in its efforts to control development and access to the lake. Dearlove suggested that the Board also look at improving upon existing ordinances that are designed to separate conflicting lake uses via time and space zoning. He pointed to the District's recent efforts to adjust slow-no-wake zoning around the lake, and felt it was a strategy that deserved to be revisited by both the Lake District and Town Boards. Sabella asked Dearlove if he thought the carrying capacity analysis was based on sound science. Dearlove replied that the analysis was based on the most objective information and research available. He said it was conducted using scientific methods that had been successfully applied on other lakes to estimate carrying capacity. He also was careful to note that the analysis, by its very nature, involved certain value judgments, estimates and assumptions—all of which he said are clearly documented in the report.

In other Old Business, the Board discussed setting a winter meeting schedule. At the last meeting, the Board agreed to meet monthly with the exception of December. Sabella pointed out that the Board previously met in December but did not meet in November and January. After some discussion, the Board agreed it would still plan to hold its next meeting on January 10th, and would decide at that meeting whether or not it would need to meet on February 21st.

VII. New Business

A. Wisconsin Association of Lakes Convention

Molinaro informed the Board that he is currently involved with the planning of the WAL Convention in Green Bay on April 15-17, 2004. He said he is pleased with how things are turning out, and again encouraged those who have never attended to consider doing so. Since he and Dearlove are getting part of their registration fee waived for being speakers/moderators, he said there should be sufficient money in the budget to cover the cost of another attendee. Molinaro also reminded the Board that a regional workshop on recreational-use planning was going to take place the morning of January 31, 2003 at the Waukesha Technical College in Pewaukee, WI.

B. NR115 Listening Session

Molinaro announced that the DNR will be holding a listening session on proposed revisions to the NR115 shoreland zoning rules. These rules apply to Ordinary High Water Mark setbacks, treatment of nonconforming structures, minimum lot sizes, impervious surface and mitigation provisions, and permitting requirements for filling, grading, dredging, ditching and excavating within 1,000 feet of a lake. The listening session will take place on Tuesday, December 9th, from 2:00-5:30 p.m. at the DATCP building in Madison. Both Dearlove and Molinaro plan to attend to provide testimony.

VIII. Correspondence

There was no correspondence.

IX. Adjournment

Rogers moved to adjourn the meeting at 10:40 a.m. Sabella seconded, and the motion was carried on a 4-0 vote. Meeting adjourned. Next meeting: January 10, 2004 (9:00 a.m. @ Oakland Town Hall).

Respectfully Submitted,

John Molinaro, Chairman

Date

Recorder: PDD