

Rock Koshkonong Lake District

2005 Annual Meeting Minutes

A meeting of the Board of Commissioners of the Rock-Koshkonong Lake District

Date: July 30, 2005
Location: Fort Atkinson High School
926 Lexington Street, Fort Atkinson, WI

Present: Ray Lunder, Brian Christianson, Jerry Richardson, Arnie Lund, Marty Walsh, Frank Micale,

Absent: Mary Mawhinney

1. Call to Order. 9:26 a.m.
 - a. The meeting got off to a late start due to the overwhelming number of people attending the Annual Meeting (600+). Many thanks to all those that attended and showed interest in the RKLK.
 - b. Brian went through some rules of the meeting so that we could have an orderly and efficient meeting.
 - i. Go to the Microphone stand to speak, have your yellow ballot card.
 - ii. State your name and address in the District.
 - c. Approval of the minutes of the 2004 annual meeting.
 - i. Brian called for any comments, and a motion to approve the 2004 annual meeting minutes. No discussion took place; the motion was seconded and approved.
 - d. Annual Audit report for year ended December 31, 2004.
 - i. Jerry presented the treasurer's report.
 - ii. Brian asked if there were any comments or issues with the report, hearing none, he asked for a motion to approve the Annual Audit Report. The motion was seconded and approved.
2. Chairman's Report.
 - a. Reviewed the timeline including the 2002 motion that approved the Lake District that started the pursuit of the Water Level issue.
 - b. The RKLK has concluded the studies the DNR has requested.
 - c. Covered the issue where the proposed new operating orders would not provoke a "taking" of land, which the DNR agreed in their EA response to our EIR.
 - d. The DNR has agreed to grant the RKLK an administrative hearing, and we are waiting for a date to be set. Brian stated we needed to continue on so that everything that has been done to date isn't wasted time and money.
 - e. The proposed budget of \$50 per parcel is based on the fixed costs the District requires to continue, with an additional dollar amount to fund the legal and professional costs associated with the Water level issue. This is our best guess as to what it will cost for the next fiscal year.

3. Environmental Report,
Presented by Rob Montgomery and Steve Hjort
 - a. Rob reviewed the hydrological report of the past to the present, and focused on the last year, as this is the new data that has been collected.
 - b. Steve discussed several photos of the riprap projects that were done as a result of the RKLD sponsoring 11 \$10,000 grants to complete these projects.

4. Operational Report –Dam Transfer and Water level proceedings
Presented by Bill O’Connor.
 - a. The closing of the Dam occurred on Dec 15, 2004 where the RKLD officially took ownership of the Indianford Dam. The RKLD will continue to receive \$50,000/year from Rock County and \$10,000 from Jefferson County for next 7 years. All of this money is being kept in a holding fund for any future repairs to the Dam that becomes necessary.
 - b. 2002, At the Annual Meeting a motion was made, and passed, to pursue new operating orders for the Indianford Dam.
 - c. 2003, RKLD officially petitioned the DNR for a change in the operating orders.
 - d. 2003, The DNR requested the RKLD to provide more information to accompany the request, and the RKLD did this work and submitted all the findings in 2004.
 - e. The DNR then prepared an EA with a summary of not changing the orders for the summer, and basically giving back 3” in the winter draw down.
 - f. June 3, 2005, the DNR granted our request for an Administrative Hearing
 - g. The Division of Hearings and Appeals conduct the Administrative Hearing. It is similar to a court hearing, but is more relaxed and tries to work with the parties of the request to understand and become educated on the issues.
 - h. The DNR will prepare a file to this Division, but this hasn’t happened yet. Materials have been prepared by the Regional office of the DNR, but have not been sent into the Central office as of yet. Once this takes place, the Central office will forward all the materials onto the State Division.
 - i. The case will then be assigned to an Administrative Law Judge, hopefully by August of 2005. At this time, the DNR is out of the picture, and the Administrative Law Judge takes over.
 - j. Once the case is on the agenda to be heard, they will get all parties together to talk about how long they would anticipate the case to take to be heard, based on the complexity and amount of the data.
 - k. We don’t know when the hearing will be set at this time, but again, we are hopeful that we will have a date by the end of 2005, or early in 2006.

5. Presentation of the Proposed 2006 Annual Budget.
 - a. Jerry reviewed the results of fiscal year ended December 31, 2004, and presented our proposed budget for 2006.

- b. A motion was made to accept the proposed 2006 budget, and seconded. Brian asked for any discussion of this motion.
 - c. Ownership of the Dam and the liability issue was brought up. Brian stated that this doesn't pertain to the motion on the floor, but answered the question. The RKLD has obtained the necessary liability insurance that pertains to the ownership of the Indianford Dam.
 - d. A motion was made to amend the previous motion by adding in an extra \$10,000 for a dredging study. Adding an additional \$2.50/parcel to the proposed special charge would fund this. Discussion took place over this amended motion and a vote took place. The motion was voted down by a large margin.
 - e. A question was asked about the \$10,000/year that is owed to the RKLD by Jefferson County, and how this would affect the budget now that the operating order change was requested by the RKLD. Resolution 2003-7 stated monies from Jefferson County, if the operating orders were in fact changed, would require Jefferson County to not have to pay any further monies. An amendment to the agreement also stated that the monies from Jefferson County wouldn't be affected if the RKLD merely requested the order change, but no action has taken place. Lastly, in 2003, it was voted at the annual meeting that if the orders were changed, the RKLD would ignore the monies from Jefferson County if they in fact refused to continue paying. It is also noted that even if the orders are changed, the Jefferson County Board still can vote to not worry about stopping payments or requesting monies back from the District. The total dollar amount that is in question is 10 annual payments of \$10,000 each for a total of \$70,000 over a 7-year period.
 - f. A question was asked about the monies from Rock County, and why they were not reported on the Annual Budget. The Rock County money is in fact reported on the Annual Budget and is listed as a non-lapsible, Indianford Dam Fund.
 - g. A motion came from the floor requesting that the budget discussion be ended and a vote be made on the motion that is on the table. It was noted by council that this motion would require a 2/3 vote to end the discussion and move on to a vote on the motion. A vote was taken to conclude the discussion on the budget. This vote passed by a near unanimous vote, and discussion ended on the budget.
 - h. A vote was taken to approve the budget as presented by the RKLD. A vote was taken and an overwhelming majority voted in favor of the 2006 Annual Budget, motion approved.
6. Election of (2) Commissioners to Serve Terms expiring in 2008.
- a. Nominees:
 - i. Jeff Folk
 - ii. Norbert Jim Johnson
 - iii. Frank Micale
 - b. No nominees were made from the floor.

- c. Brief statements were made by all candidates.
- d. Balloting was done by collecting all the vote cards from all the voting members of the RKLD that were present.
- e. After the vote, the results were as follows:
 - i. Jeff Folk 504 votes
 - ii. Frank Micale 474 votes
 - iii. Norbert Jim Johnson 117 votes
- f. Jeff Folk and Frank Micale were elected to 3-year terms on the Board.
- g. After the vote, Brian congratulated the new board members, and thanked Jim for running for the board and contributing to the democratic process of State Government.

7. Adjourn.

- a. A motion was made to adjourn and was seconded.
- b. Meeting adjourned at 11:05 a.m.

Immediately following the meeting, the board convened for a brief meeting to elect the board positions.

A motion was made to appoint Brian to the Chairman position. This motion was seconded and passed. Brian will continue on as the Chairman of the Board.

A motion was made to appoint Ray to the Treasurer position. This motion was seconded and passed. Ray will become the new Treasurer on the Board.

A motion was made to appoint Marty to the Secretary position. This motion was seconded and passed. Marty will become the new Secretary on the Board.

This meeting was adjourned after the new board appointments.

Ray Lunder Secretary
Rock-Koshkonong Lake District