

## **Rock Koshkonong Lake District 2007 Annual Meeting Minutes**

Date: July 27, 2007  
Location: Fort Atkinson High School  
926 Lexington Street, Fort Atkinson, Wisconsin  
Present: Ray Lunder, Brian Christianson, Jeff Folk, Mike Guisleman, Frank Micale, Ed Sandner  
Bill O'Connor, Legal Counsel  
Dave Larsen, Auditor  
Absent: Mary Mawhinney

### 1. Call to Order. 9:00 a.m.

- A. Chairman Christianson went through some rules so the meeting will be orderly and efficient.
  - 1. Go to the microphone stand to speak, have your yellow ballot card.
  - 2. State your name and address in the District.
  
- B. Chairman Christianson introduced the members of the Board, and members of the legal team. He announced the public notice of the meeting was legally published and posted.

### 2. Minutes of the 2006 Annual Meeting

Secretary Ed Sandner presented the minutes of the 2006 Annual Meeting. Chairman Christianson asked for any corrections or additions - there being none, a motion to approve the 2006 Annual Meeting minutes as presented was made, seconded and approved.

### 3. Annual Audit Report of 2006

Audit Committee representative Dave Larsen stated after review of the Rock Koshkonong Lake District finances he found all in proper order. No motion is needed at this time.  
Treasurer Ray Lunder presented the treasurer's report.

### 4. Chairman's Report.

- A. Chairman Christianson introduced the two new Commissioners Mike Guisleman, appointee from the Town of Fulton, and Ed Sandner, who is serving the unexpired term of Marty Walsh, who resigned due to personal reasons.
  
- B. Chairman Christianson stated the assessment amount will be reduced from \$100.00 to \$45.00 per parcel. At this time the Chairman introduced the guest speakers at this meeting.

A question from Steve Cline asking what the total amount spent on the contested case hearing. Chairman Christianson stated approximately \$450,000.00

### 5. Water level proceedings - Presented by Bill O'Connor

Bill gave an overview of the contested case hearing, and the expected timeline for closure. He is hopeful that a decision will be made in January 2008.

Chairman Christianson gave a brief summary of Mr. O'Connor's report and the costs involved in the contested case hearing.

Al Haight stated that it was a waste to spend so much for lawyers, when later on the agenda, we would discuss dredging, and that money would have been better spent on improving the lake.

Chairman Christianson stated the high cost of the hearing was driven by the DNR's assertions of the widespread damages that the ecosystem would incur, should the DNR operating orders be changed to eliminate the winter drawdown and raise the summer orders by 7.2 inches. The Board decided to

address each and every claim made by the DNR, in hopes of impressing upon the Administrative Hearing Judge that the Lake District provided more site-specific research than the DNR had provided, and RKLD had effectively refuted the DNR claims.

Chairman Christianson also stated the scope of the hearing extended beyond the Ordinary High Water Mark boundaries and included areas of WI Statutes not applied to water level proceedings in the past. Because of this, the costs of legal fees were dramatically higher than budgeted for in 2005 and 2006. The real waste of money would have been to let the data sit on a shelf, rather than use the science to support our request for nominally higher water levels.

Christianson stated that our legal counsel has agreed to continue to represent the RKLD and associations (RRKA & LKRA) at Rock County Circuit Court at no additional charge to the Lake District.

## 6. Operational Report and

### 7. Future Goals and Objectives

#### A. Hydrology and Dredging -Rob Montgomery, Montgomery Associates

Rob gave a slide presentation of the high water points over the last several years and the revision of flood plains in the 3 counties around Lake Koshkonong. He also gave a slide presentation of the methods of dredging (mechanical v. hydraulic) and the types of equipment used to remove material and the approximate costs of dredging.

At this time Randy Weltzin from RSV Engineering showed a slide presentation of several types of dredges and approximate times needed to remove different levels of material from the bottom of the lake. He explained the different phases of a dredging project.

Chairman Christianson gave a brief overview of the dredging presentation – which was added to the agenda after Buck Sweeney made a motion at a past annual meeting to add \$10,000 to the budget for a dredge study.

Chairman Christianson stated the RKLD is exploring hydraulic dredging and then pumping the spoils into structures that would form man-made islands. The Army Corp. of Engineers has a great amount of recent experience and in communication with the RKLD, the ACOE has not ruled against this option for Lake Koshkonong, to slow wind fetch that is a top contributor to shoreline erosion.

Chairman Christianson stated it is important for the RKLD to plan beyond the current water level dispute and find projects that continue to improve and protect the lake and river. He hopes the current opposition to 7.2 inches additional water level the RKLD is seeking – the DNR and the Wetlands Club – will support the RKLD's long-range planning. Man-made islands will reduce wind fetch, protect against shoreline erosion, increase fish habitat and provide nesting grounds free of predators for migratory birds. (See supporting material on website)

A question from Penny Shackelford - What is known about the bottom of the lake and how quickly will the dredged area fill in?

Rob Montgomery answered most of the material coming into the lake is granular and suspended in the water and goes out through the river. There is no direct answer without more engineering studies.

Chairman Christianson added the areas that have filled-in the most during the past 50 years is Vinnie Ha Ha and near the DNR land, which is not armored and during flood stage periods promote erosion and fill-in that area of the lake, (see photos on website).

A statement from Al Haight – regarding cost of dredging – It would cost \$350 million to dredge our lake.

Rob Montgomery answered we have no firm costs at this time, until engineering studies are completed and the scope of the project is complete.

Chairman Christianson responded to Mr. Haight saying the information available on the internet and on the RKLD website indicates each island might cost \$1.2m to \$1.5m, depending on the size of the project. No scope or costs have been established at this time, but \$350 million is simply not correct.

Mr. Haight stated he wanted to see that statement in writing. So, here it is.

B. Phosphorous – A representative from Jefferson County made a presentation on phosphorous in yard fertilizer and the state banning phosphorous for fertilizer.

#### 8. Presentation of the Proposed 2008 Annual Budget.

Treasurer Ray Lunder reviewed the results of fiscal year ended December 31, 2006, and presented our proposed budget for 2008 as posted in the Annual Newsletter.

It was noted that the 2008 proposed assessment has been reduced to \$45.00 per parcel down from \$100.00 per parcel, approximately a 55% cut in per parcel charge.

A motion was made to approve the budget as presented by the RKLD, and seconded. Several questions were asked.

Linn Dusterbeck asked why are legal fees included in the 2008 Budget and what are the consultant fees?

Christianson stated it was the board's best guess at future revenues needed to provide future testimony from RKLD science experts and pursue potential engineering requirements for items such as dredging and island creation.

Mr. Dusterbeck motioned to amend the Budget to prohibit any money in the budget to be used for legal and consultant fees associated to the appeal of the Circuit Court Appeal of the contested case hearing. The motion was seconded by Buck Sweeney. A discussion and questions ensued.

A question was asked if the money as allocated and not used, would it not roll over? Chairman Christianson stated, yes the money would roll over.

Chairman Christianson asked all speakers to state if they are in favor or opposed to the motion to amend the 2008 budget.

Mr. Sweeny asked do we still owe legal fees and consultant fees pertaining to the contested case hearing. The Chairman answered yes, we do owe some legal and consultant fees. After a lengthy discussion, a vote on the motion to amend the budget was taken. The motion failed.

The motion to approve the annual budget was again presented. Additional questions were presented.

Al Haight asked if the audit was "certified?" Chairman Christianson answered, No.

Mr. Dusterbeck requested a balance sheet; Chairman Christianson stated a balance sheet will be available on the website.

Questions regarding line items in the budget were asked. Chairman Christianson stated all budget items for 2008 are proposed for future spending, not for 2007 expenses.

Mr. Cline was asked if he wished to make a motion. He declined.

Mr. Sweeney asked what will the legal fees be to appeal the Circuit Court decision if necessary? Attorney O'Connor stated the fees cannot be determined at this time. Chairman Christianson asked for anyone who wished to speak on the proposed budget who has not yet spoken to approach the microphone.

9. Consideration and Vote on the Proposed 2008 Annual Budget

The motion was again presented to approve the proposed 2008 Budget. On a show of cards vote, the motion passed.

10. Election of (2) Commissioners to serve term expiring in 2010.

Nominees: Steve Cline  
Ray Lunder  
Ed Sandner

No nominations were offered from the floor.

Ballots were collected and the election results were as follows:

Ray Lunder	102 votes
Ed Sandner	93 votes
Steve Cline	39 votes

11. Adjourn A motion was made and seconded to adjourn the meeting at 11:10 a.m.

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

A motion by Frank Micale to have all officers remain the same as last year. The motion was seconded by Jeff Folk. All voted in favor of the motion.

Brian Christianson will continue on as the Chairman of the Board.

Ray Lunder will continue on as Treasurer of the Board.

Ed Sandner will continue on as Secretary of the Board.

This meeting was adjourned after the board appointments.

Respectfully submitted,

Ed Sandner Secretary  
Rock-Koshkonong Lake District