

**Rock Koshkonong Lake District
2015 Annual Meeting
Meeting Minutes**

DRAFT UNTIL APPROVED BY 2016 ANNUAL MEETING

Date: August 8, 2015
Location: Fort Atkinson High School Gymnasium, Fort Atkinson, Wisconsin
Present: Brian Christianson, Jim Bowers, Steve Proud, Joan Huedepohl, Andy Walton
Absent: Ray Lunder, Mary Mawhinney,
Guest: Bill O'Connor - Wheeler Van Sickle & Anderson - Legal Counsel
Rob Montgomery - Montgomery Associates
Wade Hansen, CPA - Summit Accounting Group
Frank Schier - The Rock River Times (Rock River Trail Initiative)
Jim Furley - Bark River Fish Hatchery
Mark Richardson - Harbor Recreation
(Lake Koshkonong Recreational 1 Association)

1. The meeting was called to order by Chairman Christianson at 9:00 A.M. Chairman Christianson introduced the members of the Board of Commissioners. Even though Treasurer Lunder was absent, The Chair recognized him for his efforts in working with the townships throughout the year. Additionally, he thanked Secretary Proud who publishes meeting minutes. The Chair also thanked the volunteers who help with the registration as well as Pete Layton and the staff at Tallgrass Restoration that provides the building and facilities for the Board meetings. The Chair then confirmed that the meeting notice was legally published and posted in each of the 5 town halls within the Lake District, CKSD Administrative Building, twice in the Edgerton weekly newspaper and posted on the RKLD web site. Additionally, the meeting notice was posted in businesses around the lake. Chairman Christianson then also asked participants to raise the yellow ballot card and identify themselves so that they can be properly identified whenever they come to the microphone to speak.
2. Approve 2014 Agenda - Prior to a motion to approve the 2015 meeting agenda, The Chair asked if he could modify the agenda by adding 2 speakers (Frank Schier and Jim Furley) who had 2 special funding requests. Hearing no objection, those 2 speakers were added to the meeting agenda. A motion was made by Diane Abendroth and seconded by Len Mueller to approve the meeting agenda. Motion carried by a ballot card vote. The Chair then asked that if there were no objections, we waive the reading of the 2014 Meeting Minutes. There were no objections and The Chair asked if there was a motion to approve the meeting minutes. A motion was made by Tom Kelly and seconded by Jack Sanders to approve the 2014 meeting minutes. The minutes were approved.

3. Chairman's Report on District Activities Since 2014 - The Chair reiterated the rules for the meeting and asked that participants use the yellow ballot card when they approach a microphone and state their name and address prior to speaking. The Chair went on to detail the speakers for our meeting including Bill O'Connor, Legal Counsel for the Lake District, who will discuss where we are with the water level proceedings. Rob Montgomery will talk about how Mother Nature has treated us and the lake this past year as well as discuss the experimental dredge project. The Chair also explained that there was an election today and that nominations would be taken from the floor. The results will be counted by the Audit Committee. At this time, Chairman Christianson explained the function of the Audit Committee that was formed in 2014. Members of the Audit Committee are Frank Boucek, Lisa Smithback and Jennifer Merritt. Frank Boucek was the only member of the Audit Committee present at the meeting and he was introduced by Chairman Christianson. The Chair explained the committee was responsible for reviewing the budget materials and expenses in conjunction with Summit Accounting Group in Janesville. The Chair then introduced Wade Hanson, CPA from Summit. One of our special guests today was Jim Furley from the Bark River Fish Hatchery who was introduced. The Board at its last quarterly meeting had left a line item in the budget for a contribution to the Bark River Fish Hatchery for electors at the Annual Meeting to vote on. At this time Jim discussed the Bark River Fish Hatchery. In 2015, 625,000 Northern Pike were released in to the Rock River system. Approximately 2,100,000 walleye fry were also released. Since 1993, over 30 million fry have been released. Jim went on to explain that funding for the hatchery is drying up and we are in danger of losing the hatchery. Jim asked the electors for \$4,000 to be set aside for the hatchery in the 2016 budget. Jim also asked for any volunteers that would like to start another banquet to raise funds for the hatchery. At this time Chairman Christianson asked Mark Richardson from Harbor Recreation representing the Lake Koshkonong Recreational Association who was very active with his father Jerry Richardson with the fund raising banquet that used to be held at the Red Apple in Newville. Mark spoke about the early efforts to start the banquet in the early 90's. Mark stated that there were still some monies left in this account and they would be willing to donate \$4,000 for both 2016 and 2017 at which time the account would be empty. Mark thanked the Board for considering this donation. RKLDC Commissioner Bowers stated that he had already spoken with a couple of people about putting together the banquet and did not see a problem with finding some volunteers for this. Jim is also President of the Rock Koshkonong Business Association and they have pledged to help on this project. The Chair went on to explain that the \$4,000 would be a transfer from the Lake Restoration Fund to the general revenue. A motion was made by Jim Furley and seconded by Frank Boucek to approve the \$4,000 fund transfer. A question was raised as to how it was determined what fish would be released in to the system and Jim explained that it had been determined that Northern and Walleye had worked best. Gary Shackelford asked why fish are stocked in the lake as opposed to maintained by natural events. Jim explained that Don Bush, retired fish biologist for the DNR had explained that if you take out the bad fish (carp), you need to replenish them with good fish. The motion to transfer \$4,000 to the Fish Hatchery was approved by a ballot card vote. Our second funding request came from Frank Schier of the Rock River Trail. Frank talked about how they were formed and the purpose of the Rock River Trail. The trail is trying to get all access signs to the Rock River placed around the lake. The total request was for \$1,000 to help with the cost for signs. If so approved, Chairman Christianson suggested that the \$1,000 be transferred from the Lake Restoration Fund. A motion was made by Len Mueller and seconded by Dave Bristow to approve the transfer. The motion carried by ballot card vote. Next Chairman Christianson talked about the Town

of Sumner road dispute which had been recently dismissed by the Jefferson County Court. The Court granted partial cost recovery to the Lake District. The Lake District works with the townships and counties and we try to be good neighbors with the townships and the counties. The check was for \$1,563.95. At this time Sumner Ton Supervisor Rose Marie Olson explained how she had reviewed records from the Gazette that spoke about trucks driving on the roads when the weather had warmed. Rose noted that the District had offered \$2,500 to the Town of Sumner. At this time Chairman Christianson stepped in to say that the courts had already decided this case and we were not going to re-litigate at today's meeting. He also noted that the courts granted the district cost recovery which rarely happens. The attendees showed their appreciation to the District with a loud ovation. The Chair went on to note that representatives from the Board had been attending Rock County planning meetings. It is the desire of the Board when the water level proceedings are finalized to improve the safety and navigation of the lake. The Board will also talk with the Jefferson County parks department to see if a collaborative effort can be made to put boots on the ground and improve the lake. The Lake level today is at the summer maximum, meaning according to the DNR the level is too high. That is why we are trying to get 7.2 more inches in these drought conditions. Despite all these activities the Board is recommending that the special charge be reduced this year to \$40 per parcel.

4. Treasurer's Report - In Treasurer Lunder's absence, Secretary Proud gave the Treasurer's report. Secretary Proud initially reviewed the 2014 actual numbers. He did go on to discuss the 2015 budget and the 2015 YTD costs with the highlight being the monies spent for the Dam cleaning and boom installation. Secretary Proud described the work that had been completed at the dam that was detailed in the Lake District newsletter mailed to all district residents in July. Secretary Proud then went on to introduce Wade Hanson from Summit Accounting Group in Janesville, the outside accounting firm used by the District. On July 2, 2015 the Audit Committee as well as Treasurer Lunder and Secretary Proud met with Wade at his office in Janesville. Wade then explained what transpired at that meeting and what Summit had reviewed. Summit reviews all the activity from the district along with all bank statements, receipts and disbursements to insure that all is correct. There were no questions for Wade. Frank Boucek from the Audit Committee reviewed the process the Audit Committee follows in working with Summit Accounting. There was a question from the audience regarding the 2016 budget; this was tabled until later in the agenda.

5. Water Level Proceedings Report - At this point The Chair turned the microphone over to Bill O'Connor, Legal Counsel for the District who started out with a brief overview of the proceedings from the past 13 years. Bill reminded the audience that the DNR had failed to consider the overall economic impact of low water without taking in to consideration property values, business activity, home values and other direct economic impacts. This case was finally remanded to the DNR in February of 2014. Since this time the DNR has been reviewing the facts in the case but have yet to act. The Lake District has been very active in communicating with the DNR about how we thought they should go about their reevaluation. Part of the Lake District's frustration comes from the fact that the DNR has yet to lay out their plan for them to reevaluate the economic impact. Bill went on to note that in February of this year the DNR issued a press release to local media outlets asking citizens and businesses and members of the public to provide the DNR with information on what they thought the impact of water levels would be. This release was done without the knowledge of the

District Board which Bill explained was peculiar because it asked for the impact on high water levels and not on the impact of low water levels. We thought the DNR should consider all water levels. Bill went on to state that the economic impact study performed by Dr. Kashian and Matthew Weiden of the University of Wisconsin-Whitewater was one of the items that DNR could consider in evaluating the water level impact. That report was submitted by the District to DNR Secretary Stepp and other state officials in March. The DNR has still not acted on the request. Attorney O'Connor also stated that the Lake Koshkonong Wetlands Association as well as the Thiebeau Hunt Club had issued an open records request for representatives of the Lake District as well as the UW-W for any files relating to the study done by UW-W. The University of Wisconsin determined that the cost to retrieve these items would be over \$10,000 and since that cost would have to be paid by the Wetlands Association and the hunt club the request was dropped from the university. The District officials completed a thorough search of all electronic and paper records and submitted those in electronic form to the law firm representing the Wetlands Association and Hunt Club. **These were submitted by the Lake District at no cost.** Bill then advised us that the DNR has recently announced a reorganization of the department. This reorganization means that the division of the DNR that handles water levels and cases like the District's no longer exists. This means that our case will be determined by the Business Support and External Services Division. While no decision has been made, the DNR has indicated that a decision should be forthcoming in late summer or early fall. Chairman Christianson thanked Bill for his update.

6. Operational Report - Rob Montgomery made his annual presentation to the attendees. We did not experience a typically large volume of water this spring and water levels on the lake have stayed between 776 and 777 since late May. This was a relatively dry year. Rob went on to talk about the implications of the experimental project. Due to the high waters of 2013 and 2014 planting behind the breakwater where the dredge spoils were deposited and tried to plant this area. This area was reseeded this past June and Rob is starting to see growth in the areas where seed was planted. The shallow dredging performed off North Shore was followed by long floods and high water in both 2013 and 2014. The dredge area was recently surveyed and the area dredged is approximately 80% filled in. Rob explained that it is breaking waves that have the most impact on sediment transport, not high water. Rob estimated that we can expect 3-10 years longevity on shallow dredging. Rob went on to say that if we had areas protected from wave action that he felt shallow dredging could be useful. Rob then talked about the need for better public access to the lake. There have been multiple meetings with the DNR about potential new access to the lake and about potential new wetland area around the lake. This is a long term project in conjunction with other associations. There was a question from the audience regarding shoreline protection. Rob answered by saying that this is a regulatory complex question. He went on to say there are regulations from the DNR, ACOE and respective counties regarding shoreline zoning ordinance. Rob was then asked where this USGS depth monitoring station is located. The station is located on Bingham Point off Oxbow Rd. Another member of the audience complained about the low water level on the lake. And yet another question was posed asking about the consequences of not following the DNR operating orders. Tim Keller commented that he felt the DNR thinks we have more water than we actually do in the lake. Tim then asked Rob where he felt the silt came from that filled in the experimental dredge area. Rob explained the silt is formed from erosion of the shoreline and he felt that most of the silt is locally derived and it sits on top of what was previously on the lake bed. Len Mueller then asked about water quality. Chairman Christianson explained to Len that this is the wrong governmental body to address non-point source pollution. This should be

directed to the respective county Board of Supervisors. Chairman Christianson thanked Rob for his presentation.

7. Presentation of the Proposed 2016 Annual Budget - Secretary Proud presented the Proposed 2016 Annual Budget. The Lake District is proposing to reduce the annual charge to \$40 per parcel. That will generate approximately \$160,000 in revenue. Secretary Proud explained that a budget is just that, a best guess of costs for the coming year. Secretary Proud highlighted the main items on the budget, that being legal counsel costs, our annual payment to the USGS of \$20,000. He then explained that the District has budgeted \$8,000 for boater safety. The Board has had several discussions regarding boater safety and has determined that they would like to place safety buoys and markers around the lake for making our lake and waterway safe to navigate. The district wants to promote boater safety. A copy of the budget is on the District web site. A motion was made by Curtis Abendroth and seconded by Roland Knipp to approve the 2016 Annual Budget as presented by Secretary Proud. The Chair asked if there was any further discussion on the budget. Being no further discussion, Chairman Christianson asked for those in favor of approving the budget to raise their yellow ballot cards. The budget was approved.
8. Election of (1) Commissioner to serve term expiring in 2018 - Secretary Proud noted that Chairman Christianson is up for reelection this year to a 3 year term expiring in 2018. Proud asked if there were any nominations from the floor. With no nominations received from the floor, Secretary Proud asked attendees to fill out their yellow ballot card by marking an "x" next to Brian's name or waiting in the candidate of their choice. Members of the Audit Committee collected and counted the ballots. The election results were as follows: Brian Christianson collected 53 votes, there were 2 votes for Gary Shackleford, one vote for current Treasurer Steve Proud and 5 no vote ballots. Brian Christianson was re-elected to the Board of Commissioners. Secretary Proud thanked all participants and guests for attending the Annual Meeting.
9. At this time Chairman Christianson asked all participants to recognize the passing of Frank Micale this past winter. Frank was a founding father of the Rock Koshkonong Lake District. Brian asked that we adjourn in memory of Frank Micale. We will miss his knowledge, history, energy and passion for Lake Koshkonong and the Rock River.
9. The meeting was adjourned at 10:48 A.M.