

**Rock Koshkonong Lake District**  
**Meeting Minutes**  
**Rock Koshkonong Lake District Board of Commissioners**

Date: October 11, 2018

Location: Tallgrass Restoration  
3139 CTH N  
STH 59 & CTY N

Present: Steve Proud, Ray Lunder, Jim Bowers, Mike Shumaker, Andy Walton, Al Sweeney,  
Joan Huedepohl

Guests: William O'Connor – RKLD Legal, Wheeler, Van Sickle  
Rob Montgomery – Montgomery & Associates

1. Call to Order – The meeting was called to order by Chairman Proud at 6:00 P.M.
2. Meeting Notice and Agenda – The Chair confirmed that the meeting notice and agenda had been legally posted on/in the RKLD web site, CKSD and the various townships. A motion was made by Lunder and seconded by Walton to approve the agenda. The motion carried by a voice vote.
  - Comment from Alan Sweeney verbal agreement between past chair and the Rock county board chair to have Board meetings take place on the 1<sup>st</sup> or 3<sup>rd</sup> Thursday of the Month instead of the second and fourth in order to not conflict with his county board.
3. Approve minutes from the following Board meeting minutes:
  - June 7, 2018 Motion to approve minutes by Huedepohl and seconded by Bowers. Motion carried by a voice vote.
  - July 28, 2018 Board meeting that followed the annual meeting. Motion was made by Huedepohl and seconded by Lunder to approve the minutes. Motion was carried by voice vote.
  - Evan Sayre voted in the last meeting on July 28, 2018 Board meeting representing himself as Fulton township appointee. No notice was provided to RKLD from the Town of Fulton making him a representative. A motion was made to amend the meeting minutes voiding Evan Sayers vote, made by Lunder and seconded by Bower. Motion carried by voice vote.
    - i. Sweeney abstained due to his challenge of the statement from the Chair “That state statutes say that the RKLD should be notified of a change of appointee for the county” his understanding of statute 3328.p3. A discussion ensued about his opinion of this statute. Discussions surrounded the statement of state statues and RKLD Legal counsel noted that there needed to be a notification provided to RKLD from Fulton Township that the township had considered a measure and voted on this measure. Counsel noted that the township needs to document a change in their town board meeting minutes and provide notice of change to the Lake District. .
    - ii. Shumaker abstained.

4. Treasurer's report as follows: Operating checking account balance from last meeting \$87,695.35. \$45,113 in payments with a new balance of \$42,582.35. Section 2, Lake Improvement segregated fund May 31 at \$105,907.12, added \$ 190.06 in interested and ended at \$106,097.18. Dam Savings segregated fund \$51,303.67 plus \$92.07 interested and ended at \$51,395.74. Three CDs for Dam Saving's fund: First, one matures January 19, 2019 and the balance is \$231,073.20. Second CD matures on November 8, 2019 is currently at 203889.91. Third CD matures on May 9, 2019 is currently at \$200,991.78 The total of all segregated dam funds at \$687,350.63 and total of all funds for the district are \$836,030.16.
- 1) Other treasurer item, email request from Al Sweeney, our appointed member on the board, for information from the district, including a copy of any policy, procedure, manual, bylaws, or like documents that exists for RKLD. 2) Copies of all contracts, with legal and engineering contractor for hire or resource information dated 1/1/2013 to present that have served or are serving RKLD. 3) Copies of checkbook ledgers that are dated 1/1/2013 to present from any financial institution that have served or are serving RKLD. 4) Copies of all checking or savings account statements from 1/1/2013 to present from any financial institution that have served or are serving RKLD. 5) Copies of all credit or debit card account statements from 1/1/2013 to present from any financial institution that have served or are serving RKLD. This request will be followed by an open records request if not received within a reasonable amount of time.
    - i. The district is complying with the request; it will take some time for the banks to mask the account numbers, EIN numbers that appear on any statements.
  - The Chair asked for current rates on CDs, Lunder did not have those available at the meeting, Chair asked Treasurer Lunder to have them available at future meetings. Chairman Proud commented that we are on in raising rate environment. Treasurer Lunder responded that the District is laddering the CD's and trying to get maturity dates every six months in order to take advantage of the best interest rates.
5. Chairman's Report – The Chair wanted to thank two people for doing a great job. Todd Westby keeping the dam area clean and Proud also noted the District had received a thank you note from Jefferson County for the work at the dam. Another thank you to Theresa Oldenburg from Firepoint Media for updating the RKLD website and making all the changes in an expedient manner. Chairman Proud commented that he wants people to be a part of the solution. If you do not want to be a part of the solution, move on. The Chair also commented that we need to bring this lake forward by getting projects done and stressed that with **all** parties working together we can accomplish this goal.
- Commissioner Bowers, Chairman Proud and Council met with DNR Rasmussen and Aquino about the lake. Proud told the DNR that the District is looking forward to working together with the DNR and collaborating on projects to improve Lake Koshkonong. We want to do projects that are for the benefit of all.
  - The Chair noted that Bowers Proud and Rob Montgomery met with DNR staff on Gilberts Bay/ Vinnie Ha Ha project. Bowers and Chair sat in on the meeting along with 9 members representing all areas of the DNR. Proud commented that this will not be a quick process but more than likely a three or four year project.
  - Four safety buoys have been installed on the River south of Newville and the District would like to install more on the river as it enters Lake Koshkonong to mark rocks in the river. More safety buoys will be installed in 2019
  - The Chair expressed concern about actions performed at the dam without the knowledge of the Chair. Commissioner Shumaker noted that he had spoken with both Bowers and Lunder. Proud was concerned about the potential liability of unauthorized contractor at the dam. There was a bill of \$675 for the work provided by Halverson Crane Service.
  - Access to the lake by public boating landing: The Chair discussed the need for better public access to the lake. Proud went on to say that the DOT property off State Route 59 in Newville was not a suitable area due to traffic concerns. Proud also noted that DNR is considering of disposing of their property on the Rock River and that he indicated to DNR that the Lake District may be interested in this property for a public boat

launch. The Chair would like to form a committee to review three different access points for improvements of public boat landings. He cited North Shore, Kuehn Road (Norm's Hideaway), and Bingham Road as launches that could be improved in 2019. Commissioner Bowers led a discussion about how each of these boat landings could be potentially successful areas. Chairman Proud asked Commissioners Bowers and Shumaker to work together on a plan to accomplish this process.

- Chairman Proud discussed the need for a long-term plan for Lake Koshkonong that potentially could include continued work on better public access, viewing areas for bird watching/etc. as well as parks for the public.

6. Winter Draw Down Petition – The Chair noted that the District has been in discussion with DNR about changing the date for the winter draw down. Proud cited that the current draw down level of 776.00 coupled with the early September date was causing undo harm on businesses trade and residents around the lake. DNR would potentially consider the draw down tied to water temperature. RKLD would like to see the Winter Draw Down tied to water temperature and the date moved back until mid-October if water temperatures have not dropped below the threshold. After discussion, a motion was made to have Chairman Proud work with legal counsel to draft a petition to change the draw down date until mid-October and be tied to water temperature. Motion carried by roll call vote.
7. Public Records Policy – Chairman Proud noted that at the Chairman's request, Attorney O'Conner had drafted a public records policy that was emailed prior to the meeting for the committee members' review. Discussion took place about the policy. Schumacher made a motion to approve and Bowers seconded. Sweeney moved to amend the policy to include bidding process according to state statutes. Proud made it clear that this is a public records policy and if other policies were desired, they should be submitted separately for approval.

A roll call vote on the amendment to the Public Records Policy to include additional policies to be developed and included failed.

A roll call vote for the original motion to adopt and approve a Public Records Policy was made and the motion was approved.

Chairman Proud encouraged Sweeney to bring other policies forward and some retorted comments from Sweeney were made insinuating that this probably would not happen. Commissioner Huedepohl made a response that if policies were submitted that they could be on the meeting agenda for future meetings.

8. LIDAR Study – The Chair indicated that discussion had taken place with DNR about use of LIDAR in order to help with the wetland evaluation that will take place in June 2019 as part of the water level order. Proud stated that the LIDAR study would improve the integrity of the wetland evaluation as well as provide research data for future projects. Initial costs to perform this study were estimated from DNR to be in the area of \$18,000. DNR has indicated that funding was not available for the LIDAR study. Chairman Proud made a motion to offer to split the cost of the study with DNR. Jim Bowers seconded the motion. After discussion and comments from Rob Montgomery about how a LIDAR Study is conducted the motion carried by a roll call vote.
9. Web Cam, Gage and Wind Wave Model Presentation – Rob Montgomery, Lake District Hydrologist reviewed with the Board a proposal and scope of work for the installation of web cams equipped with wireless connections to the Internet to all real-time display of conditions at Indianford Dam and other areas on the lake. Commissioner Bowers asked questions about the cost and wanted to know if there are grants available. Chairman Proud put forth the idea of reviewing this and other projects in conjunction with the budget for the 2019 Annual Meeting. Appointee Sweeney wanted to know if an RFP would be developed for this project. Commissioner Bowers agreed to work with Rob to develop a plan to better educate the district. Bowers also mentioned that this potentially could be included in a long-term lake plan. As this was a presentation of information, it was suggested that further discussion could take place at the Annual Meeting so funding could be included in the budget.

10. Milton Business Advocacy Committee – Unfortunately, they were unable to come tonight. They plan to come to the next meeting.
11. Public Participation – Questions regarding the removal of the baffles at the dam and the purpose for the baffles. Rob Montgomery responded that the baffles were in place if work ever needed to be done on the turbines. Controversial discussion took place on water level change after the baffles were removed. Claims of water levels dropping could not be substantiated by official USGS monitoring stations on the lake and Rock River (59 bridge) in Newville. A question was raised about the work that Hamilton Partners was conducting for the District. Chairman Proud indicated that their contract was expiring and would be reviewed. Comments were made regarding payment of the invoice for removal of the baffles. Lunder and Proud said they were not opposed to paying for the removal. Attorney O'Connor stated that this was not an official agenda item and that payment could be included for the next meeting. Another question was asked how the public could have an item included in the agenda. Attorney O'Connor suggested that they contact the Chairman or a board member. Another comment on the Vinnie Ha Ha project was made about what the plan is and how it is to unfold. Proud responded with the project was still being developed. Bowers gave a high-level overview of the plan. A public comment with regard to the annual meeting and election wanted to request the sign in procedure to be changed. Proud responded that he would be evaluating options.
12. Adjourn Motion was made by Lunder and Seconded by Huedepohl and carried by a voice vote. The meeting was adjourned at 8:40 PM.