

**LAUDERDALE LAKES LAKE  
MANAGEMENT DISTRICT  
ANNUAL MEETING MINUTES  
9-1-12**

The Annual Meeting of the Lauderdale Lakes Lake Management District (“Lake District”) was called to order, by Chairman Mason, at the Lutherdale Camp Grounds Chapel, on September 1 2012, at 10:02 A.M.

Chairman Scott Mason welcomed everyone, introduced the board and thanked Jeff Bluhm the Executive Director of Lutherdale for their continued support. He said that we appreciate the hospitality of Lutherdale and it takes a lot of volunteer help behind the scenes to make these meetings happen. He pointed out where the facilities and the exits were located within the building and he thanked Lutherdale for allowing us the use of the Chapel for our meetings since 1991.

Chairman Mason asked for a motion to approve the agenda, Dominic Serge made a motion and Jerry Petersen seconded the motion, which passed.

Chairman Mason turned the meeting over to Nestor who reported the sad news that one of the Lake Patrol officers had recently died in an ultra light aircraft accident. John Evans was a veteran Lake Patrol officer who had served in the Marines, he had been with the Wisconsin State Patrol for many years and he had been with the Lake Patrol for 11 years, John went back to school after his military service and got his masters in education, John was one of our teachers who taught the safety classes and was very well received. Nestor stated that we send our condolences to his family.

Chairman Mason stated that the minutes of the meeting from last year were complete and asked for a motion to dispense with their reading. A motion was made by Mike Balogna and seconded by Peter Spaulding , the motion passed.

Chairman Mason announced that the commissioners up for reelection this year are Peter VanKampen and Jack Sorenson. They are both running unopposed and a ballot vote was initiated.

**Treasurer’s report**

Chairman Mason turned the meeting over to Nestor who gave the financial report. He started with slides reviewing the Lake District Area Assessment which is now \$662 Million dollars. He showed a slide that shows the Lake District represents a small sliver (3%) of our total property tax bills. He stated that the schools receive the bulk of your tax bills. The Lake District portion of your tax bill is approximately \$47.00 per \$100,000 of assessed value.

Nestor explained the cash position of the district, funds which are purposely held locally, as of July 31<sup>st</sup>, 2012; \$45,241.26 held at First Citizens bank, cash reserves of \$57,195.15 at the Wisconsin Investment pool and the golf course has \$43,990 which creates a total cash balance of approximately \$146,000.

Nestor stated that in 2006 the Lake District had 6 outstanding loans valued at approximately \$1.8 million. Today, we have 1 loan in place with a value of just over \$300,000 and it is scheduled to be paid off on December 14<sup>th</sup> 2014, which is two years early. Nestor stated that he had recently received the 2011 audit from Chamberlain and Henningfield the auditors for the Lake District. He will post it on the web site at LLLMD.org.

He asked if there were any Questions on the financial report. There were none.

### **Water Safety report**

Nestor then reported on the Water Patrol. He stated that we had a major project of refurbishing the Water Patrol boat that was purchased in 2001. He stated that a new boat of its type would cost approximately \$50,000 to \$60,000. Instead of replacing it we decided to rebuild and reequip the old hull. There were many hundred volunteer hours spent on the project and Nestor showed a slide showing all the volunteers that helped refurbish the boat.

Nestor then showed two slides; the first slide was the annual patrol hours by year from 2008 thru 2011. He stated that for 2012 we are around 2000 patrol hours. The second slide showed the number of boats on and using the waters and noted that there are now more non powered boats using the lake than in the past (about 1500 power boats and 500 non powered boats).

Nestor stated that 17 certified law enforcement officers make up the patrol. They patrol the waters of Lauderdale and Pleasant Lakes, the launch sites and boat ramps. Nestor stated that the success factors for the Lake Patrol are a philosophy of service and education, not just writing citations. All of the officers are certified and fully trained professionals. While they focus on education and service, if they see a violation they do have to uphold the law. They are expected to treat you with professional courtesy, should you have a concern or question about their actions please contact Nestor or Chief Blanke. Over the Fourth of July weekend there were 5 patrol boats on the water.

A slide displayed that there were 614 contacts with 142 tickets written last year, 66 of which were dismissed. There were 7 Operating While Intoxicated (OWI) which accounted for twenty citations as they end up with multiple citations for one stop. The net non-OWI citations that were upheld were 56. Nestor stated that the Water Patrol did not make the DNR ticket metric this past year. Nestor stated that of all the citations the Town and the Lake District split \$247.77; it doesn't even pay to write a ticket, it is not for the money. He reviewed the annual revenue from tickets which is very minimal, he pointed out that it is not about tickets for revenue, the patrol is for safety.

The Patrol is here for service as well and will retrieve floatable items that break away from their moorings; he said to place your LL number on your floatable devices; that way they can be returned if found. They will tow a distressed boat in for free, as long as there is not an emergency.

The Patrol will provide PWC safety training and basic operations. They teach three boating classes per year. Nestor stated that the ramp fees are \$3 per day for launching boats and the launches are staffed on busy or certain weekends. The Town reimburses the officers from the launch fee proceeds.

PWC drivers now have to be 24 years old to operate a PWC or have passed a boating safety class to operate a PWC.

Nestor asked if there were any questions:

Richard Adler stated he thinks someone will have an accident on a PWC, Nestor explained more of the rules of PWC use. Nestor explained that the regulations for PWC's are different than boats and they need to obey the rules regarding proximity within other boats and shore, he also offered PWC safety stickers that show the rules. What is the minimum age to operate a PWC with training? Nestor answered, it is 12 years old. A question was asked about the operation hours of the Patrol, Nestor stated we don't publish the hours and they vary based upon many factors.

### **Golf Course report**

Chairman Mason reported on the Golf Course (GC). He stated that the purchase of the GC in 1996 was one of the most significant accomplishments of the Lake District and will preserve the open space for future generations and prevent development. He thanked Jessie and Karen Lawrence for their efforts in organizing a fund raiser to enhance the route 12 view by landscaping and new signage of the GC. Chairman Mason reviewed the original purchase of the GC property, the original 20 year loan funding and its repayment by the GC and subsidy by the Lake District. The premise was to preserve the property and rezone it into Park zoning. The original property was held in several tax parcels and included some R-4 zoning which would allow multi family housing. The Lake District combined the Tax Parcel keys into one Tax Parcel and also put in place a Park zoning over most of the parcel, some is a wetlands area and the zone at the north end housing the club house is commercial. . Additionally the Lake District added a conservation easement over the entire parcel to insure that it remains as open space for the community to enjoy and won't be facing development and its challenges of a busier lake.

Rounds of play are the important measure in the golf business and rounds have been generally consistent, but this last year slightly down due to weather.

Other accomplishments at the GC include the signage on Route 12, replacement of the old fuel tanks with new safer gas and diesel tanks and the ability to buy fuel in bulk, moving the bar and registration area to location for better observation of first tee and the building of a new maintenance facility in 2005 which provides space for storage and maintenance of GC equipment as well as other Lake District activities and equipment. Chairman Mason thanked the Larry Meyer family for their contribution and efforts in refurbishing and beautifying the Water Tower and building a park setting around the base area of the Tower.

### **Environmental Projects report**

Chairman Mason discussed the wetland area along Don Jean Bay. He stated that there has been a lot of controversy over the use of this area. He stated the ultimate goal is to protect the wetlands plant community, while providing access by the Lake Districts municipal vehicles and to provide for recreational activities including the ski team, fishing, fireworks, walking etc. Chairman Mason showed a slide of the bio logs which have been installed to reclaim and protect the shoreline from erosion, they allow plants to grow into the area and ultimately establish roots to help hold the shoreline from wave erosion. They work well in most areas; in other areas with more wave activity other techniques are used. We have used a local contractor to help us with this work; they are also helping us to eliminate invasive species in the wetlands area.

Chairman Mason discussed the recent litigation resulting from three citations involving the boardwalks and wetland grounds (he showed a slide of the locations of the boardwalks). We built the boardwalks to protect the plant community and to focus pedestrian traffic to designated areas. The courts have ruled in our favor on two of the citations and the county is proposing to change their regulations on boardwalks, which should mitigate the third citation. We are making progress on these issues and it should conclude with the boardwalks being in conformance.

Before giving his environmental report Peter Van Kampen first stated that Scott and Jan Mason spent hundreds of hours individually on refurbishing the Patrol boat discussed earlier.

### **Weed Harvesting report**

Peter then reported upon the Weed Harvesting program. He stated the purposes are to maintain a good balance of plants, get rid of the invasive species, allow navigation and minimize degradation of weeds causing more muck. He reported that there have been more weeds this year than normal. He reported that the weed harvesting equipment is 20 years old; but has recently been sand blasted and repainted and is working well. He stated that we paid for it with our reserves. He said you do have to take care of weeds within your pier areas and he gave the phone numbers of two people who will pickup weeds and haul them away. He showed two phone numbers of companies to help. Peter thanked the Harvester operators Mike and Pat for their help and stated that they do a great job.

### **Geese control report**

Peter reported that this past June we caught 69 geese, 4 got away. The geese are humanely captured and their meat ends up at food pantries. This program will be continued in 2013 Peter thanked the geese volunteers Des Johnson, Pete Spaulding and Scott Mason and a group from the USGA who do the goose caging collection on shore.

### **Clean Boats/Clean Water report**

Peter reported that the Clean Boats Clean Water program is a State sponsored program to eliminate the cross contamination and spread of invasive species and diseases from lake to lake. The program is moving forward positively with Floyd Plochowski who has become a State Certified Educator; he does have an assistant. Current fees of the program are covered by Pleasant lake and Lauderdale Lake; however the Town is discussing using the launch fees for the payment of this program.

### **Pier Inspector report**

Pier Inspector LaGrange and Sugar Creek have agreed that the Lake District shall manage the program handling standard permitting and education. The Town will continue enforcement of the current Towns Ordinance. Pictures of piers have recently been taken for the Lake District records.

Roger DuClos stated that he does not see the weed transport as much as he used to, he wondered if it is being used less. Peter stated that they have reviewed the expense of the

transporter waiting for the harvester to cut. It is useful in some areas and less efficient in other areas. Chairman Mason stated that the weed budget has not escalated over the years because of Peter's good management of the program.

### **Election results**

Chairman Mason announced the results of the Commissioner election were announced by Chairman Mason; Jack received 157 votes and Peter received 154 votes with 4 write in votes.

### **Septic report**

Wally stated that we have a new pumper this year. Wally stated that he is doing a good job and the record keeping has improved. He stated however that several tanks and systems are not according to code, the access may be buried or difficult to access, they are not within 6" of the surface. Wally told the pumper to leave a note on such systems, telling the owner they need to repair the tank and ensure access. Wally asked that you put the flags, sent to you from the pumper prior to pumping, over the access to your septic system, this will aid their finding the system access point quicker. Wally asked for questions:

A statement was made from the audience that the pumpers need to be careful of the filters when they pump the septic. A question was asked about the pumping cycle and Wally stated that each system should be pumped once every three years which is the State and County requirement.

Chairman Mason indicated that in changing the contractor. We sent bid requests to all of the pumpers within the area.

### **Leak in Sterlingworth Bay**

Jack reported on the leak in Sterlingworth Bay. He gave a brief history of the activities surrounding the issue. After the vortex was discovered, the Town took quick action by installing a sheet pile which stopped the leak. They then determined that the old storm sewer in the area needed replacement and did that within the first year and in the last year the District has done soil borings to explore the type of soils in the area. We are coordinating the soils exploration with the Sterlingworth Condo Association and our engineers, they are in the process now of analyzing the reports. We have included funds in next year's budget to recommend a repair once the engineers determine the proper repair techniques. We will come back next year if there is a larger budget requirement for the repair of the area. There was a question about the nature of the vortex occurrence which Jack answered stating that it washed about a truck load of stone into honey creek. There was a question about a backup plan pertaining to the soil conditions; Jack stated that we are monitoring it.

### **Dam report**

Jack showed slides, of the drought causing a dry weir on the dam. Peter VanKampen and several people went down into the dam and inspected it. Jack explained slides of the interior of the dam. He stated we are looking at methods to comply with the DNR and make the dam safer.

An additional question was asked about the life cycle of the dam and what we looked at when we were in the dam. Jack stated that we inspected the concrete walls for cracks or settlement and it looked stable. Different sections were built at different times the newer section built in the 60's and Jack stated that he does not know the life cycle of the dam. He also stated that we are working with the DNR to insure that it is maintained properly. We are fortunate to have relatively stable water elevation.

### **Proposal for reviewing speed limit**

Chairman Mason opened the discussion on the Lake Ordinance regarding the consideration of a Lake District recommendation to the Town regarding the start times for water skiing and fast boat speeds. He would like this to be a controlled discussion. Chairman Mason stated that he has talked to many people on both sides of this issue and it seems to have become a heated issue, he was disturbed to report that he had received a threat of bad things to happen, if the vote doesn't go the way the ski community wanted. He then gave a little history of how the issue has arisen and the times in the past for towing and higher speeds. In 2009 a slow no wake restriction ("SNW") was declared because of high water, some residents have stated that it was very peaceful, perhaps a change to the ordinance allowing several days of slower speed limits per summer might be a good idea. He stated that as we have always done, we took input from the community, put it on the agenda for discussion and took a vote. In the past there was concern over the Aqua Skiers and we had discussion and put it to a vote and there was overwhelming support of the Aqua Skiers. He explained that this is just a discussion today, as the Town has the authority to change the Ordinance, so our discussion and vote today will only be a recommendation to the Town. We are not changing the ordinance today. There have also been complaints of early morning loud boats pulling skiers before the skiers go to work on weekdays.

The history of the current ordinance was given: by Chairman Mason:

February 1971 No towing prior to 9:00 AM was put in place for all days no speed limit at all.

February 2001 Towing allowed 7 days a week Sunrise to Sunset every day, with a 15 miles per hour limit imposed during the slow time week days and Holidays

April 2008 The current regulations were put in place allowing, towing and high speeds Sunrise to Sunset on week days and towing and higher speeds starting at 9:00 AM weekends and Holidays. During slow periods the speed limit was 10 MPH/.

Chairman Mason stated that board has supported the Aqua Skiers in the past, but that this is a lake issue not an Aqua Skier issue, even though it seems to have gone that way. This would affect all boats not just skiers.

Chairman Mason stated that his research showed only one area lake, Delavan, does not have a speed limit or towing restriction. Chairman Mason presented some of the restrictions imposed upon boat operators on other nearby lakes; there is a balance of various restrictions on most lakes in this area.

Choices for discussion:

- 1.) Current Ordinance; All boats must be slow not to exceed 10 MPH Sunset to Sunrise on weekdays and Sunset to 9:00 AM on weekends and holidays.
- 2.) Revise Ordinance: Should the Town of LaGrange consider a change to the Ordinance to Seven days sunset to 9:00 AM not to exceed 10 MPH every day.

Format for discussion, is to be respectful of each other's opinions as we all live together in this lake community. We don't want issues to separate our community and be hanging over us. Speakers limited to Lake District members only. Speakers will have 3 minutes and will try to complete the whole discussion in about 30 minutes. Please give your name and lake address clearly.

Jan Sharpless (LL821) stated the revised Ordinance as written on the slide is written wrong, Nestor fixed it on the fly, and Chairman Mason thanked Jan for pointing that out. (Start of discussion time informational 1:14)

Bruce Bauman (LL40)

Stated it is not a safety issue of extending the slow period; Lauderdale Lake is a recreational lake, we knew that when we bought the property we bought property because we could have fun for sailing, skiing, fishing etc, all uses of the lake are why we bought here. We paid high prices of our homes and high taxes for the privilege of enjoying these activities; we don't need more regulations, vote no to this.

Pat Cady (LL 357)

Not against water skiers, it is about everybody on the lake not just you and or just me it's about your neighbor who wants a little R&R for the week. She stated that she represents complaints from Baywood, Arrowhead and Accorn they are working at the fair and cannot be here, from those who want to enjoy the quiet of their deck sipping coffee in the morning. People should be able to sleep with without loud motors

Luke Bermiester (W5633 Vickney, Caly Acres)

Built his house at Lauderdale, because he likes the recreational opportunities. He likes to ski and he likes balanced budgets. He thinks there should be a good balance with fishermen, water skiers, boaters and property owners. We have a good relationship now with fishermen and he feels it is important to respect rights of others. He feels it is safer to water-ski earlier as skiing over a longer time doesn't compress all skiers into small time. He stated that we have a number of residents who take hundreds of kids out on the lake from churches etc skiing, this ordinance would take away many of these kids only opportunities to ski. He stated that the majority of lake owners are not here during the week and on weekends we do have No Wake until 9:00 AM, and he supports that. Most individuals that ski early are active with their jobs and youth so they are blessed with the opportunity to ski before they go to start their hectic days. So please, vote this down and let's do what's best for the community.

Don Henderson (N7730 Laurel Road)

His family has been property owners on this lake since 1937. He has seen a lot of development of the Lake as recreational lake. Past Chair of the Lauderdale Lake Improvement association he brought this up and the response was about a 50/50 split on this issue. He checked with the DNR and found sound regulations of the State of Wisconsin which is 86 dba noise level (Town of Linn has an 82 Decibel limit). He thinks that this is not a ski issue as much as it is a noise restriction issue. The speed limit is a problem only because of the noise. DNR has a noise limit that should dictate an 86

Decibel limit. He advocates that the Town should consider a noise level limit; this is not so much about the towing and speed issue.

Cindy Balestreri (Lake address not announced) She stated that she opposes the Lake District taking the “straw vote”. She thanked the Lake District board for answering her questions and discussion. She stated she had a long talk with Chairman Mason who told her that the Lake District has heard from residents who are concerned about the noise issues and would like this considered, therefore we are being consistent with bringing the issue to this meeting for a discussion and vote, as the Lake District has done in the past. She stated that she has thought about that and has some other “C” words. Like people to consider common sense, she then read a definition of common sense by Calvin Stow which included, doing things as they should be done. She then asked a litany of questions: If you choose to live near... an airport, what will you hear? (Audience) airplanes; down town metro area? (audience, cars); shooting range (audience, guns); in the country near farms and feed mills (audience, animals); a recreational lake with over 4000 ski boats ... what will you hear, (audience, boats). Due diligence is the duty of the buyer; don't blame others if you bought on a public recreational lake. Public Trust doctrine states that all Wisconsin citizens have the right to ice skate, ski, swim enjoy the beauty of the lake, if a violator is too loud they should be ticketed, if a driver is driving poorly they should get a ticket, we should enforce current law not add to new law. She stated that the shot gun approach put before us today is not the answer. She stated, we already have a local ordinance in place that allows quiet time on weekend mornings and allowing for skiing. We each have our connection to the lake.

Peter VanKampen (LL 72)

Represents people he has heard from and that at 5:30 to 5:45 AM he can hear boats start up, even though his house is closed. He is speaking for those not here who he has heard from. He stated there are only 2-3 boats that ski at that hour. He said no kids; he was corrected by the audience. He stated he will look closer. He thinks it is a good opportunity to give the silent majority their way for a few years.

Randy Dricken (W5126)

He appreciates the discussion and the noise of his boat was recently brought to his attention. He has just this week had a bad muffler replaced that he did not know was bad. He is in favor of helping with noise issues; typical ski boats are not that noisy. He has moved from one lake to the other and has not intentionally tried to cause undue noise or problem. He idles back to pickup dropped skiers so as not to make as much noise, he stated that they like to ski before work and would like to be accommodating with others and just enjoy the waters.

Someone in the audience asked if we could vote if not everyone knew of the discussion of this issue.

Someone in the audience asked if there was a compromise to 7 AM or similar.

Jody (Lauderdale Aqua Skiers)

Not a Lauderdale Aqua Skier issue she thinks it is a noise issue, her parents can hear boats over their air-conditioning. She enjoys paddle boarding, kayaking, and fishing.



She thinks it is a noise issue and recommends a no vote.

Chairman Mason stated one more speaker. One more person in favor of changing the ordinance.

Jan Sharpless (LL821)

Did not come here in favor of or against the Ordinance but she thinks of several thoughts she did buy on a recreational lake but they bought when the Ordinance was with restrictions she enjoys the quiet. She doesn't like the bass boats coming out of the landing every morning and the jet ski so it is not against the water skiers. She agrees with Don and thinks this is a noise issue, she stated that perhaps a Monday, Wednesday Friday change would be a compromise to allow both compromise and quiet daily change every other day etc would be in order.

(End of discussion time informational 1:44)

Chairman Mason cut off the question and called for a hand vote, discussion was had regarding the method of voting and the time limit for the discussion and the vote by ballot was called for.

### **Budget presentation**

Nestor presented the budget for 2013

He asked for amendments to the budget, there were none.

He showed a slide showing the new budget for 2013 vs. 2012. He went thru the individual budget line items giving a brief explanation of each budget item. The total Budget proposal for 2013 is \$294,299 a 6% decrease over last year. He asked, what does it mean to you? Approximately, \$44.43 per \$100,000 of assessment based upon the 2011 assessment. A motion to approve the Budget and the Tax levy was made by Jerry Petersen and seconded by Floyd Pochowski. There was a question by Matt Pauga about the performance of the Golf Course he stated it represents about 30% of the budget. Nestor stated that this budget amount goes directly to the bank and not to the Golf Course. He stated the District pays \$85,000 toward the Golf Course loan and nothing to the Golf Course. Mat asked how much of the money goes toward operating expenses, Nestor answered none, the total loan is \$130,000 per year and the Golf Course pays the difference. An additional question regarding the Cooperative Maintenance Account being an enterprise account was asked, Nestor stated that he would take that under advisement. Matt Pauga stated he wants to see the performance of the Golf Course, Nestor stated that the Golf Course financials will be included in the audit to be posted on the Web Site Monday. Matt asked why the Golf Course is not reported today. Nestor stated that it is not a part of the District Budget, it is its own operational budget and it will be posted on the Website with the audit.

The question was called to vote by hand upon the motion to approve the budget and the tax levy to support it, the motion passed.

### **Speed review vote**

Nestor announced the results of the response to the vote on the speed ordinance, there were 44 in-favor of changing the ordinance and 142 not to change the ordinance.

A motion for adjournment was made at 12:07 and passed unanimously.