



**LAUDERDALE LAKES LAKE
MANAGEMENT DISTRICT
MINUTES of 3-13-10**

Meeting called to order by Chairman Mason, at the Town of LaGrange Hall at 9:00 A.M.

A. Attendance: Present: Chairman Mason, Dorothy Burwell, Jack Sorenson, Nestor Dyhdalo, Wally Yandel and Rick Callaway were all present; Peter VanKampen was reached by phone but do to a poor connection was disconnected and excused.

B. Agenda: Jack moved and Nestor seconded a motion to accept the Agenda for the Meeting of March 13th 2010 the motion passed unanimously.

C. Minutes: Dorothy moved and Wally seconded a motion to accept the Minutes of the October 10th, 2009 and December 4th, 2009 meetings with the motion passed unanimously.

D. Wetland Restoration: Chairman Mason stated that some of the bio-logs at the Lake Districts Don Jean Bay property have degraded. He has contacted three contractors who have reviewed the situation and have submitted bids to repair the condition of the bio-logs. Approximately 200 feet of the initially installed 700 feet of bio-logs has degraded to a point that requires correction. Chairman Mason reviewed the three bids and recommended Botanica, they include a stone toe underwater to prevent underwater erosion, they will plant 1500 plants and do bi-weekly inspection to be sure they survive. They will also follow up for two consecutive seasons. Botanica was in the middle for price but Botanica's bid includes more plants and follow-up to be sure they grow. After some discussion about the bids, Wally moved and Rick seconded a motion to authorize hiring Botanica for the work, the motion passed unanimously.

E. Kettle Moraine Land Trust regarding the Don Jean bay Wetlands Area: Chairman Mason stated that the Lake District ("LD") attorney Russ Devitt has talked to the Kettle Moraine Land Trust ("KMLT") attorney and they are both looking for more information. Chairman Mason reported that they both feel a future meeting between the KMLT and LD would be in-order, upon the attorney's further review of the easements, agreements and documents pertaining to the Lake Districts Don Jean Bay property ("Property").

Jerry Petersen representing the KMLT, asked to give the LD commissioners a little update and history on the situation. Jerry stated that in 2003 Chairman Mason, on behalf of the LD, approached Jerry to discuss more protection of the LD properties from future development and zoning changes. As a result the LD deeded a conservancy easement

(prepared by Joanna London Alex) to the Lauderdale Conservancy. The Lauderdale Conservancy has since changed names to KMLT as part of an effort to expand their influence. The easement over the Property, according to Jerry, was recorded in 2003. Jerry stated that the Conservancy or KMLT has been inspecting the Property ever since. He also stated that the easement documentation acknowledges the multiple uses of the Property which existed at the time the property was purchased. Many of the uses were part of the reasons that the Property was purchased by the LD. Since then, the KMLT has applied to the National Land Trust Alliance (“NLTA”) for accreditation. Jerry stated that he has been searching for ways to protect the flora on the Property. Jerry stated that the KMLT now has an obligation to act as a steward to demand environmental performance over properties it is affiliated with to maintain IRS tax deferred status. Jerry further explained that since applying for NLTA accreditation, the KMLT has also pledged to honor the standards and practices of the NLTA. Jerry stated that a recent review of KMLT activities, by the NLTA, found that the Property is KMLT’s worst area. Jerry explained that he has requested several times that the LD / Ski Team remove an old pier structure from the shoreline. Jerry indicated that the Ski Team did not comply and finally, Peter VanKampen removed the old structure himself. Jerry said that the Lake District has come up with a Board Walk plan to address the issues of environmental protection and land uses on the Property, Jerry stated that KMLT is in agreement with such plan and will try to work with the LD to achieve a Board Walk system over the Property. Jerry stated that KMLT sent Herb Sharpless, to the County Variance Meeting to speak in support of the board walk system. The Variance Committee has denied the variation and Jerry stated he recognizes the LD efforts in appealing the Variance Committee’s decision. Jerry stated the decision should be rendered by May first, he stated he wants to know what plan “B” is, should the appeal be negative. Jerry stated that the KMLT has spent considerable time discussing the situation with their attorney and Mike Carlson an environmental easement expert. Jerry stated as Chairman Mason had earlier that the recommendation is for the LD and KMLT to meet with the attorneys and Mike Carlson in an effort to find a resolution. Jerry reported that the Aqua Skiers bleachers are considered a structure by the County. Therefore, he said we are in violation of the County rules by allowing the bleachers to be on the Property. Jerry stated that in the past the Ski Team has not honored the direction of their own President, by not moving the bleachers. Jerry stated that one suggestion by Joanna was to reduce the number of ski shows.

Chairman Mason stated that he does not expect a decision by May first on the Appeal; he explained that the LD has acted as expeditiously as it can, but the timing is in the hands of the courts. He stated that our plan B is that Russ Devitt is looking at future appeals to allow the board walk system, which everyone seems to agree is reasonable method to allow reasonable use of the Property and protection of the flora. Chairman Mason was not sure if this issue can be resolved this season. Chairman Mason further stated that the worst of the rutting is not done by the Ski Team. Chairman Mason stated he had approached Gathering Waters for help on the board walk system a year ago and they would not help. The relationship of the KMLT attorney and Joanna with Bill O’Connor an environmental attorney who represents the Klohoffels was brought up.

Rick Callaway stated that setting time elements is a concern as much of the time frame is out of our control. Rick feels that we should take one step at a time and not become

“predetermined” in our attitudes. He stated that possibly a change of State Law or Ordinances might be a possible help. Jerry stated that, that won’t happen.

Audience comments: Don Henderson stated that as President of the Improvement Association he attends the LD meetings as well as the KMLT meetings, he stated that 1) we should not let this get us into a “quibble”; 2) the County Residential Ordinance contains the boardwalk regulations and the LD application is not residential; 3) that he doesn’t see why KMLT has to have a time limit to conclude this issue this year. Greg Twelmier, representing the ski team stated that he will not let future LD requests fall on deaf ears. He stated that a ski team member could be included in the meetings with Mike Carlsen.

A motion was made by Rick and seconded by Dorothy that the LD attend meetings with Mike Carlsen and the KMLT in order to continue dialog and work toward a resolution, the motion passed unanimously.

F. Committee Reports:

- 1.) County Report: No report.
- 2.) Town Report: Rick reported that the Town is meeting April 12th to discuss if the Town should stay within the County Zoning jurisdiction. He also reported that dredging at the Town boat house should begin by Memorial Day.
- 3.) Septic Report: Wally reported that the Lake District received its first bill of the season.
- 4.) Insurance: Jack stated that the insurance policies are or have been renewed for the 2010 season. He has prepared an allocation of the insurance costs for Nestor.
- 5.) Weed Harvesting: No Report.
- 6.) Lake Ordinance Inspector: No Report.
- 7.) Clean Boats Clean Water: No Report.
- 8.) Water Patrol: Nestor reported that Patrol will start in May. Boat safety classes are scheduled for the end of June, details and exact dates are published in the Shore lands. Nestor reported that the annual DNR audit of the Safety Patrol has concluded and all expenses submitted for reimbursement other than \$160 were approved. The DNR also stated that the Safety Patrol has done a nice job on stopping boats for a variety of citations and OWI’s are not ignored.
- 9.) Treasury Report: Nestor reported that the Lake District has paid off the Lakeview Property loan. Nestor handed out the 2009 final budget vs. actual expense report.
- 10.) Web Site: No Report.
- 11.) Dam Report: Jack reported that since the culverts have been changed the Lake water seems to be holding at a more constant elevation which is a good. There are a few clean up items left to complete in the spring and the culvert project will be finished. Jack reported that the Gas Company had been very helpful in resolving a conflict with the Gas Main and the new culverts.
- 12.) Golf Course Report: Chairman Mason reported that the County Club is opening this weekend. The tractor at the Golf Course required some unexpected maintenance this year.

G. Closed Session: Jack made a motion and Nestor seconded it to enter into a closed session. The motion passed unanimously. A motion was made by Chairman Mason and seconded by Jack to go back into the open session, the motion passed unanimously.

A Motion for Adjournment was made by Wally and seconded by Dorothy, the motion passed.

Respectfully submitted by,

Jack Sorenson, Secretary