

April 4, 2014 District of Powers Lake Quarterly Meeting Minutes

Chairman Jim Michels called the quarterly meeting of the District of Powers Lake Commissioners to order at 5:00 p.m. Chairman Michels led those present in the Pledge of Allegiance.

1. **Roll call.** Judy Jooss, Nancy Michael, Mike Halvorson, Neal Kuhn and Jim Michels present. Brooke Jensen and Mary Adams not present.
2. **Approval of minutes.** Judy Jooss made a motion to accept the minutes of the October 2013 meeting. Neal Kuhn seconded. Motion carried.
3. **Treasurer's report.** Judy reported \$31,565.85 in the general fund to start the year. In February and March we received tax revenue from the 3 municipalities. Our only expense was \$399.45 for the January newsletter. The general fund is \$43,889.48, the wetland cash fund of \$24,116.37 and the wetland CD fund of \$41,814.54. A motion by Nancy Michael was made to approve payment of future expenditures and seconded by Neal Kuhn. Motion carried. Neal Kuhn made a motion to approve the treasurer's report. Motion seconded by Nancy Michael. Motion carried.
4. **Citizen Comments.** A motion was made by Jim Michels to change the agenda in order for Bob Stoll to make opening remarks before citizen comments; motion was seconded by Neal Kuhn. Motion carried.
5. **Town of Randall, Proposed Chapter 20 Revisions, Chairperson Bob Stoll.** Discussion, consideration and action if any. Mr. Stoll [Bob] was pleased with the good attendance. First of all, he wanted us to know how an idea can process into an ordinance. Secondly, the town has limitations on certain actions which were mentioned in many of the letters as a solution to traffic problems on the lake. The reason why they are revising the ordinance is that it was last codified in 1991. A lot has changed since then and the Randall Town Board [RTB} has been systematically going through all ordinances updating and bringing it into compliance with current laws and eliminate redundancies with state laws in Chapter 30. Chapter 20 is the town ordinance chapter. Both have to do with water usage. The state laws are more aggressive in enforcement.
Enforcement of piers, rafts and wharves was handed over by the state to locals. Our pier ordinances are the same as state so enforcement would revert to state.
Rafts and trampolines are new since the ordinances of '91. The RTB feels strongly that safety is paramount and that lakes are resources with a variety of uses and interests so all can recreate. Their purpose is to balance all these interests. Their ideas would then be incorporated into a draft ordinance which would then be passed on to the Bloomfield Village Board and the DPL for input. The DNR would review for compliance with state laws and would input their view. Any modifications would be added and then it would be voted upon by the RTB.
Bob then explained a number of items that RTB cannot regulate or enforce:
Cannot regulate access to the lake
Cannot limit parking for lake access

Cannot set fees above those set by the DNR for the launch facility. The DNR sets the maximum fee that RTB can charge. A special formula is used depending on the type of launch and RTB is set at the maximum allowable rate for our type of ramp. RTB cannot close any of the 2 public accesses.

Cannot regulate types and kinds or sizes of boats that come onto the lake. All these are designated by the DNR as watercraft.

The majority of their ordinances will be eliminated because they are adopting so many of the state ordinances i.e. piers, wharves. Town ordinances cannot be less restrictive than the state but can be more restrictive. The 12 ½ foot setback from property lines for piers would be retained as a buffer. RTB would like to add a variance alternative which would allow flexibility they do not have now. Workable solutions should be acceptable and the town would like to be able to allow a variance for that. Flexibility through variances process is desirable.

The current 100 foot maximum for pier length would be retained.

New areas to be discussed:

RTB is looking for comments and suggestions from this body and those present. RTB will also maintain a 50 ft. buffer between SNW boundaries and mooring buoys and rafts for a safety factor. The new toys/rafts/jumps that have appeared since 1991 need to be addressed as do ski jumps and platforms. They would like to handle those through a special application. Individuals could present plans and hours of operations which would be considered on a case by case basis. The state does not require the removal of wharves or piers in winter or shore stations. Our regulation has a December 1st removal date so there is not a safety problem for snowmobiling. They want to make sure this provision is maintained.

RTB has established a benchmark on Lake Benedict for SNW so the decision is not subjective. The current ski pattern map indicates a counterclockwise pattern which goes into Jefferson Bay. A possible change would give an option of bypassing the bay during heavy traffic hours when pulling a skier/tuber. The RTB wants to make sure the lake is used in a safe manner and the rights of all are balanced and evenly administered. This is the only agenda they have.

A lengthy discussion ensued with comments and questions from attendees, DPL members, and RTB members for more than an hour. Clarification was made that the DPL does not make or enforce ordinances but serves in an advisory capacity. The water patrol can only enforce current ordinances. They have no discretion is something is not codified and have no discretion to use only common sense vs. codified rules. The ordinance will hopefully be a simple solution to allow them flexibility and RTB will take all the time necessary to get the best result.

6. DNR and/or other Grants

7. **Aquatic Plant Management:** The proposal from Stantec for \$9,168 to treat 4 acres of EWM and 2 acres of CP was approved by a motion by Nancy Michael and a second from Judy Jooss. This would include pre and post treatment surveys. We have no idea how the heavy ice cover this past winter will affect plant growth. We could be approaching the time to do another aquatic plant management survey.

8. Watershed management

9. **Wetland Management:** We have contacted owners of 22 $\frac{3}{4}$ acres of wetland. Mary Adams will research. Purchase would take a great deal of time/energy and cost in addition to the researching of possibilities of a DNR grant availability.
10. **WI Lakes Convention** April 24-26th in Stevens Point: Judy will be teaching lake district commissioners on Thursday and attending on Friday.
11. **Town of Randall/Kenosha County Issues:** Donation from Randall for next year is budgeted. New rep for DPL is not chosen yet.
12. **Village of Bloomfield/Walworth County Issues:** All the shoreline trees have been removed at the old Honey Bear restaurant property. Demolition was also begun with no permit obtained. Zoning is with the village not the county. Only a 30 ft. view corridor is allowed for tree removal and is obviously vastly exceeded.
13. **Newsletter:** Attendance at this meeting indicates someone is reading it.
- 14. DPL Website**
15. Preparation for Annual Meeting
16. Citizen/Commissioner comments: The DPL thanked Mike Halvorson for serving on our board. Mike said he respected all the work the DPL does and most people do not realize it. He said sometimes a board abuses its powers but this board does not and is very meticulous when spending money. DPL really keeps an eye on things, is thorough and does not waste money. We take our responsibility very seriously and he thanks us for all our work.
17. **Other:** The next meeting will be June 20th.
18. **Adjournment:** Nancy Michael made a motion to adjourn, seconded by Judy Jooss. Motion passed. Meeting adjourned at 7:00 p.m.