

# **HORSEHEAD LAKE PROTECTION & REHABILITATION DISTRICT #1**

## **ANNUAL MEETING**

### **AUGUST 12<sup>th</sup>, 2017**

The meeting was called to order at 9:04 a.m. by Commissioner Dennis Batchelet in the gymnasium of the Sloan Center, Lake Tomahawk, WI.

Present; Chairman Dennis Batchelet, Treasurer Tim Desmond (remote), Oneida County Representative, Mitchell Ives, Matt Michalsen, Lake Tomahawk Representative. Mike Esler and was absent/excused.

Notice of the meeting was posted at the post office and the Sloan Community Center and also in the Lakeland Times newspaper. All commissioners were sent notices and copies of the agenda.

Motion was made by Ray Evert ; 2<sup>nd</sup> by Linda Delius to approve the agenda as amended to delete “absent/excused” for Matt Michalsen. Motion carried.

Minutes were read from the August 20<sup>th</sup>, 2016, meeting. Motion made by Linda Delius; 2<sup>nd</sup> by to approve Ray Evert the minutes as read. Motion carried.

The next annual meeting will be August 17<sup>th</sup> 2018.

Dennis introduced guest speaker, John Richter, Pres. of Plum Lake Association and spokesman for Wisconsin Shoreland Initiative. He spoke about his group of 80 lake associations who have coalesced to defend our lakes and water resources and to lobby for the return of authority to counties for governing lake regulation that were taken over by the state in 2010. With donations, they have engaged former WI Senate Majority Leader, Mary Panzer, to lobby for legislative changes that will protect our lake environment. He highlighted the “Trust Doctrine”, which has been sidelined by WI Attorney General, Brad Schimel, so DNR water-use permits no longer need to consider the effects of aquifer access to neighboring people or areas. In Wisconsin, the water belongs to everyone. His talk was very well received and a donation was later approved for \$1,000.

President’s Report: (1) Dennis recognized Kris Batchelet for acting as secretary for the 2016 & 2017 annual meetings, as well as Beverly Fagan as acting secretary at the April 7<sup>th</sup> commissioner’s meeting, and Linda Delius as acting secretary at the July 7<sup>th</sup> commissioner’s meeting. (2) Dennis asked for resident’s “thoughts and prayers” for Mike Esler, district secretary, who was in hospice and struggling with serious illness, (3) Dennis made an appeal for email addresses to help facilitate fast communication to residents when something important comes up, 4) Dennis reminded residents that an updated resident list would be available after the meeting, 5) Weed harvesting this year took place July 13<sup>th</sup>-19<sup>th</sup>; 60 acres, 39 loads of approximately 5% Coontail, 1% Elodea, 93% Flat Stem Pond Weed, 1% Fern Pondweed. Most of the weed growth this year was Flat Stem and it was very difficult, even causing a breakdown. Every year the weeds come in different ratios reflecting weather conditions. Hallie and Terry Moline were recognized and thanked for being instrumental in locating a contractor to grade and rock fill weed-cutting landing. Cliff Schmidt reported that weed buds had just begun breaking the surface, the optimum time to prevent biomass from settling in the lake, 6) divers reported, last August, the finding of NO Eurasian Water Milfoil at the known coordinates. We cancelled the divers this year while we wait for Lake Study findings underway this summer, 7) Aeration system worked fine last winter. Hans Delius and Dennis plan to visit the equipment this summer, investigate, and blow out the lines. We are looking for someone qualified to service the equipment.

Secretary’s Report: No report; Mike Esler was absent, excused.

Motion to accept report: Hans Delius; seconded: Ray Evert; motion passed

Audit of financial records: Hans Delius, auditor, reported no irregularities. All accounts balanced.

Treasurer's Report:

As of 7/30/2017

Total funds: \$33,431.86

Checking Account: \$1,083.49

MM Account: \$32,348.37

2 levy payments received from Oneida Co to date, one in January, the other in February, 2017. Balance due 8/20/2017.

Received Lake Study Grant funds for \$16,309.64, which is \$1,153.27 higher than budgeted.

Most bills are paid electronically through bank.

All records are converted to electronic files, updated quarterly. Treasurer & President hold computer flash drive records.

Motion to accept report: Dave Averbek; Seconded by Hans Delius. Motion passed.

Lake Testing/DNR lake report: Hallie Moline reported water clarity has held same or improved. She tested water in June & July, but state lab hasn't entered data on website so printouts are not available at this time.

Clean Boats/Clean Waters: Hallie Moline reported very little boat traffic and boaters have been very conscientious about preventing spread of Eurasian Water Milfoil and keeping weeds off boats and trailers.

Old Business: None

New Business:

Jim Watters made the following motion: "In 2018, weeds to be cut before July 4<sup>th</sup> holiday". Seconded by: (unknown).

A spirited discussion followed which raised the questions: 1) what are the advantages of changing the mowing time?, 2) can the lake be mowed more than once during the summer?, 3) why do we cut only 60 acres?

Jim Watters quoted two customer letters complaining about the weeds and said their business has been affected by weeds. Others noted weeds had been a problem for them at times and that, on occasion, they had had to reverse their propeller to clear them. Dennis Batchelet joined the discussion with the following practical considerations:

- 1) experience over 13 years showed we simply do not have enough weeds to cut prior to the second week in July. Cutting sooner, if it could be done, would not yield enough weeds to justify spending \$16,000-\$18,000 dollars. Weed cutting equipment only allows for a maximum of 5 foot deep cutting – and weeds keep growing at a rapid rate. They seem to always become noticeable after the busy July 4<sup>th</sup> holiday when an excess number of speedboats cut back and forth across the lake.
- 2) The district must schedule the cutting and sign a contract a year in advance to obtain a slot on the weed cutter's schedule.
- 3) Every year, weather determines which of the four weed types we have will predominate and it is impossible to know in advance how fast they will grow.
- 4) Our weed cutter, Cliff Schmidt has proven, over at least a decade, to be highly honest, professional, and experienced as well as state licensed and insured. He is located south of here in Iola and is committed to cutting weeds on his lake the last two weeks in June. He is not available. Because he will not come to our lake if there are insufficient weeds, his honesty has been proven over and over. He accepts responsibility for all repairs, possible towing if equipment gets stuck, fuel, lodging, and he only charges for time on the lake – not

driving to the dump with weeds. He is the third weed cutter we have dealt with and he is far and away most competent.

- 5) If our district would find somehow schedule cutting in late June, and there were insufficient weeds, we would not be able to cut and we would not only have to give up our scheduled time, but have to pay \$900 to cancel the contract, and district would run the risk of weeds appearing in July and/or August, either without funds or without a weed cutter. Also, following weed cutting, residents always need to rake up weeds that are cut but escape pick-up, making a mess on the holiday, itself.

During the debate, one or more cabin renters entered the discussion and eventually voted for the motion, improperly, due to an error on the President's part.

Motion passed; 10 for and 9 against. *[Ch. 33 of WI state statutes make it clear an eligible voter must be an owner or reside in the district a majority of the year. Later research, and on the advice of an attorney, caused that vote on the motion to be invalidated.]*

Following the vote, Dennis stated his refusal to order cutting prior to July 4<sup>th</sup> holiday because it would be unwise and would not accept responsibility. He stated, it would be necessary to form a committee of residents to: 1) investigate the issue and develop a proposal to be presented at the November Commissioner's meeting, 2) the proposal would have to follow guidelines/requirements set up by the commissioners, including finding a different contractor and becoming familiar with DNR requirements, 3) at the November meeting, when proposal was presented, commissioners would discuss it. Kris Batchelet spoke on the necessity of participating in the business of the district – not just complain about issues. She explained that many issues are more complex than most people think and experience has been a guide in creating a better district.

Motion to close debate: Linda Delius; Seconded by (unknown); Motion passed.

Motion to form a committee to take over weed cutting: Joe Helmuth; second by Linda Delius. Nobody volunteered at first. Joe Helmuth said he'd look into getting information on what other districts do about weeds.

During further spirited discussion of the commissioner's first recommendation to cut weeds in 2018 during the 2<sup>nd</sup>-3<sup>rd</sup> week of July, Dave Averbeck suggested we reserve time on Cliff Schmidt's schedule while it is being worked out. Motion by Ray Evert accept Dave's suggestion; second by Dave Averbeck. A group of volunteers signed a paper indicating their interest in working together on the committee.

The second commissioner's recommendation was to accept the proposed budget, which was presented by Treasurer, Tim Desmond. *[complete budget, as adopted is attached]*

One amendment was offered by Ray Evert to raise the proposed \$500 donation to Wisconsin Shoreland Initiative to \$1,000. Seconded by Dave Averbeck.

After the amendment, the budget was recalculated, establishing the mill rate at \$133.20 of assessed valuation.

Motion to accept budget, as amended: Dave Averbeck; seconded by Ray Evert. Motion passed unanimously.

During the election portion of the meeting, Linda Delius, Nomination Committee chair, presented Debra Bursik for consideration as Secretary. There were no additional nominations from the floor. It was moved and seconded to dispense with a formal secret ballot in favor of "unanimous acclamation". Though Debra was unable to attend meeting, she was unanimously accepted.

Saturday, August 17, 2018 was announced as the date of the next annual meeting.

County Board Representative, Mitchell Ives made a few remarks. He highlighted the purpose of the district is to protect the lake resource and work toward its' improvement, not to allow personal preferences to dictate policy.

Lake Tomahawk Representative, Matt Michalsen had to leave earlier to make another commitment.β

Meeting adjourned at 11:35 A.M. following a motion and second.

Respectfully submitted,

Kristine Batchelet

Acting Secretary

Motion to accept the Presidents' report made by Bev Fagan, seconded by Linda Delius. Motion carried.