

Minutes of the District of Powers Lake Annual Meeting, August 1, 2014

The meeting was called to order at 7:05 p.m. Jim Michels led the Pledge of Allegiance.

1. **Roll Call:**

Neal Kuhn, Mark Halvey, Nancy Michael, Jim Michels, Brooke Jensen, Judy Jooss and Mary Adams were present.

2. **Minutes of 2012 Annual Meeting:**

Nancy Michael read minutes. Mary Adams made a motion to approve the 2012 annual meeting minutes, seconded by Mark Halvey. Motion carried.

3. **Treasurer's Report and Financial Audit:**

Judy and Brooke reviewed our record keeping process and how budgeting is done. The General Fund has a balance of \$23,959.28 and Wetland Fund has a balance of \$66,252. The Wetland Fund is an earmarked fund. Brooke reviewed our assets and liabilities. Our net worth is \$237,565. Nancy Michael made a motion to accept the treasurer's report, seconded by Mary Adams. Motion carried.

4. **Chairperson's Report:**

Jim Michels recapped the year's activities starting with the October 4th meeting. The January 20th meeting was canceled due to a black ice situation on the roads here and no urgent items needed to be discussed. At the April 4th meeting, Bob Stoll gave a presentation on proposed changes to Town of Randall ordinances and entertained many questions from the audience. From information gathered at the meeting we generated the Common Sense flyer for the June newsletter mailing. At the June 13th meeting, Mark Halvey was appointed as the representative from Town of Randall. The past year has not been as dramatic as some other years with the drought and channel issues. This year it is the Honey Bear Farm issue.

5. **Commissioner's Reports:**

Neal Kuhn reported that Stantec treated 8.8 acres of EWM and 1 acre of CLP this year. Last year they treated 6 acres of EWM and 1 acre of CLP. It will remain a battle we will have to fight but a huge improvement from the 70 acres we treated 6 years ago. We will keep monitoring and do the post treatment survey later this month. We will also have Stantec do a whole lake plant summary at the time. It will consist of a survey of all plant life as part of our lake management plan. We have 14-15 different plant species in our lake. Website improvements are coming. The Common Sense Campaign was hopefully meaningful and may be expanded to raise awareness in other areas. Nancy Michael reported that we had one E-coli advisory at Knoll's Beach this year after two heavy rainfalls. Measurements at the new staff gauges are being taken weekly with water samples. The week before the 4th of July Twin Lakes and Lake Benedict were slow no wake due to high water levels. Our closure level is 1.5 feet and we were at 1.4 at that time. Nancy Michael has trained Mark, Jim and Mary for water sampling and measurements. Brooke Jensen reported that the Adopt-A-Lake program had 65 students and Karen Reddin spent only \$66.65 this year. Karen estimates that she will need \$262 next year for 4 fishing poles, pizza for students and volunteers, buttons and other equipment. Mark Halvey reported that one of his jobs, as a supervisor is to collect money from the DNR launches. So far, he has collected \$6,824 in cash and annual passes have totaled \$3,426. He is also checking 3 or 4 times per week to keep an eye on people to make sure they are paying the fee. He can and has issued warnings or citations of \$50. The daily receipt of annual pass should be visible through the windshield. The Randall Town Board maintains the ramps. Mary Adams gave an extensive report and update on the Honey Bear Farm issue with many informative exhibits. She first spoke on shoreland

protection, which covers 1,000 ft. from the high water mark. Groundwater is filtered by vegetation as are phosphorous and sediments, which are harmful to our water. Exhibits were shown of before and after photos of the property showing the clear cutting of the property. It appeared that every large tree but one was taken down, and a neighbor reported that some of his trees were cut down as well. These were very mature trees. The problems with jurisdiction and enforcement were discussed, since recently Bloomfield incorporated from a Town to a Village in 2011, thereby assuming jurisdiction over shoreland issues. Previous to this, Walworth County had power over all shoreland zoning and enforcement. The county had an enforcement officer and a conservationist. Several DPL commissioners, Village Board member Sue Bernstein, and Lake Benedict Lake Management President Rosemary Badame met with Village Chairman Ken Monroe. The DPL Commissioners presented a letter voicing concerns over damage to our lake and precedents to be set. Ken Monroe agreed to put a stop work order on the property. He also said he would not allow any permits to be issued until the property was restored. This was reportedly agreed to by Bloomfield Village Zoning Commissioner and Mr. Martin, owner of the property. Subsequently Mr. Monroe stated to the Lake Geneva Regional News that instead of "property restored," he would accept a landscape plan. Last week a demolition permit was issued. The Village Ordinances can prevent such occurrences if enforced. They state that within 1,000 feet of high watermark one must present a vegetation removal application conservation plan in order to obtain a permit. All vegetation removal shall be conducted to prevent erosion and sedimentation runoff and to preserve the scenic natural beauty of the Village of Bloomfield. Natural vegetation, especially woody cover in our area closest to the water, is crucial for fish and riparian wildlife. Mr. Martin did not file a conservation plan and did not obtain a permit before clearing his property.

Chapter 18 was adopted by the Village and allegedly not enforced and that is why the DPL became involved. Only a small percentage of the property is allowed to be altered to permit a "viewing corridor" within the shoreland. Ken Monroe and Eugene Martin have met with the DNR to come up with a restoration plan. The latest plan yesterday is for Mr. Martin to plant 6 trees, 4" in diameter. Attendance at the Village Board Meeting this past Monday was encouraged and well-attended.

It was reported that the new owner of the Honey Bear property wants to make condominiums within the former restaurant structure. The former restaurant building has been used as a single-family residence for the last 25 years.

If the zoning was still under County jurisdiction, it was argued that condominiums or multiple family dwellings would not have been allowed to be constructed because of restrictions for shoreland property. The County recognized that increasing density within the shoreland was not good for the lake because of increased runoff, fewer impervious surfaces and inability to adequately filter the groundwater, for example. It appears that the Village has no special restrictions for shoreland property, although Randall Township apparently does not favor multifamily dwellings on the shoreland.

Of special concern was the swale in front of the building, which has 4 culverts that collect water and filters all runoff from neighboring property before it enters the lake.

Individual neighbors hired an attorney to do a petition to rezone the property to R1

and also objected to the issuance of any further permits. More than 200 residents signed a petition objecting to what has happened to the property. The Village had drafted a comprehensive plan with the intent to prevent erosion, preserve natural vegetation, and restrict multi-family development within the shoreland.

6. Future wetland purchase possibilities, discussion only or advisory vote:

The value of the wetlands and the past purchase of the wetlands were discussed as well as possible future purchase of 22 acres N of Bloomfield Rd. An advisory vote was called for to continue and pursue the purchase of wetlands. Motion by Tom Powell, seconded by Cathy Jensen. Motion passed.

7. Other New Business, discussion only:

Owners of the Linning property on the point and a neighbor appreciate the Common Sense flyer and have passed it out to many boaters. Their 600 ft of frontage is a sandy shoal and they have had problems with boats encroaching on their property, dogs, refuse, loud music and lewd behavior. They are unhappy with the response from local government and law enforcement. These are public waters, so neighbors can only voice concerns.

8. Presentation of the proposed 2014 budget:

In discussing the total budget proposed is \$51,000 with \$22,000 carried over and \$29,000 proposed tax levy. We do not plan on any transfers to the capital costs and wetland funds. Cost of operations is \$51,000 and we have a zero balance.

9. Budget hearing – public input:

No discussion ensued.

10. Approval of projects costing over \$10,000:

Bob Bonifas made a motion to approve the expenditure of \$20,000 for aquatic plant management, Cathy Jensen seconded. Motion carried.

Approval of the 2014 annual budget: Paul De Michele made a motion to accept the 2014 Annual Budget, Diana Powell seconded. Motion passed.

Approval of the 2014 tax levy: Diana Powell made a motion to approve the 2014 Tax Levy of \$20,000, Bob Bonifas seconded. Motion carried.

11. Set 2014 annual meeting date:

Meeting was set for Friday, August 7, 2015 at 7 p.m. Motion to accept date was made by Nancy Michael and seconded by Neal Kuhn. The October meeting will be October 3, 2014. Nomination and election of candidates for office of commissioner: Jim Michels conducted the election helped by Charlie Gitzinger, Hilary Navarowski and Nancy Michael as the election committee. Nancy Michael is not running again. Neal Kuhn will. Nomination of Candidate A: Mary Adams nominated Deron Johnson, Brooke Jensen seconded. Nomination for Candidate B: Paul De Michele nominated Neal Kuhn, Diana Powell seconded. After 3 calls, there were no other nominations. Jim Michels recommended we vote for casting a unanimous ballot. Candidates made comments. Tom Powell moved to vote by acclamation, Bob Bonifas seconded.

12. General Question and Answer Time:

Time was taken to recognize Nancy Michael with a resolution by the DPL read by Neal Kuhn. Motion to adopt the resolution on this day August 1, 2014 was made by Neal Kuhn and seconded by Paul De Michele. Nancy was presented with a beautiful clock depicting Powers Lake, surrounding areas and lake date. She sincerely thanked everyone.

13. Report of election results:

Unanimous ballot was cast with motion by Tom Powell, seconded by Bob Bonifas.

14. Meeting adjourned at 8:42 p.m.