

Minutes of the District of Powers Lake *Extra Meeting*, September 5, 2014

The meeting was called to order by Chairman Neal Kuhn at 5:00 p.m. and all said the Pledge of Allegiance.

1. Roll call:

Jim Michels, Deron Johnson, Judy Jooss, Brooke Jensen, Mark Halvey , Mary Adams, Neal Kuhn present.

2. Citizens and/or Commissioner Comments:

Several lake residents appear to voice their concern over the condition of Honey Bear Farm. Many stated fears that the vegetation and replacement of trees as proposed is completely inadequate. The citizen implored the DPL to become involved in trying to advocate for appropriate restoration citing similar events in Twin Lakes and how that erosion issue was managed and mitigated.

Another resident stated that once a village or city is established, the DNR has nothing to do with shoreline or shore land. 90 percent of our lake is in Kenosha County with DNR backing and DPL influence. 10 percent of lake is in the Village of Bloomfield. DNR will not back up the Village of Bloomfield who is completely in on the West side of the lake.

The citizen stated that this is a problem for "this body." Citizen provided copies of DNR letter to Chairman Kuhn and Former Chair Jim Michels. Citizen advocated that the DPL needs to establish a relationship with the Village of Bloomfield. Citizen also asks the Village to advise DPL whenever they will have meetings regarding lake/shore land issues. People in Village of Bloomfield have no protection from DNR, so this seemed to be the appropriate avenue, citizen stated.

Another citizen expressed concern about precedent being set by events at Honey Bear. Another citizen expressed a similar concern about the precedent being set by building condos on the lake. Citizen stated that the DPL should stand up and say this is unacceptable. Maybe in years past with resorts this was ok, today properties are single-family residences.

One citizen thought that one rep from the Village should sit on the DPL Board, but it was explained that this was not allowed. The DPL Rep from Randall is Mark Halvey, and Judy Jooss is our rep for Kenosha County, as determined by state law.

Randall has control of the water patrol on Powers Lake.

Citizen asked why Nippersink did not allow condos and yet we are facing condos on Powers Lake.

There was an extensive discussion of the current ordinance governing shore land development. There were questions as to whether the Village was adequately enforcing its own ordinances, and to what extent the ordinances conflicted with what we previously had with Walworth County in terms of density allowed on the shore land, and the removal of vegetation permitted. Further discussion as to whether the DPL would join the Honey Bear Neighbors in possible legal action, or whether the DPL was merely advisory, and what would the consequences be of such a commitment.

The neighbors explained the status of the petition going before the Village Board on Monday. Further discussion of zoning, development increasing the impervious surfaces, which in turn affects water quality/health of our lake. Another citizen asked whether there was any follow up re: the DPL letter sent to the Village in June. Neal Kuhn stated he would draft a letter to be delivered to the Village before Monday evening.

Citizen cited that 260 people signed a petition regarding Honey Bear. It is a major worry for those of us

on the lake.

3. DPL Web Site:

Neal: DPL website. Engaged with new company and there is \$293.00 due for that work. **Judy Jooss moved to pay current contractor Collin Robert 293.00 (first invoice), Jim seconds, unanimous, motion carries.** Discussion of website refresh, history and maintenance. Discussion of making a committee to develop the website. Discussion on content to host on the website. As a board we approved hiring current vendor. **Motion: approve engaging Collin Robert for website design. Judy made motion, second by Mary Adams, unanimous, motion carries.** Mary and Judy are authorized by Neal to meet with Collin regarding the website and report back to the board at next quarterly meeting. Website presentation at next quarterly meeting (October).

4. Honey Bear Farm, Tree removal discussion:

Ken Monroe (Village President) has stated in press: No further permits until restoration has been presented. Then DNR said the plan appeared to be inadequate. Work continued anyway. Discussion of status of permits as it relates to Honey Bear. DNR has no authority. Discussion of correspondences between DNR and Village of Bloomfield regarding shore land restoration. We as a district will follow up Jim Michel's previous letter to Ken Monroe. We will share DPL concerns about clear cutting, and restoration and how it didn't happen, referencing the DNR letter. Neal will authorize the letter and submit to Ken Monroe if the board approves. Citizen discussion of timing of restoration. The need for a complete restoration plan was discussed, and citizens discussed pictures of how many trees were cut.

5. Citizen and/or Commissioner Comments:

Citizen discussion about whether DPL should pay for consultant to develop plan of restoration. There was discussion about possible vote outcomes regarding zoning next week, and what the citizens' legal plan may be. Mary Adams discussed legal issues that the citizens' are planning and the status of possible petitions or legal action. Homeowners have borne all legal fees expenses thus far. There was discussion about countersuits and hold harmless agreements.

Motion: Brooke Jenson moved to write a letter to Village of Bloomfield as discussed. Deron Johnson seconded it and the Motion carried with Mary Adams abstaining. Jim Michels motioned to postpone the decision to enter into any lawsuit to the DPL's October Meeting. Brooke Jenson seconded and the motion carried with Mary Adams abstaining.

6. Adjournment

Motion for adjournment was passed unanimously.

