

MINUTES

District Commissioners Meeting
Whitewater-Rice Lakes Management District
February 8, 1990

Present: Melvin C. Scharine, Tom Ponyicsanyi, Dick Kraus,
William Norris.

Guests: Vera and Boris Marohnic, Liz Haenisch, Clarence W.
Framke, Ken Brand (C-21 Skandia), Bob Wakeman (WDNR),
Doug Welch (WDNR), Norman Zehns (Student U.W.W.),
Dennis Richter (Geography Dept., U.W.W.), Willard
Gross, Carolyn Wedin, Victor M. Schrock, Robert
Benjamin.

The meeting was called to order at 7:35 PM by Chairman Norris.

The Walworth County Board of Supervisors has appointed Mr.
Melvin C. Scharine of Delavan to succeed to the position
on our District Board formerly held by James Van Dreser.
Mr. Scharine, who is also a member of the Walworth Co.
Land Conservation Committee, presented his credentials
signed by County Chairman Robert W. Key.

We thank Jim Van Dreser for his helpful advice and parti-
cipation on our District Board during the past three years.

1. Norris distributed a prepared agenda, containing 8 major subjects for the evenings meeting, and requested the Board's approval of the agenda. By motion of Kraus, second by Ponyicsanyi, the agenda was unanimously approved.
2. The minutes of the Dec. 14, 1989, meeting--as written and distributed by Norris during Walter Hick's absence--were approved as written.
3. Treasurer Tom Ponyicsanyi distributed his current financial report showing income of \$18,382.27 in Lake District taxes received from the Town of Whitewater, and \$373.69 in interest on our Savings Account, giving a total balance of \$30,946.59. In addition, \$3,337.69 in Lake District taxes was received from the Town of Richmond, but has not yet been deposited in our account at the First Citizens Bank. Tom also presented bills for miscellaneous operating expenses totaling \$467.17. A motion by Kraus, second by Scharine, for approval of the Treasurer's report, and for payment of bills was approved unanimously.
Norris requested permission to purchase up to 500 letterheads for the District at a cost of about \$60. Motion for approval by Kraus/Scharine passed unanimously.
4. Public Relations with Property Owners:
 - a) Norris announced the meeting of the Wis. Association of Lake Districts to be held in Stevens Point on March 30-31, 1990.
 - b) For purpose of general information only, Norris reported that WDNR is resisting the application of Eugene Benbenek (Rice Lake) to construct a poured concrete or steel seawall--on grounds of possible adverse effects. From the floor, Benjamin proposed that our District

should be on record with the WDNR in support of certain types of sea walls. The suggestion was tabled for the future.

- c) In order to develop better interaction with our large number of non-resident, summer-oriented, property owners, Norris suggested that our Lake District meetings might be held on weed-ends during June, July, and August. This could lead to development of an "Advisory Committee" that could be useful in better definition of local Lake problems. Norris moved such meetings be scheduled for Saturdays, 1:00 -3:00 PM in the Whitewater Town Hall. With second by Scharine, the motion was approved.

5. U.S.G.S. Lake Survey: The funding for this two-part study is presently available from budgets of previous years. The total of \$12,000 consists of \$2,000 for the definition and maps of the Topography of the bottoms of Whitewater and Rice Lakes; \$10,000 for a lakes water balance study of the lakes by the U.S.Geologic Survey. The latter item represents our one-half of the estimated cost--the balance to be paid by U.S.G.S. The studies were approved at the Annual Meeting of the District on Aug. 26, 1989.

- a) Topography of Bottoms of Whitewater and Rice Lakes. Definition of lake bottom topography is a necessary adjunct to the total U.S.G.S. Lake Survey. Will Gross, who until very recently was one of our Lake District Commissioners, has contacted members of the U.W.W. Geography Dept., who appear to be in a position to complete this part of the total task. Gross introduced Dennis Richter and Richter's student, Norman Zehms, who will do the field work. These men presented a map of Whitewater Lake showing about 38 transects of the lake covering a total distance of $13\frac{1}{2}$ miles. Using sonar equipment borrowed from the WDNR, they propose to make water depth measurements every 100 feet along these transects, and produce a map of the lake bottom at 5 foot contours. It would be best to make these measures through the ice, and the prospect of an early thaw of lake ice emphasizes the need for haste--the field work is estimated to require 3 weeks. Mr. Richter asked for a formal request for this work from the Lake District. Because this was our first contact with any of the details of this work, our Lake Commissioners were unable to accommodate his request for a formal arrangement on the spot. Moreover, there was no mention of measurements covering Rice Lake, and Mr. Richter seemed surprised that this was under consideration. Gross and Richter agreed to get back to the District with more detailed information, and the District, in turn, agreed to do its best to expedite an agreement.

b) U.S.G.S. Water Balance Study. Will Gross reported that Steve Field of the U.S.G.S. is proceeding with the preparation of a proposal for the hydrologic study of Whitewater and Rice Lakes. The decision on the proposal could come as early as March, 1990 and, with a favorable decision, the U.S.G.S. could begin field work as early as October, 1990. Gross also reported conversations with Dick Wedepohl, and indicated the possibility that the WDNR might support our share of the U.S.G.S. study with as much as \$5000 from the boat gasoline tax money that is being diverted to inland lake Districts.

6. Lakes Fisheries Program for 1990. Doug Welch of the WDNR reviewed the Department's proposal to raise northern pike fingerlings in the wet area just behind the Whitewater Lake dam. The DNR has already sandbagged the culvert leading to Rice Lake, and may have to pump water from Whitewater Lake if the water level in the area becomes too low. The DNR proposes to plant 2,500 northern pike fingerlings, along with suckers for them to feed on initially. Our Lake District would be expected to provide fat-head minnows for food at a cost of \$500/100 lb. Total cost to the District about \$1500. In August/September the northern pike will be released into both Whitewater and Rice Lakes--their size is expected to be about 8 inches long. Ponyicsanyi moved to thank Doug Welch for his efforts on our behalf and to approve this program--Seconded by Kraus, and approved unanimously. Dale Poeppel agreed to be responsible for carrying out the District's portion of this program.

7. Aquatic Weed Control Program for 1990. Norris introduced two techniques for weed control--namely, weed harvesting and treatment with herbicides. He summarized the content of the contract for weed harvesting in 1990 that the District signed recently with D & D Products, North Prairie, WI. Briefly, this contract provides for dedicated harvesting equipment on Whitewater and Rice Lakes during the period from May 15 to Oct. 15. The District has guaranteed D & D a minimum of \$60,000 for their services, and D & D has guaranteed the District a 10% rebate of the total, should the District decide to purchase the equipment.

The question was whether the District should consider treating the shoreline of Whitewater Lake with herbicides. The developed shoreline of Whitewater Lake is approximately 8 miles long, and a 30 foot wide strip of this length will represent an area of about 30 acres. DNR Chapter NR 107 entitled "Aquatic Plant Management" discloses that such spraying would require a substantial management effort on the part of the District, including posting the area after it is treated and a \$25/acre permit fee to the DNR. The treatment, according to estimates from Marine Biochemists, Mequon, WI would have a cost approaching \$10,000.

WDNR representative, Bob Wakeman, reviewed the situation. He regarded Whitewater Lake as a flooded swamp, and stated

that weeds cover 91% of its area. In spite of the fact that Wisconsin Statutes allow lakes to be treated with herbicides, the DNR does not favor such treatment. The reason for such an attitude on the part of the DNR has to do with their belief that the long-term effects of herbicide treatment have not been fully explored. If the District should decide to use herbicides, he recommended 2,4-D as most effective against Eurasian milfoil.

* * * * *

At this point a prolonged, and sometimes heated, discussion from the floor regarding the merits of herbicidal treatment, pro and con, interrupted the meeting of the District Commissioners, and prevented further decisions by the Commissioners. This discussion seemed to suggest that local applications of herbicides, both legally and illegally, has been widespread in past years. Further, it appears that property owner groups around Whitewater Lake are currently collecting money in order to apply herbicides during the coming summer.

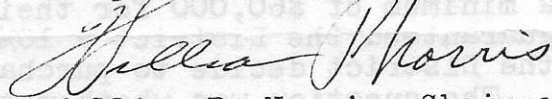
The meeting adjourned at 1:15 PM.

Concluding Comment by Chairman Bill Norris:

I have always encouraged more effective interaction of the District Property-owners with the Lake District Commissioners. However, in this meeting things were completely out of hand, and served no useful purpose. The blame for this rests entirely on the Chairman, whose task it is to organize and control the meeting, and be sure that our time is spent usefully. I am very sorry for this episode.

In future meetings, I am determined to do better. I will expect the support and assistance of my collaborating Lake District Commissioners in seeing that we operate according to a reasonable approximation of Roberts rules.

Respectfully submitted,



William P. Norris, Chairman
Whitewater-Rice Lakes
Management District

(in the absence of
Walter Hicks, Secretary)

P.S. Next meeting: March 8, 1990

AGENDA

WHITewater-RICE LAKES MANAGEMENT DISTRICT
MEETING OF DISTRICT COMMISSIONERS--FEBRUARY 8, 1990

1. Approval of Agenda
2. Secretaries Report of Meeting of Dec. 14, 1989.
3. Treasurer's Report
 - Approve Payment of Bills
 - Consider Purchase of Letterheads (500)
4. Public Relations with Property Owners
 - Consider an Advisory Committee of Property Owners
 - Week-end meetings during summer months?
 - Town Hall available on Saturday afternoons?
5. U.S.G.S. Lake Survey
 - Topography of Bottoms of Whitewater & Rice Lakes.
 - U.S.G.S. Water Balance Study.
6. Lakes Fisheries Program for 1990 (Doug Welch).
7. Aquatic Weed Control Program for 1990.
 - Shoreline Treatment with Herbicides (Bob Wakeman)?
 - Review Detail of Weed Harvesting Program.
 - Review contract with D & D Products, Inc.
 - Identify persons for interview by D & D.
 - "Parking" of equipment when not in use.
 - Identify & maintain lake access areas. Piers in accesses?
 - Identify areas for weed disposal.
 - District will program weed harvesting schedule.
 - Public relations with property owners.
8. Content of April Newsletter.

MINUTES

District Commissioners Meeting
Whitewater-Rice Lakes Management District
March 8, 1990

Present: William Norris, Tom Ponyicsanyi, Walter Hicks
Absent: Dick Kraus, Melvin Scharine
Guests: Boris & Vera Marohnic, Georgiana Myers, Charles
Cruse, Dale Poeppel, John Hall

Chairman Norris called the meeting to order at 7:40 PM.

1. A prepared agenda of the meeting was considered. Under item 7b (detail of weed harvesting program), consideration of utilities (telephone cables and a gas line) present on the bottom of Whitewater Lake was included. The order for consideration of items 7a and 7b was reversed. The agenda was approved unanimously.
2. Norris read a nice letter from former Walworth Co. representative to our Board, James Van Dreser. Jim sent his best wishes for our success in solving the Lake's problems, and indicated that he had enjoyed his term as Lake District Commissioner.

Norris asked the Board to join with him in conducting meetings according to Robert's rules of order.

3. There were 3 corrections to the Secretary's report of the Feb. 8, 1990 meeting: item 3, line 4 of the Treasurer's report should read "giving a total balance of \$30,928.59"; item 7, line 16 should read "an area of about 30 acres"; page 4, paragraph 2 should read "The meeting adjourned at 11:15 PM". By motion of Hicks/Ponyicsanyi the corrected minutes were approved unanimously.
4. The Treasurer's report showed total expenditures during the last month of \$507.57 for District operating costs. District income from 1989 taxes collected by the Town of Richmond amounted to \$9316.13. 1989 taxes collected by the Town of Whitewater amounted to \$24,033.64. The ending balance of the District was \$63,770.79, of which \$63,303.64 was in the savings account, and \$467.15 in the checking account. On motion by Hicks/Norris the Treasurer's report was approved unanimously. The Board approved payment of a bill from Getter Press for District letterheads.
5. The Board reviewed negotiations with Dr. Dennis Richter of the UW-W Geography Dept. to produce contour maps of the bottoms of both Whitewater and Rice Lakes. The cost of the project is estimated at \$2400. On motion by Ponyicsanyi/Hicks the project was approved unanimously. Copies of these contour maps will be published in a future District Newsletter.

6. Norris reported that Wis. Governor Thompson has authorized a program whereby money from the state's boating gasoline tax may become available to a variety of lake organizations. A total of \$650,000 is available over a two year period. Lake Districts could receive a maximum of \$10,000 to pay up to 75% of the cost of projects aimed at obtaining basic information on lake conditions and water quality. The grant program will be administered by the DNR.

Norris read a letter addressed to Richard Wedepohl of the DNR that requested such grant money to support the cost of our projected hydrology studies of the lakes with the U.S. Geologic Survey, as well as the lake mapping work of Dr. Richter of UW-W. The letter was approved and will be mailed immediately.

- 7b. Weed harvesting is expected to begin on Rice Lake on May 15. The Board reviewed a list of 13 items (listed on the agenda) that require consideration before harvesting actually begins. Cruse and Hicks agreed to work together to identify, and make field inspections of, the lake accesses that are suitable for removing weeds from the two lakes. Some of these may require special attention before they are usable. Cruse and Hicks will also identify dump sites for harvested weeds -- hopefully, no more than 2½ miles from each lake access. John Hall introduced the possibility that his company might be interested in composting aquatic weeds. Dale Poeppel will talk with Isabel Stoll re hauling weeds over her newly paved road from the bay in Thorne Heights.

We briefly discussed problems such as: parking of harvesting equipment when it is not in use; location and marking of obstructions on the lake bottom to prevent damage to the harvester; placing "No Wake" buoys somewhat further from shore and leaving a weed barrier just inside the no-wake zone to catch floating weeds.

Norris reported that, for \$35/hour, D & D will allow us to use the transporter to pick up weeds that property owners have collected and piled in accessible areas on the shoreline or on piers.

There is a need to develop a defined plan for weed harvesting. Clearly, we will need to monitor water clarity to insure that areas are not over-harvested and, thereby, promote excessive growth of algae. Hicks proposed that we divide the lakes into sections, and keep good records of the number of harvesting days and quantities of weeds removed in each section.

- 7a. Discussion of herbicidal treatment of the lakes was continued from the meeting of Feb. 8, 1990. The Board questioned its ability to comply with the detailed requirements of the DNR (NR 107) for large scale herbicidal treatment of lakes. It was felt that the District should do further study before initiation of a program of weed spraying. Boris Marohnic presented a survey of his neighbors on Ridge Road requesting shoreline spraying of weeds.

Norris moved that the District should not initiate a major program of shoreline weed spraying during the summer of 1990. On second by Ponyicsanyi, the motion was approved unanimously.

8. We will expect to produce a Lake District Newsletter by the end of April. The Newsletter will review our plans and expectations for weed control during the summer of 1990

On motion by Ponyiscanyi/ Norris the meeting was adjourned at 10:45 PM.

Date of next District meeting is set for April 12, 1990.

Respectfully submitted,



Walter Hicks, Secretary
Whitewater-Rice Lakes
Management District

MINUTES

District Commissioners Meeting
Whitewater-Rice Lakes Management District
April 12, 1990

Present: William Norris, Tom Ponyicsanyi, Mel Scharine, Ken Loehndorf, Walter Hicks
Guests: Roy Sheahan, Ray Heger, Vern Ludtke, Pat Castelvechi, Robert Benjamin, Ron Kluczynski, Ray Robbins

Chairman Norris called the meeting to order at 7:30 P.M.

1. Secretary read the minutes of the March 8, 1990 meeting. By motion of Ponyicsanyi/Norris, minutes were approved as printed.
2. The Treasurer's report showed that no income was taken in since the last meeting. The beginning balance in the savings account was \$63,303.64 with \$467.15 in the checking account. Total expenditures included \$31.38 paid to Getter Press Works, Inc. leaving an ending balance of \$435.77 in the checking account.

The Treasurer's report also noted that the County computer printout was not accurate. All properties were not included in the printout. By a motion of Scharine/Norris, the Treasurer's report was approved.

3. A discussion of the approximate timetable for the weed harvesting program followed. It is planned to start around May 15, however the water has been very cold and the weeds are down on bottom of the lake. If possible, depending on the weather, would like to get Rice Lake done before Memorial Day. Once Rice Lake is completed, the equipment would be moved to Whitewater Lake. It was not decided where to start on Whitewater Lake. Decision will be postponed until the weeds come up to see what happens.
4. A discussion was held about the possibility of making trips around the whole lake to open a channel for every owner to get their boat out in the lake.

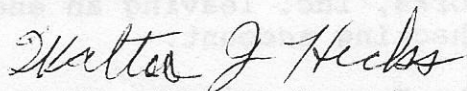
Hicks reported on meeting with Charles Cruse about dividing lake into zones and also about keeping records of how many weeds (and nutrients) are being removed from the lake. Vern Ludtke was also involved with this committee to find lake access and to find a place to put the weeds. Norris suggested leaving a few weeds where buoys are located to act as a buffer or as a way to stop floating weeds that are cut loose by boats.

- 4a. Norris explained about the possible use of a weed transporter to pick up weeds from piers or shoreline cleanup if it could be worked out. Ken Loehndorf asked about picking up leaves. Loehndorf also suggested that when using an access to work from one side so that the other side would be open for the public.
5. Norris suggested holding the Commissioner's meetings for the months of June and July on Saturdays to make it possible for more participation from the public. The June meeting would be on Saturday, June 9, and July would be on Saturday the 14th. Both meetings would begin at 1:00 p.m.

Norris asked for motion to adjourn the meeting at 10:30 p.m. Ponyicsanyi seconded the motion.

Date of the next District meeting is scheduled for May 10, 1990.

Respectfully submitted,



Walter Hicks, Secretary
Whitewater-Rice Lakes
Management District

May 10, 1990

District Commissioners Meeting
Whitewater & Rice Lakes Management District

Bill Norris called the meeting to order at 7:30 p.m.

Present: Mel Scharine, Tom Ponyicsanyi, Bill Norris,
Dick Kraus, Walter Hicks

Guests: Vera Marahnich, Eydie Kugath, Mark Johnson,
Rev. Bob Benjamin

Secretary's Report:

Minutes of the April meeting were approved as printed.

Treasurer's Report:

There was no income for the previous month. Expenditures included \$28.38 paid to Walt Hicks for copying the March minutes and stamps. The annual postal box rental of \$28.00 was also paid. This left an ending balance of \$63,303.64 in the savings account, and \$379.39 in the checking account. The treasurer's report was approved by a motion from Walt Hicks and seconded by Mel Scharine.

Other Business:

Tom Ponyicsanyi reported that the last printout of property owners for the district was not accurate. He had to spend time at the Walworth County Courthouse to have the printout corrected so that all property transfers would be included.

Will Norris reported that there was a notice in the Whitewater Register on May 3, 1990 concerning a permit to spray approximately 25 acres of weeds in Whitewater Lake. Norris had composed a letter requesting a public hearing on the permit. This hearing is scheduled for May 26, 1990 at 1:00 p.m. at the Whitewater Town Hall. This is an informational hearing only. The D.N.R. has the final decision.

Will Norris also reported that the budget has to be planned and that a list of candidates for the election has to be prepared for the annual meeting. These must go out to all property owners 60 days before the annual meeting.

Dick Kraus suggested cutting as many weeds as possible with the \$60,000.00 allotted for weed cutting. Then,

(over)

late in the fall, we should try to remove as many as we possibly could.

The next meeting is June 9, 1990 at 1:00 p.m.

Dick Kraus made a motion to adjourn the meeting at 9:35 p.m. The motion was seconded by Tom Ponyscanyi.

Respectfully Submitted,



Walter Hicks, Secretary
Whitewater & Rice Lakes
Management District

Minutes of the April meeting were approved as printed.

Treasurer's Report:

There was no income for the previous month. Expenditures included \$38.38 paid to Walt Hicks for copying the March minutes and stamps. The annual postal box rental of \$58.00 was also paid. This left an ending balance of \$23,301.64 in the savings account, and \$79.39 in the checking account. The treasurer's report was approved by a motion from Walt Hicks and seconded by Mel Schlarke.

Other Business:

The Ponyscanyi reported that the last printout of property owners for the district was not accurate. He had to spend time at the Walworth County Courthouse to have the printout corrected so that all property transfers would be included.

Will Morris reported that there was a notice in the newspaper to spray approximately 52 acres of weeds in Whitewater Lake. Morris had composed a letter requesting a public hearing on the permit. This hearing is scheduled for May 26, 1990 at 1:00 p.m. at the Whitewater Town Hall. This is an informational hearing only. The D.N.R. has the final decision.

Will Morris also reported that the budget has to be planned and that a list of candidates for the election has to be prepared for the annual meeting. These must go out to all property owners 60 days before the annual meeting.

Dick Kraus suggested cutting as many weeds as possible with the \$20,000.00 allotted for weed cutting. Then,

MINUTES

District Commissioners Meeting
Whitewater-Rice Lakes Management District
June 9, 1990

Present: Wm. Norris, Tom Ponyicsanyi, Mel Scharien, Walter Hicks. Absent-Dick Krause.

Guests: There were 25 guests present. The Commissioners are happy to see that many present and interested in these meetings, and welcome their input and discussion.

Chairman Wm. Norris called the meeting to order at 1:00 P.M. and welcomed those present.

1. The May 10, 1990 meeting minutes were amended to include guest Kari Johnson. The informational meeting was to begin at 1:30 P.M. The amended minutes were approved by a motion from Tom Ponyicsanyi/Mel Schraime. Motion passed.
2. The Treasurer's report showed no income since last meeting. The beginning balance in the savings account was \$63,303.64 with \$379.39 in the checking acct. for a total of \$63,683.03. Expenditures include \$18.00 To Tom Ponyicsanyi for milage & stamps: \$170.84 to Wm.Norris for news letter postage and misc. \$52.58 to U.W. Extention for printing (650) Newsletters. Total expenditures \$241.42 leaving a checking balance of \$136.97. A Walt Hicks/Mel Scharine motion approved the treasurer's report.
137.97
3. Chairmen Norris discussed the annual meeting; There is a need to get someone to take the minutes as Walt Hicks cannot be at the meeting. Arrangements to rent the LakeView School for the meeting must be made and also make some arrangements for a P.A. system. Marion Cruse, Chas. Cruse and Marty Van Steenderein will register voters. Wm. Norris will try to get Laurence Poltrock to act as Parliamentarian for the meeting.
4. A discussion of weed harvesting by Chairman Norris shows there is a need for serious study. The harvesting was just getting started at this time. He also discussed chemical weed spraying that is being done by some owners. There are two contractors doing weed spraying for individuals in different areas, some as far out as 100 ft. from shoreline. This is defeating the intentions of Lake Management program. Spraying causes Alge Bloom thus spraying again for that, causing more chemicals to be put into the lake. There also is need to define sensitive areas. Robert Benjamin talked and questioned the legality of weed spraying.
5. Questions by Residents of the Richmond area about getting any cooperation from the Richmond Town Board were presented. They wondered if there is any way to get help from them or a possibly get help by working with the Whitewater Town Board.
6. Chas. Chrusse gave a history to the people of the damming of the lake, and some of the problems. The lake bottom used to be pasture and hay fields before the damming began, taking about 30 yrs. to get water high enough to flow over the dam. The Lake bottom still remains a problem.

7. The next meeting to be held July 14, 1990 at 1:00 P.M. Motion for adjournment at 3:00 P.M. made by Tom Ponyicsanyi/Walt Hicks. Motion passed.

Respectfully submitted,

Walter J. Hicks

Walter Hicks, Secretary
Whitewater-Rice Lakes
Management District

MINUTES
WHITEWATER-RICE LAKES MANAGEMENT DISTRICT
FOURTH ANNUAL MEETING
AUGUST 11, 1990

THE MEETING WAS CALLED TO ORDER AT 2:00PM BY CHAIRMAN BILL NORRIS.
THERE WERE 297 DISTRICT VOTERS PRESENT.

1. CHAIRMAN NORRIS BEGAN THE MEETING BY DEDICATING A FEW MINUTES TO THE MEMORY OF DR. WILLARD GROSS, FORMER BOARD MEMBER AND DISTRICT SECRETARY, WHO PASSED AWAY IN JUNE, 1990.
2. CHAIRMAN NORRIS INTRODUCED THE LAKES MANAGEMENT DISTRICT'S BOARD OF COMMISSIONERS: MEL SCHARINE, WALWORTH COUNTY REPRESENTATIVE; DICK KRAUS, TOWN OF WHITEWATER REPRESENTATIVE; TOM PONYICSANYI, TREASURER; AND HIMSELF, BILL NORRIS, CHAIRMAN.

ALSO INTRODUCED WERE: RUSS JONES, ACTING PARLIAMENTARIAN; AND DON CALHOUN, ACTING SECRETARY, FILLING IN FOR ABSENT BOARD MEMBER WALTER HICKS.

3. CHAIRMAN NORRIS READ A LIST OF RULES FOR THE MEETING AND STATED THAT THE MEETING WOULD BE CONDUCTED IN ACCORDANCE WITH BOTH CHAPTER 33 OF THE WISCONSIN STATUTES AND ROBERTS REVISED RULES OF ORDER.

HE CALLED ATTENTION TO THE MEETING AGENDA AND TREASURER'S REPORT, WHICH WERE DISTRIBUTED AT THE DOOR, STATING THAT THE AGENDA WOULD BE FOLLOWED. HE REQUESTED THAT IF ANYONE IN ATTENDANCE WISHED TO PRESENT THEIR VIEWS, THEY USE ONE OF THE TWO MICROPHONES PROVIDED FOR THAT PURPOSE, AND THEY LIMIT THEIR PRESENTATION TO TWO MINUTES. HE ALSO STATED THAT THE SAME PERSON WOULD NOT BE RECOGNIZED TWICE ON THE SAME SUBJECT.

CHAIRMAN NORRIS THEN REVIEWED THE DISTRICT VOTING ELIGIBILITY REQUIREMENTS. HE STATED THAT, ACCORDING TO CHAPTER 33 OF THE (WISCONSIN) STATUTES, ANY PROPERTY OWNER WHO OWNS PROPERTY WITHIN THE LAKES MANAGEMENT DISTRICT CAN VOTE. PROPERTY OWNER BEING DEFINED AS THE PERSON AND/OR PERSONS WHOSE NAME/S APPEAR ON THE TITLE. FOR PROPERTY HELD IN JOINT OWNERSHIP OR CO-OWNERSHIP, ALL OF THE PERSONS WHOSE NAMES APPEAR ON THE TITLE MAY VOTE, PROVIDED THEY ARE OF LEGAL VOTING AGE (18 YEARS OR OLDER). IN ADDITION, RESIDENTS OF THE DISTRICT WHO ARE REGISTERED VOTERS IN EITHER THE TOWN OF WHITEWATER OR THE TOWN OF RICHMOND MAY VOTE, EVEN THOUGH THEY DO NOT OWN PROPERTY IN THE DISTRICT.

CHAIRMAN NORRIS NOTED THAT IN THOSE INSTANCES WHERE WRITTEN BALLOTS WERE REQUIRED WHEN VOTING, VOTERS WOULD BE ASKED TO USE ONE OF THE COLOR-CODED SLIPS OF PAPER PROVIDED TO THEM AS THEY ENTERED THE MEETING.

HE CONCLUDED HIS PRESENTATION OF THE RULES BY ANNOUNCING THAT HE WOULD TRY TO ADJOURN THE MEETING NO LATER THAN 4:30PM AND RULED THAT NO NEW BUSINESS WOULD BE CONDUCTED AFTER THAT TIME.

MR. DOLEZAL/MR. DEUTCH MOVED FOR ADOPTION OF THE RULES. THE MOTION PASSED BY A MAJORITY HAND VOTE.

4. CHAIRMAN NORRIS REQUESTED A MOTION TO ADOPT THE MEETING AGENDA AS PRINTED. MR. DARBO/MR. LARSEN MOVED ADOPTION OF THE PRINTED AGENDA. THE MOTION PASSED BY A MAJORITY HAND VOTE.
5. SECRETARY'S REPORT. DON CALHOUN READ THE MINUTES OF THE THIRD ANNUAL MEETING OF THE WHITEWATER/RICE LAKES MANAGEMENT DISTRICT HELD ON AUGUST 26, 1989. AT THE CONCLUSION OF MR. CALHOUN'S READING OF THE MINUTES, CHAIRMAN NORRIS ASKED FOR ANY CORRECTIONS OR ADDITIONS TO THE MINUTES AS READ.

MR. LOWELL WILSON, WHITEWATER LAKE RESIDENT, ROSE TO REQUEST THAT CORRECTIONS BE MADE TO THE MINUTES. HE BEGAN BY CITING ITEM #9 ON PAGE 3 OF THE MINUTES, READING:

'NORRIS REPORTED THAT THE MOTION TO CHANGE THE MIL TAX LEVY IN THE BY-LAWS, WAS DEFEATED IN A WRITTEN BALLOT BECAUSE IT FAILED TO OBTAIN A 2/3 MAJORITY. THE VOTE WAS YES - 151, NO - 106.'

MR. WILSON SUGGESTED INSERTING THE SENTENCE, 'THE NOS PREVAILED.', REASONING THAT, SINCE THE MOTION HAD NOT PASSED, THE PREVAILING GROUP WAS THE 106 WHO VOTED NO.

MR. WILSON CONTINUED, CITING THE SAME ITEM, READING:

'CHAIRMAN NORRIS DECLARED THAT A MOTION TO RECONSIDER WAS IN ORDER, BUT MUST BE PRESENTED BY SOMEONE WHO VOTED WITH THE PREVAILING SIDE. SINCE THERE WERE 151 YES VOTES, SOMEONE WHO VOTED YES REPRESENTS THE PREVAILING SIDE.'

MR. WILSON CONTENDED THAT THIS WAS INCORRECT BECAUSE THE SIDE THAT PREVAILED WAS, IN FACT, THE 106 WHO VOTED NO. TO SUBSTANTIATE HIS CONTENTION, MR. WILSON QUOTED PASSAGES FROM ROBERTS RULES OF ORDER, CONCERNING RECONSIDERATION OF MOTIONS AND PREVAILING-SIDE MINORITIES.

MR. WILSON CONTINUED, AGAIN CITING ITEM #9, PAGE 3 OF THE MINUTES, READING:

'MR. HICKS/MR. DARBO, BOTH OF WHOM VOTED IN FAVOR OF THE AMENDMENT, MOVED TO RECONSIDER THE RECOMMENDATION TO CHANGE THE MIL TAX LEVY IN THE DISTRICT'S BY-LAWS.'

HERE MR. WILSON SUGGESTED INSERTING THE WORDS 'NEITHER THE MOVER NOR THE SECOND, MR. HICKS NOR MR. DARBO, WERE IN THE PREVAILING SIDE; THEREFORE, THE MOTION WAS OUT OF ORDER.'

MR. WILSON CONCLUDED BY MOVING FOR ACCEPTANCE OF HIS PROPOSED CHANGES TO THE MINUTES. THIS WAS SECONDED BY AN UNIDENTIFIED PERSON.

CHAIRMAN NORRIS ASKED PARLIAMENTARIAN RUSS JONES FOR COMMENT. MR. JONES STATED THAT MR. WILSON'S CONTENTIONS WERE ESSENTIALLY CORRECT. FOLLOWING A PERIOD OF DISCUSSION BETWEEN MR. JONES AND MR. WILSON, IT WAS DECIDED THAT A VOTE WOULD BE TAKEN WHETHER TO AMEND THE MINUTES PER MR. WILSON'S REQUEST.

CHAIRMAN NORRIS REQUESTED A PAPER BALLOT BE TAKEN. HE INSTRUCTED THE VOTERS TO WRITE 'YES' ON THEIR YELLOW BALLOT IF THEY WERE IN FAVOR OF AMENDING THE MINUTES AS PROPOSED BY MR. WILSON, OR, IF THEY WERE NOT IN FAVOR, WRITE 'NO'.

MR. ED COYNE, RIDGE RD, ASKED 'WHY, AT SUCH A LATE DATE, THIS MOTION WAS BEING BROUGHT FORWARD, PARTICULARLY WITH THE HINT OF SOMETHING YET TO COME?' CHAIRMAN NORRIS ASKED MR. WILSON TO RESPOND.

MR. WILSON, APOLOGIZING FOR TAKING SO MUCH TIME WITH THIS MATTER, EXPLAINED THAT HE FELT IT WAS IMPORTANT BECAUSE IT DEALS WITH THE TAX LEVY FOR WHICH THE MIL RATE WAS SET IN THE LATTER PART OF ITEM #9. HE CONTENDED THAT AFTER THE VOTE TO RECONSIDER THE MOTION WAS TAKEN, MANY OF THE PEOPLE WHO HAD DEFEATED THE FIRST MOTION HAD LEFT THE ASSEMBLY. THIS, HE FELT, RESULTED IN THE VOTE BEING TURNED AROUND ON THE MOTION TO RECONSIDER, WHICH, HE REITERATED, WAS AN INVALID MOTION BECAUSE IT WAS NOT MADE BY SOMEONE WHO HAD VOTED WITH THE PREVAILING GROUP.

THE BALLOTS WERE COLLECTED AND COUNTED. THE RESULTS WERE YES - 106, NO - 88. THE MOTION TO AMEND THE MINUTES OF THE THIRD ANNUAL LAKES MANAGEMENT DISTRICT MEETING HAD PASSED.

6. TREASURER'S REPORT. DISTRICT TREASURER, TOM PONYICSANYI, REVIEWED THE TREASURER'S REPORT, COPIES OF WHICH HAD BEEN DISTRIBUTED AT THE MEETING. HE NOTED THAT THE REPORT WAS DATED AS OF 08/04/90, EXPLAINING THAT HE HAD CHOSEN THIS SPECIFIC DATE TO CLOSE THE REPORT.

BALANCE AFTER THE THIRD ANNUAL MEETING WAS \$13,442.01. INCOME FOR 1989-90 PERIOD WAS \$53,537.82, WHILE EXPEDITURES WERE \$26,407.72. THIS LEFT A BALANCE OF \$40,572.11, WITH \$38,430.24 IN THE SAVINGS ACCOUNT AND \$2,141.87 IN THE CHECKING ACCOUNT.

HE REPORTED THAT THE STATE OF WISCONSIN HAD CHANGED ITS POLICY REGARDING THE DISTRIBUTION OF PROPERTY TAX MONEY. UNLIKE PRIOR YEARS, WHEN THE STATE DISTRIBUTED ALL OF THE TAX MONEY BY THE FIRST OF MARCH, THE STATE NOW ONLY DISTRIBUTES THE PORTION PAID IN BY THAT DATE, WITH THE REMAINDER BEING DISTRIBUTED LATER. THIS AMOUNTED TO \$32,867.96, WHICH HE HAD NOT RECEIVED.

THE 1989-90 REMAINING OPERATING CAPITAL OF CASH-ON-HAND PLUS THE OUTSTANDING TAX ASSESSMENTS TOTALED \$73,440.07. REMAINING 1989-90 COMMITTED OPERATING EXPENDITURES, CONSISTING OF, WEED HARVESTING (\$58,492.60), U.S.G.S. HYDROLOGIC STUDY (\$10,000.00), AND FISH MANAGEMENT (\$2,000.00), TOTALED \$70,492.60. THIS LEFT A REMAINING UNCOMMITTED CAPITAL BALANCE OF \$2,947.47, WHICH, HE STATED, WOULD BE NEEDED TO OPERATE THE DISTRICT UNTIL THE BUDGET MONEY FOR 1991 WAS RECEIVED ON MARCH 1.

MR. PONYICSANYI NOTED THAT THE BOOKS WERE AUDITED ON 07/23/90 AND THANKED THE MEMBERS OF THE AUDIT COMMITTEE (ANN BENJAMIN, LAURA HICKS, AND ANN ZARACH) FOR THEIR FINE JOB.

MR. PONYICSANYI CONCLUDED BY REPORTING THAT THE ESTIMATED 1990 EQUALIZED TAX BASE TOTALS \$47,464,319.00, WHICH, AT THE PRESENT 2 MILS RATE, WOULD YIELD A POSSIBLE BUDGET OF \$94,929.00.

FOLLOWING A BRIEF DISCUSSION BETWEEN MEMBERS OF THE AUDIENCE AND MR. PONYICSANYI, MRS. ZARACH/MR. POTRYKUS MOVED TO ACCEPT THE TREASURER'S REPORT AS PRINTED AND DISTRIBUTED. THE MOTION PASSED BY A MAJORITY HAND VOTE.

7. WHITEWATER TOWN BOARD REPORT ON STATUS OF LAKE PATROL. DICK KRAUS, TOWN OF WHITEWATER SUPERVISOR, REPORTED THAT THE TOWN OF WHITEWATER COULD LOSE ALL OF ITS DNR-FUNDING FOR THE LAKE PATROL BECAUSE THERE HAVE BEEN NO CITATIONS ISSUED. THE STATE (NOT THE DNR) REQUIRES THAT FOR EVERY TWENTY HOURS OF PATROLLING, THERE BE AT LEAST ONE CITATION ISSUED. MR. KRAUS INDICATED THAT THE LAKE PATROL COULD BE IN JEOPARDY IF THIS FUNDING IS LOST. THE TOWNSHIP IS CONCERNED ABOUT THE COSTS INVOLVED IN HIRING A PATROL OFFICER AND PROVIDING THE 400 HOURS OF TRAINING THE PERSON WOULD REQUIRE.
8. ELECTION OF COMMISSIONER. CHAIRMAN NORRIS INTRODUCED THE CANDIDATES VYING FOR THE COMMISSIONER VACANCY ON THE LAKES MANAGEMENT BOARD. THE TWO CANDIDATES WERE RICK BREIDENBACH AND BOB HORSWILL. CHAIRMAN NORRIS INVITED EACH OF THE CADIDATES TO ADDRESS THE AUDIENCE. MR. BREIDENBACH PRESENTED HIS PLATFORM, OUTLINING HIS VIEWS ON LAKE MANAGEMENT ISSUES. MR. HORSWILL WAS NOT PRESENT. CHAIRMAN NORRIS CALLED FOR A VOTE, INSTRUCTING THE VOTERS TO MARK THEIR PINK BALLOTS WITH THEIR CHOICE.
9. AD-HOC FISHERIES ADVISORY COMMITTEE REPORT. DALE POEPEL BEGAN HIS REPORT WITH AN UPDATE ON THE STATUS OF THE WALLEYE PROGRAM. HE NOTED THAT FOR A VARIETY OF REASONS, THE WALLEYE POND WAS NOT EXPECTED TO PRODUCE ANY FISH THIS YEAR. HE PREDICTED THAT THE POND MAY CEASE TO EXIST IN THE FUTURE DUE TO CHANGES WITHIN THE DNR.

MR. POEPEL REPORTED THAT NORTHERNS WERE BEING RAISED THIS YEAR. HE PROJECTED THE YIELD WOULD BE AROUND 2,500 FISH AND WOULD COST THE DISTRICT ABOUT \$300.00. HE EXPLAINED THAT MOST OF THE COST WAS FOR FEEDING THE FISH. HE NOTED THAT THE FISH WERE STOCKED WHEN THEY WERE ABOUT 1.5 INCHES IN LENGTH AND WOULD COME OUT AT 8 INCHES.

ALTHOUGH THE FISHERIES PROGRAM HAS \$3,000 BUDGETED FOR NEXT YEAR, MR. POEPEL INDICATED THAT HE WAS UNSURE WHETHER ALL OF THIS WOULD BE SPENT. HE EXPRESSED HOPE THAT THE WALLEYE PROGRAM WOULD GET BACK ON TRACK NEXT YEAR. HE ALSO SUGGESTED THAT THE DISTRICT MIGHT WANT TO BUY MORE NORTHERNS THIS YEAR IF THE NORTHERNS IN THE POND DO NOT SURVIVE.

MR. POEPEL EXPLAINED THAT THE REASON HE STARTED THE FISH PROGRAM SIX YEARS AGO WAS TO GET ON A FISH QUOTA WITH THE DNR. HE NOTED THAT WHILE OTHER LAKES IN THE AREA HAVE BEEN RECEIVING FREE FISH FROM THE DNR FOR TWENTY OR THIRTY YEARS, WHITEWATER LAKE HAS ONLY BEEN IN THE PROGRAM FOR SIX YEARS. HE STATED THAT WHEN HE INITIALLY APPROACHED THE DNR, HE WAS TOLD THAT WHITEWATER LAKE HADN'T RECEIVED FISH IN THE PAST BECAUSE THEY HADN'T ASKED FOR ANY. MR. POEPEL RESPONDED, 'WELL, NOW WE'RE ASKING!' AS AN EXAMPLE OF THE BENEFITS OF THE PROGRAM, HE NOTED THAT 50,000 WALLEYES HAD BEEN PUT IN THE THE LAKES AT A COST OF ABOUT \$2,000; EACH FISH IS WORTH 50 CENTS.

IN CLOSING, MR. POEPEL MENTIONED THAT THE DNR WANTS TO CONDUCT A FISH STUDY OF THE LAKE TO FIND OUT WHAT POPULATIONS OF FISH ARE IN THE LAKE. THIS WILL AID IN DETERMINING WHAT TYPE OF FISH TO PUT IN THE LAKE AND HOW TO MANAGE THE LAKE.

10. USGS HYDROLOGIC SURVEY. CHAIRMAN NORRIS REPORTED ON THE USGS SURVEY. HE INDICATED THAT THE PURPOSE OF THE STUDY IS TO DETERMINE THE WATER BALANCE OF THE LAKES, THAT IS, RAIN WATER, GROUND WATER, EVAPORATION, ETC. HE NOTED THAT THE DISTRICT BUDGETED \$10,000 FOR THE STUDY LAST YEAR AND, IF THE STUDY IS APPROVED, THE USGS WILL PAY HALF THE COST. HE REPORTED THAT THE LAKES ARE AT AN ELEVATION OF 893 FEET ABOVE SEA LEVEL. THIS COMPARES TO AN 830-FOOT ELEVATION FOR THE CITY OF WHITEWATER.

THE FIRST TASK INVOLVED WAS TO MAP THE BOTTOM OF THE LAKE. THIS WAS DONE DURING THE WINTER BY THE GEOLOGY DEPARTMENT OF THE UNIVERSITY OF WISCONSIN-WHITEWATER. THE MAP HAS BEEN COMPLETED AND IT WILL BE INCLUDED IN THE NEXT NEWSLETTER. CHAIRMAN NORRIS COMMENTED THAT THE MAP SHOWS THAT THE LAKE IS FAIRLY SHALLOW. THE MAP COST \$2,450 AND COPIES HAVE BEEN SENT TO THE DNR AND THE USGS.

CHAIRMAN NORRIS CLOSED BY STATING THE BOARD EXPECTED THAT THE USGS WOULD APPROVE THE STUDY.

11. WILDLIFE REHABILITATION. CHAIRMAN NORRIS MENTIONED THAT \$500.00 HAS BEEN BUDGETED FOR WILDLIFE REHABILITATION. HE REQUESTED THAT IF ANYONE HAD ANY IDEAS OR SUGGESTIONS FOR ENCOURAGING WILDLIFE, THEY PRESENT THEM TO THE BOARD.

12. WEED CONTROL PROGRAM. CHAIRMAN NORRIS BEGAN DISCUSSION OF THE WEED CONTROL PROGRAM WITH A REVIEW OF THE SUMMER'S ACTIVITY. HE NOTED THAT THE WEED HARVESTING PROGRAM GOT STARTED THREE WEEKS LATER THAN EXPECTED BECAUSE OF DELAYS CREATED BY THE MANUFACTURER WHO HAD TWO HARVESTERS WHICH HAD TO BE DELIVERED TO FRANCE.

HE EXPLAINED THAT THE HARVESTING REQUIRES THREE PIECES OF EQUIPMENT: A 7-FOOT WIDE HARVESTER, CAPABLE OF CARRYING 8,500 POUNDS OF WET WEEDS; A TRANSPORTER, WITH A CARRYING-CAPACITY SOMEWHAT GREATER THAN THAT OF THE HARVESTER; AND, A SHORE CONVEYER FOR LOADING A DUMP TRUCK. IN ADDITION TO THESE ITEMS, WHICH SELL FOR \$102,250, THE MANUFACTURER, D&D PRODUCTS OF NORTH PRAIRIE, ALSO SUPPLIES THE DUMP TRUCK. THE DUMP TRUCK, WHICH IS A USED MACHINE, HAS CAUSED A FAIR AMOUNT OF TROUBLE. THE LAKE DISTRICT PAYS \$112/HOUR FOR THE USE OF THIS EQUIPMENT.

THE WEED HARVESTER WAS PUT ON RICE LAKE ON THE SIXTH OF JUNE AND TWENTY-THREE HARVESTING HOURS WERE BILLED. AT 8,000 POUNDS PER LOAD, 248,000 POUNDS OF WET WEEDS WERE REMOVED FROM THE LAKE. IN CONTRAST, IN 1988 ONLY 61,000 POUNDS OF WET WEEDS WERE REMOVED FROM RICE LAKE.

ON JUNE 11 THE EQUIPMENT WAS BROUGHT TO WHITEWATER LAKE. ON JULY 27, DUE TO SLOWER-THAN-EXPECTED PROGRESS (MOSTLY MAINTENANCE PROBLEMS WITH THE TRUCK), D&D PRODUCTS REPORTED THAT THEY HAD A 5-FOOT MACHINE WE COULD USE FOR AN ADDITIONAL \$36/HOUR. CHAIRMAN NORRIS NOTED THAT THE SAME TYPE OF MACHINE COST THE DISTRICT \$68/HOUR LAST SUMMER. AS A RESULT, THERE ARE NOW BOTH A 7-FOOT AND A 5-FOOT MACHINE IN OPERATION. AS OF FRIDAY, AUGUST 10, 1990, 291 HARVESTING-HOURS HAD BEEN LOGGED ON THE LARGER MACHINE, WHILE 80 HOURS HAD BEEN LOGGED ON THE SMALLER MACHINE. IT WAS ESTIMATED THAT 4,680,000 POUNDS OF WET WEEDS HAD BEEN REMOVED FROM WHITEWATER LAKE. NOTING THAT THE DRY WEIGHT OF THE WEEDS REPRESENTS CLOSE TO 10% OF THE WET WEIGHT,

CHAIRMAN NORRIS ESTIMATED THAT 234 TONS OF DRY MATERIAL HAD BEEN REMOVED. INDICATING THAT THE MAIN ADVANTAGE OF HARVESTING IS THE REMOVAL OF FERTILIZERS FROM THE LAKE (NITROGEN AND PHOSPHOROUS BEING THE MOST SIGNIFICANT), THIS REPRESENTED OVER 5 TONS OF NITROGEN AND 1.5 TONS OF PHOSPHOROUS.

FOLLOWING HIS REVIEW OF THE STATUS OF THE CURRENT PROGRAM, CHAIRMAN NORRIS BEGAN DISCUSSING FUTURE WEED HARVESTING OPTIONS. HE BEGAN HIS REMARKS BY NOTING THAT THE NUMBER OF CONTRACTORS PROVIDING WEED HARVESTING SERVICES ARE DWINDLING; DUE IN PART TO THE FACT THAT MANY OF THE LARGER LAKES HAVE PURCHASED THEIR OWN EQUIPMENT. HE INDICATED THAT THE CURRENT CONTRACT THE DISTRICT HAD WITH D&D PRODUCTS WAS A BARGAIN, BOTH IN TERMS OF COST AND THE PROVISION FOR AN EQUIPMENT PURCHASE CREDIT OF 10% OF THE DISTRICT'S WEED HARVESTING PAYMENTS. HE CAUTIONED, HOWEVER, THAT HE EXPECTED THE COST TO GO UP NEXT YEAR. CHAIRMAN NORRIS SUGGESTED THAT THE LAKES MANAGEMENT DISTRICT MIGHT WANT TO CONSIDER BUYING ITS OWN EQUIPMENT. HE THEN PRESENTED COSTS AND OTHER FACTORS RELATING TO THIS OPTION. CHAIRMAN NORRIS CONCLUDED HIS REMARKS BY EXPRESSING HIS BELIEF THAT WEED HARVESTING WAS THE MOST VIABLE AND MOST EFFECTIVE METHOD FOR LONG-TERM WEED CONTROL.

COMMISSIONER PONYICSANYI COMMENTED THAT HE WAS STRONGLY OPPOSED TO PURCHASING EQUIPMENT AT THIS TIME. HE REASONED THAT IT WAS TOO SOON TO JUDGE THE EFFECTIVENESS OF THE HARVESTING PROGRAM. IN ADDITION, HE FELT THE LAKES MANAGEMENT DISTRICT WAS IN NO POSITION TO TAKE ON THE ADDITIONAL LIABILITY THAT WOULD COME WITH OWNING AND OPERATING ITS OWN EQUIPMENT. HE CLOSED BY SAYING THAT THE CURRENT ARRANGEMENT WITH D&D WAS TOO GOOD OF A DEAL TO (ABANDON) AND RUSH TO PURCHASE EQUIPMENT.

CHAIRMAN NORRIS RESPONDED THAT HE HOPED HIS REMARKS WERE NOT BEING MISINTERPRETED. HE EXPLAINED HE WAS MERELY PRESENTING OPTIONS FOR NEXT YEAR, THAT IS, WHETHER TO CONTRACT WITH D&D AGAIN OR PURCHASE EQUIPMENT. HE STATED THAT HE AGREED WITH MR. PONYICSANYI'S POINT THAT IT WOULD BE PREMATURE TO RUSH INTO PURCHASING EQUIPMENT.

CHAIRMAN NORRIS THEN OPENED THE MICROPHONES TO THE FLOOR. A LIVELY DISCUSSION ENSUED, WITH MEMBERS OF THE BOARD RESPONDING TO QUESTIONS AND COMMENTS FROM AUDIENCE.

13. PROPOSED 1991 DISTRICT BUDGET. CHAIRMAN NORRIS REQUESTED A MOTION TO ADOPT THE 1991 BUDGET. MR. HALE/MR. CHAMBERLAIN MOVED TO ACCEPT THE BUDGET. MOTION PASSED BY A MAJORITY HAND VOTE. ONLY 3 PERSONS VOTED AGAINST ADOPTION OF THE BUDGET.
14. PRESENTATION OF NEWLY ELECTED OFFICER. CHAIRMAN NORRIS INTRODUCED RICK BREIDENBACH AS THE NEWLY-ELECTED LAKES DISTRICT OFFICER. CHAIRMAN NORRIS ANNOUNCED THAT MR. BREIDENBACH HAD RECEIVED 138 VOTES TO 50 FOR MR. HORSWILL.
15. ESTABLISH DATE OF NEXT ANNUAL MEETING. CHAIRMAN NORRIS PRESENTED A LIST OF DATES FOR THE NEXT ANNUAL MEETING, RECOMMENDING AUGUST 17, 1991, AND ENTERTAINED A MOTION TO ACCEPT THAT DATE. MR. CHAMBERLAIN/MR. DOLEZAL MOVED AUGUST 17, 1991 AS THE DATE FOR THE NEXT ANNUAL MEETING. MOTION PASSED BY UNANIMOUS VOICE VOTE.

16. CHAIRMAN NORRIS ENTERTAINED A MOTION TO ADJOURN THE MEETING. UNKNOWN PERSONS MOVED AND SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOICE VOTE.

CHAIRMAN NORRIS DECLARED THE ANNUAL MEETING ADJOURNED.

MEETING ADJOURNED AT 4:25PM.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Don Calhoun".

DON CALHOUN, ACTING SECRETARY

McDonald & Gustafson

ATTORNEYS AT LAW
(608) 756-2000

August 28, 1990

PATRICK K. MCDONALD
LYNN L. GUSTAFSON
GREGORY F. MCDONALD

200 SOUTH MAIN STREET
JANESVILLE, WISCONSIN 53545-3953

Mr. William P. Norris
R.R. 3
5186 State Park Drive
Whitewater, WI 53190

RE: MILL RATE FOR WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

Dear Mr. Norris

I am writing to you as one of the commissioners of the Whitewater-Rice Lakes Management Board. I have been retained by a group of electors in the Whitewater-Rice Lakes Management District who have asked that I contact you regarding the invalid action which took place at the August 26, 1989, annual meeting of the Lakes Management District.

As I believe you are aware, at the August 26, 1989, annual meeting, a motion was made to amend the by-laws of the Lakes Management District to increase the maximum allowable mill rate from 0.5 to 2.5 mills of equalized valuation. That motion was voted upon and defeated in a written ballot by failing to obtain the required two-thirds majority necessary to amend the by-laws.

Subsequent to that action, a motion to reconsider was made by persons who were not on the prevailing side. The Whitewater-Rice Lakes Management District by-laws specifically provide that Robert's Rules of Order are to be followed in the conducting of meetings. Robert's Rules of Order very clearly states that a motion to reconsider can be made only by a member who voted with the prevailing side. Even if a majority of people vote for a motion, if the motion requires a two-thirds vote as amendment to the by-laws did, those persons voting with a simple majority did not vote on the prevailing side. Thus the motion to reconsider the change in the by-laws should never have been brought to the floor.

Subsequent to the invalid motion to reconsider which was adopted by a majority hand vote, another motion was made to amend the by-laws by increasing the tax mill rate from 0.5 to 2.0 mills of equalized valuation. That motion was erroneously on the floor and should never have been allowed. The action approved by that motion is void.

I am sure you are aware of these problems because at the August 11, 1990, annual meeting of the Whitewater-Rice Lakes Management District, a motion

Mr. William P. Norris
August 28, 1990
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was made and adopted to correct the August 26, 1989, minutes. The corrections clearly establish that the motion to reconsider was invalid because it did not comply with Roberts Rules of Order.

I believe that the responsibility of the commissioners of the Whitewater-Rice Lakes Management board is now clear - correct this error before it is compounded. As elected commissioners of the Lakes Management District, I believe you have a responsibility to enforce the current by-laws, which, since the motion to increase the mill rate was invalid, still provide that the current mill rate is 0.5. It is my understanding that the budget which has been adopted would exceed that allowed mill rate. Thus you will need to take action to modify the budget in order not to exceed the allowed mill rate.

It is my understanding that the board has a meeting scheduled on September 6, 1990. Representatives from the electors of the Lakes Management District intend to be present at that meeting to learn what action you as the board of commissioners take to correct this error.

You can, of course, choose any appropriate alternative you wish to correct the problem. I would suggest, however, that the by-laws for the district do provide for the calling of a special meeting, and it appears that may be one alternative which would be appropriate under the circumstances. I would note that the notice requirements for the annual meeting must be complied with for any special meeting as well.

It is imperative that action be taken on this matter at your first opportunity, well before tax bills are prepared.

My clients are hopeful that the Board will take appropriate action to recognize the error in allowing the motion to reconsider and the invalidity of the subsequent motion modifying the mill rate. Hopefully the Board will then confirm that the legal mill rate is still 0.5 mills of equalized valuation. The Board can then proceed with whatever action it feels is appropriate regarding modification of the budget if it exceeds the legal mill rate.

My clients wish to give the Board an opportunity to resolve this problem, but if the Board does not take appropriate action, my clients are prepared to resort to other alternatives to correct this error.

Mr. William P. Norris
August 28, 1990
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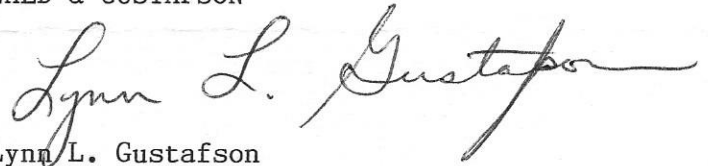
Thank you.

Very truly yours,

McDONALD & GUSTAFSON

By:

Lynn L. Gustafson

A handwritten signature in cursive script that reads "Lynn L. Gustafson". The signature is written in dark ink and is positioned to the right of the typed name.

LLG/smc



CARLO A.
ALISTRIERI, S. C.

ATTORNEY • AT • LAW

163 A East Wisconsin Avenue • Oconomowoc, Wisconsin 53066
Phone (414) 567-8600

September 7, 1990

Whitewater-Rice Lakes Management District
William P. Norris, Chairman
5186 State Park Drive, Rt. 3
Whitewater, WI 53190

Dear Bill:

Initially, let me thank you and the other members of the Whitewater-Rice Lakes Management District Board of Commissioners for continuing to have me represent you as your attorney. This letter is to confirm in writing the opinion that I gave you orally regarding the recent controversy over Roberts' Rules of Order and the legitimacy of the motion made and adopted at your August, 1989 annual meeting to amend the by-laws to raise the maximum mill rate level from .5 to 2.0. As best we can recap the facts, the following appears to have happened at that August 26th meeting:

1. The motion was made, seconded, discussed and voted upon to amend the by-laws to .5 mills to 2.5 mills. That motion was defeated since it did not garner the necessary two-thirds majority needed to amend the by-laws. Discussion continued, and Dick Seip, who voted on the "no" side, and therefore the prevailing side, rose to indicate that he wanted to reconsider the vote and made a motion. A discussion ensued over who could appropriately make a motion to reconsider, and Larry Poltrock, an attorney from Chicago who was seated in the audience, rose to offer his assistance as parliamentarian, indicating that since sixty percent of the vote was "yes" the "yesses" had prevailed and that the person voting "yes" must move to reconsider. Subsequently a person who did vote "yes" made a motion to reconsider which was seconded and passed. A subsequent motion was made to change the maximum mill rate from .5 to 2.0. It passed by the necessary two-thirds vote. Subsequently an overwhelming majority of the electors present voted in a budget of \$84,000, some \$20,000 in excess of what the Board of Commissioners had requested.

Mr. Wm. P. Norris
September 7, 1990
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At this year's annual meeting the issue was raised once again and a challenge was lodged to the procedures used to change the mill rate from .5 to 2.0, alleging that the motion to reconsider was out of order, in that the actual prevailing side was that which successfully defeated the motion.

It appears from a review of the tapes that Mr. Seip's motion, although properly made by a person who voted with the prevailing side, was never voted upon. Obviously if that motion had been voted upon the motion to reconsider would have been proper. The main point missed by those challenging what occurred at the 1989 meeting is that the motion to reconsider is irrelevant to their objection. As can be seen from an analysis of the minutes and the tapes of the meeting, the motion to reconsider was brought, debated and acted upon prior to the introduction of the motion to change the mill rate levy from .5 to 2.0. Thus, the motion to reconsider pertained only to the motion to amend the levy to 2.5 mills. The motion to amend to 2.0 constitutes a separate motion under consideration and is not, therefore, subject to the vote to reconsider the original motion.

At any rate, the body of electors present at the meeting ratified the actions of the commission in its overwhelming vote to approve the budget of \$84,000. Obviously it was the will of the people that the district operate with a budget of that size. That money could not possibly be raised with a mill rate of .5 and therefore some action had to be taken in order to increase the mill rate.

As I mentioned in our conversations regarding this issue, it may behoove the district to consider a restatement of its by-laws in order to provide more flexibility in its means of operation. Such a restatement could take the general form of the proposed by-laws set forth in the new edition of the guide to Wisconsin's Lake Management Law, which could be tailored to suit the needs of Whitewater-Rice Lake rather than adopted wholesale from that publication. If the district so wishes I would be happy to prepare a set of proposed restated by-laws for its consideration.

Whitewater - Rice Lakes Management District
Board of Commissioners Meeting
Sept. 6, 1990

Bill Norris opened the meeting at 7:30 P.M.

Present: Bill Norris, Tom Poniyasani, Rick
Brudenbach, Ken Loehndorf for Dick
Krause; Melvin Schaine - absent

Minutes were approved for the July 14th meeting.

Treasurer's Report

Copies of the report were distributed to those attending. The beginning balance was \$55,478.35
Bills paid totaled \$32,126.80. Most of this was to D.+D. for weed harvesting.

Income from remaining 1989 tapes was \$32,867.96.
Ending balance was \$56,219.51.

Poniyasani questioned a \$784.00 charge by D+D for the transfer of harvesting equipment between Rice and Whitewater lakes. Norris, reading from the contract, stated that D+D was responsible for the transfer of equipment and the \$784.00 transfer charge was not our responsibility.

Treasurer's Report was approved.

Other Business

Dr. Jeff Thornton, a marine plant expert, reported

on the condition of Whitewater Lake. Dr. Horton said that it would be a mammoth task to deplete the weed supply by just harvesting. After much explanation and discussion - including many questions and comments from those present at the meeting, Dr. Horton felt that judicious chemical application (pellets preferred over spraying) and a solid harvesting program would best meet the needs of Whitewater Lake.

The commissioners decided to continue using both weed harvesters until the harvesting budget is depleted. This is about 13 more days of cutting.

Ray Hager, Bob Benjamin and Boris Marohnich volunteered to help with the U.S.G.S. survey. Details should follow at the October meeting.

Norris explained a letter from a Miss Gustafson on behalf of Edna Barber requesting the lowering of the mil rate to .5 due to the amended annual meeting minutes. This matter has been referred to our attorney.

Meeting was adjourned at 9:00 P.M.

Respectfully submitted,
Rick Breidenbach - secretary

Whitewater - Rice Lakes Management District

Board of Commissioners Meeting

October 11, 1990

Bill Norris opened the meeting at 7:30 P.M.

Present: Bill Norris, Tom Pomyjissani, Rick Brudenbach,
Dick Krause and Melvon Scherine

Minutes were approved for the Sept. 6th meeting.

Treasurer's Report

Copies of the report were distributed to those attending. The beginning balance was \$56,219.⁵¹. Although 9 bills were paid the 3 most significant were to D+D for weed harvesting. They totaled \$32,806. Ending balance showed \$23,554.¹⁵ with \$5980.²⁰ still owed to D. D. Pomyjissany did question ~~\$375.⁰⁰~~ in back-hole charges to Jim Harmon; however, it was paid. Dick Krause moved to approve the treasurer's report. It was seconded by Mel Scherine.

Other Business

Bill Norris explained our attorney's, Carlo Balastrieri, opinion regarding the motion to raise the mil rate to 2.0 at the August 1989 meeting. According to Balastrieri, it was a proper motion and there is no grounds for a lawsuit.

Tom Pomyjissani explained that Josie Burke's interest in calling a special meeting has waned.

Bill Norris gave a detailed explanation of the results of the weed harvesting program this past summer. Approximately 5.5 million lbs. of wet weeds were removed. This equals 272 tons of dry weeds containing 1,500 lbs. of phosphorus and 12,000 lbs of nitrogen. He explained how the second harvester made for far more efficient use of the Transporter - 29 loads removed daily vs 15 truck loads previously. The percentage of the total weed removal from each lake section is as follows: 45.5% East Lobe, 30.4% South Lobe, 21.6% West Lobe, and 2.5% Rice Lake.

Next summer's weed control program was discussed with considerable input from those attending the meeting. The pros and cons of various strategies were commented on. Tom Ponjicsani moved to continue harvesting with some shoreline chemical treatment. This motion was seconded by Rick Breidenbach. Details of this harvesting/treatment program are still pending.

Bill Norris explained the intent and procedures of the upcoming U.S.G.S. hydrologic study. This study is quite comprehensive and will need volunteer assistance.

Dick Krause explained that the Whitewater town board will be notifying lakefront owners regarding fire number display. He also reported that the township will fund the boat patrol next summer.

The meeting was adjourned around 10 P.M.

Respectfully submitted,
Rick Breidenbach - secretary

Whitewater - Rice Lakes Management District
Board of Commissioners Meeting
November 8, 1990

Bill Norris opened the meeting at 7:30 P.M.

Present: Norris, Poryjicsanyi, Krause; absent: Breidenbach, Schairne

Minutes were approved for the October 11th meeting

Treasurer's Report

Copies were distributed to those attending. Beginning balance was \$23,554.¹⁵; Bills paid was \$6,175.²⁸; ending balance is \$17,383.⁸⁷
Krause and Norris accepted the report.

Other business

Mel Schairne now present at meeting and gave county OK for U.S. G.S. survey

Norris explained financial aspects of U.S. G.S. survey. He also distributed a letter explaining the mechanics and various aspects of the survey (i.e. rain gauges, water levels etc.)

Ray Heger will assist in monitoring gauges and help with survey.

Norris commented favorably on the B.W.L.P.A. survey. We need someone to take ^{SECC} ~~study~~ disk reading once a week.

Norris explained a letter to Neil O'Rielly of the D.M.R. concerning their responsibility in weed harvesting.

Poryjicsanyi questioned the timetable for contracting with D.P. for weed harvesting for next summer.

Norris gave copies of annual meeting minutes.

Krause - Norris moved to adjourn at 9:40 P.M.

Respectfully submitted,

Rick Breidenbach - secretary (with help from Walter Hicks)

Whitewater-Rice Lakes Management District
Board of Commissioners Meeting
December 13, 1990

Bill Norris opened the meeting at 7:36 P.M.

Present: Norris, Pomyseanyi, Krause, Breidenbach; absent Schaine
Krause and Pomyseanyi moved to approve the Nov. 8 minutes with
2 minor corrections (the spelling of secki and M. Schaine's presence)

Treasurer's Report

Krause and Breidenbach approved the report which had a
beginning and ending balance of \$17,383.⁸⁷

Other Business

Bill Norris presented the proposed newsletter and asked the
board to read it and make suggestions, if needed.

Pomyseanyi discussed aeration for Rice Lake.

Pomyseanyi and Norris moved to subscribe to Wis. Natural Resources
Magazine and the North American Lake Management Society for 1
year at a total cost of \$100.⁰⁰.

After much discussion and explanation of the various options
of renting weed harvesting equipment, the board voted
unanimously to rent a 10ft harvester with matching equipment
from D.D. for the summer of 1991.

Bill Norris presented the proposed contract for a 10ft harvester rental.

Norris explained a proposed shoreline spraying strategy with
Maine Biochemists of Milwaukee. A single treatment of 50ft from
shore for all private lakefront owners could be done for \$4035.⁰⁰.

Bob Benjamin questioned sensitive areas.

Krause and Pomyseanyi moved that Norris get 3 quotes for spraying.

Buoy placement and a speed limit on the lakes were discussed.

Meeting adjourned at 9:50?

Respectfully: Rick Breidenbach - secretary