

MINUTES
WHITEWATER-RICE LAKES MANAGEMENT DISTRICT
THIRD ANNUAL MEETING
August 26, 1989

The meeting was called to order at 2:00Pm by Chairman Bill Norris.
There were 259 District voters present plus guests.

1. Norris welcomed everyone to the meeting and introduced the District's Board of Commissioners: James Van Dreser - Walworth County representative (excused); Kenneth Loehndorf - Town of Whitewater representative; Thomas Ponyicsanyi - treasurer; Willard Gross - secretary; and himself as chairman. Norris also introduced Marty Van Steenderen as parliamentarian for the meeting.
2. Norris read a list of rules for conducting the meeting and requested a motion to adopt the rules for the annual meeting. Mr. Scala/Mr. Burke moved adoption of the rules. Motion passed by a majority hand vote.
3. Norris requested a motion to adopt the meeting agenda as printed. Mr. Grover/Mr. Darbo moved adoption of the printed agenda. Motion passed by a majority hand vote.
4. Secretary's Report. Gross read the minutes of the Management District's second annual meeting held May 28, 1989. There were no corrections or additions to the minutes. Mr. Hicks/Mr. Lewers moved that the minutes be accepted as read. Motion passed by a majority hand vote.
5. Treasurer's Report. Ponyicsanyi reviewed a printed report of income and expenditures which was distributed at the meeting. Cash on hand after the second annual meeting was \$20,047.67. Income was \$22,398.58, and expenditures were \$29,004.67, leaving a balance of \$13,442.01. There is a \$2,000 contingency fund to prepare hydrographic maps of Whitewater and Rice Lakes, and a \$10,000 contingency fund for the USGS hydrologic study. After a brief discussion, Mr. James/Mr. Nere moved to accept the treasurer's report as printed and distributed. Motion passed by a majority hand vote.

Norris announced that an audit committee consisting of Laura Hicks, Mardell Winter, and Ann Zarach had audited the LMD books and found them to be in order.

6. Ad-Hoc Fisheries Advisory Committee. Dale Poeppel reported that this Spring (1989) 1,200 adult walleyes from Delavan Lake were stocked in Whitewater Lake at no cost to the District. The value of the fish was between \$2000-\$3000. The Committee and the DNR began using a new one-acre, fish-rearing pond constructed and given to the DNR by the gas pipeline company. The main purpose of the pond is to raise fish for stocking in Whitewater and Rice Lakes. Poeppel estimates the value of the pond at \$20,000. This summer (1989) 11,000 walleye fingerlings were raised in the pond with an estimated value of \$5,000, that were planted in Whitewater Lake. Rice Lake was stocked with 4,000 walleye fingerlings at a cost of \$1,000, in August. Hopefully, the walleyes will help control the stunted bullhead population in Rice Lake. The Committee is tentatively planning to work with the DNR to raise northern pike for stocking in both lakes. The goal of the fisheries committee is to improve fishing and property values. Mr. Lauer/Mr. Keltner moved that Mr. Poeppel's report be accepted. Motion passed by a majority hand vote.

7. Chairman's Report. Norris introduced Ken Loehndorf, chairman of the Whitewater Town Board. Loehndorf urged Whitewater residents to carefully review the new Town Ordinances included with their tax bill, especially the new dog ordinance which is being strictly enforced.

Loehndorf reported that the Town Board is considering an ordinance requiring the posting of fire numbers at the lake shore of properties. The numbers would help provide lake side protection from burglaries, wanton property damage, and better emergency service. He requested a "straw vote" of support for such an ordinance. A majority of the audience raised their hand supporting the ordinance. Loehndorf indicated that the Town would provide the numbers to residents, at cost, and that the Town Board would specify where the numbers should be placed.

Loehndorf reported the Town Board had received a request to change the boating ordinance by extending the slow-no-wake after 7:00PM regulation to Sunday, as well as, the present Friday and Saturday. The issue will come before the Town Board in January, 1990, and Loehndorf requested Town residents to contact him or other Town supervisors to express their feelings about the ordinance change.

8. Election of Commissioner. Loehndorf assumed the chair for this part of the meeting. He announced that one commissioner is to be elected for a three-year term. Loehndorf announced the candidates were Clifford Witte, William Norris, and Chet Zorn, who was not present. The two candidates present gave a brief presentation and answered questions from the audience. The results of the written ballot were as follows: Norris - 174, Witte - 63, Zorn - 22. Bill Norris was declared elected for a three-year term.

9. Amendment of Tax-levy in the By-Laws. Ponyicsanyi introduced the Board's recommendation to amend Article III, Section 6, (lines 5-6) of the District's By-Laws as follows: The property tax levy of the District shall not exceed a rate of 2.5 mils of equalized evaluation. Mr. Coyne/Mr. Grover moved approval of the amendment as printed. Ponyicsanyi explained that the Commissioners believe that the present 0.5 mil-rate limitation in the By-Laws is too low to raise any money to even consider any effective lake management, so the Commissioners are recommending the change to 2.5 mils as the limit. The change does not mean an automatic change in the budget, but simply setting an upper limit in the By-Laws to avoid amending the By-Laws to match the budget at each annual meeting. Mr. Vesely explained that the mil rate in the By-Laws does not determine the amount of money that district residents will be assessed. Ponyicsanyi explained that the amount of the tax assessment depends upon the size of the budget which must be approved at every annual meeting. Considerable discussion followed.

Mr. Coyne/Mr. Darbo moved the previous question. It was explained that this motion was to determine whether the audience wanted to end debate on the motion or to continue to debate. Chairman Norris declared the motion passed by a majority show of hands.

Mr. Wilson requested a division of the house and a standing count of the audience. The count indicated that the motion passed, yes - 180, no - 38. Ken Loehndorf as a representative of the Town of Whitewater requested that the minutes reflect that he has abstained from the previous vote and the vote on the main motion.

Norris requested a vote on the main motion. In answer to questions from the audience, it was explained that a 2/3 majority was required to pass the amendment and change the By-Laws. Since there were 259 voters in attendance, 172 yes votes were needed for approval. Voting would be by written ballot.

10. USGS Hydrologic Study. The chair declared the meeting would go on to the next item of business while awaiting a count of the ballots on the amendment to the By-Laws. Norris introduced Gross who gave a brief explanation of the proposed study and the contingency fund to cover the estimated \$10,000 cost of the study. He entertained a motion for approval of the study. Mr. Worth/Mr. Tagney moved that the USGS hydrologic study of Whitewater and Rice Lakes be approved. After a brief discussion, the motion passed by a majority hand vote.

9. Amendment of Tax Levy in the By-Laws. 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.

Considerable discussion took place on how to proceed with this item of business, with several motions made and withdrawn. Based upon the opinion of the parliamentarian (Marty Van Steenderen), Mr. Poltrock, and several other members of the audience, 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. 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. Motion passed by a majority hand vote.

Mr. Darbo/Mr. Grover moved to postpone discussion of the tax levy amendment until after discussion of the proposed 1990 budget. Motion passed by a majority hand vote.

11. Budget Hearing on the 1990 Budget. Ponyicsanyi reviewed and gave a brief explanation of the various items in the printed 1990 budget. The major item of discussion was the \$60,000 budgeted for aquatic weed control. Several audience members desired to know what type of weed control was going to be performed. Other people spoke for, or against, weed harvesting, as well as, for, or against weed spraying. Ponyicsanyi explained that the Board of Commissioners planned to meet with experts from the DNR and review all methods of weed control before selecting a specific plan to control weeds. While the exact method of management is unknown, it would probably involve several methods, including weed harvesting.

Mr. Chamberlain/Mr. Witte moved approval of the 1990 budget, but the motion had to be withdrawn because the budget exceeded the mil tax limitation in the By-Laws. The mil tax levy in the District's By-Laws must be changed before the 1990 budget can be approved. At the suggestion of Mr. Poltrock, Norris requested a consensus of the audience regarding the proposed 1990 budget. A show of hands indicated that a majority of the audience supported the 1990 budget.

9. Amendment of Tax Levy in the By-Laws. Norris requested discussion on amending the mil tax levy in the By-Laws. Mr. Breidenbach/Mr. Chamberlain moved to amend the tax levy in the District By-Laws from 0.5 mils to 2.0 mils.

Discussion for and against the motion took place until Chairman Norris declared the twenty-minute time limit had expired. Norris requested a motion to extend discussion if the audience desired to do so. No motion was raised and Norris requested a vote on the motion by a show of hands. Norris ruled that the motion passed by a 2/3 majority hand vote.

Mr. Wilson requested a division of the house by written ballot. The count was; yes - 148, no - 50. The motion was passed by a greater than 2/3 majority. Mr. Seip requested the minutes reflect the time the vote was announced as 5:05PM.

11. Budget Hearing on the 1990 Budget. Norris requested a motion to adopt the 1990 budget.

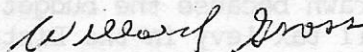
Mr. Weber/Mr. Laursen moved to amend the budget by adding \$20,000 to the aquatic weed control budget item, for use if necessary; thereby modifying the 1990 budget to \$84,600. After discussion and a hand vote, Norris declared the motion to amend passed by a majority hand vote.

Mr. Ponyicsanyi and Mr. Gross requested a division of the house by counting hands. The count indicated the motion passed with yes - 116, no - 40. Commissioners Ponyicsanyi and Gross requested their no votes be recorded in the minutes. Commissioner Loehndorf requested the minutes show he had abstained from voting.

Mr. Tangney/Mr. James moved adoption of the 1990 budget as amended. Motion passed by a majority hand vote.

12. Norris reported that the Board of Commissioners recommended August 11, 1990 for the next annual meeting of the Whitewater-Rice Lakes Management District and entertained a motion to that effect. Unknown persons moved and seconded the motion which passed by a unanimous voice vote.
13. Norris announced that Ken Loehndorf was leaving the Board of Commissioners and that Dick Kraus would be replacing him. Norris stated that Loehndorf has been a great help to the Board and a strong supporter of the District. Norris requested a round of applause as appreciation for Loehndorf's work.
14. Norris declared that since it was after 4:30PM, no new business would be transacted.
15. Norris declared the annual meeting adjourned.
Meeting adjourned at 5:27PM.

Respectfully submitted,



Willard Gross, Secretary