

**WHITEWATER-RICE LAKE MANAGEMENT DISTRICT  
MINUTES OF MONTHLY BOARD MEETING – MAY 8, 2003**

Meeting was called to order by Bernie Tangney, chairman, 7:10 p.m. at Whitewater Town Hall.  
Board members present: Bernie Tangney, Gordon Philip, Doug Goodrich, Jerry Grant and Norm Prusener  
Board members absent: Gary Marvin and Art Schmitz  
Clerk present: Rose Marie Berg

Minutes of the December 12, 2002 meeting were approved as mailed, there were no changes or corrections.

**Treasurer's Report – Year End**

Philip distributed the year end financial reports. Tangney commented Philip did an excellent job preparing the reports – very professional. We ended 2002 with \$56,031 in cash balances, \$6,250 DNR grants receivable and net fixed assets were \$184,910 for a total of \$247,191. Tax assessments remained the same as previous years - \$80,000, gain on disposal of assets was \$31,000. DNR grants for equipment was \$7,750. Interest income decreased from \$5,207 in 2001 to \$1,657 due to the decline in interest rates. Total income for the year was \$120,715. Operating expenses consisted of harvesting operations \$59,287; bog removal operations were increased from \$4,836 to \$16,567; weed spraying/control \$13,604 and administrative expenses were \$5,851 for total operating expenses of \$95,309 and a net income of \$25,406. Backing out of that number was \$31,000 for gain on disposal of assets; DNR grants for equipment \$7,750 and interest income – equipment fund \$1,657. We have a deficit to the general fund of \$15,001. Philip stated at the last meeting in December, we anticipated a deficit of between \$12,000-13,000 but then we approved the repair bill on the truck, which cost \$2,700.

Philip said we have the following options to make up the deficit: By reducing our equipment fund this year, increasing the budget next year to reimburse the equipment fund or we could make a permanent contribution to the equipment fund from the general fund to cover the deficit. He thought this should be handled at the annual meeting with a motion when members are present.

Philip said from a legal perspective, we have to present to the taxpayers whether or not they want to allow the equipment fund to be depleted to cover the deficit; do they want to increase the budget next year to cover the deficit or should the deficit be covered in a line item in next year's budget. Somehow it has to be covered either by additional monies from the taxpayers or transferring funds from the equipment fund. He believes the Board cannot legally transfer the funds.

Included in the year end reports was an exhibit of all the cash receipts for the year and lastly was a summary of activity on the fixed assets for the year. Tangney made a motion to approve the year-end report as presented, seconded and approved. He also stated Jim Bartlett and Dave Byrne would review the annual accounting records as soon as a mutual time could be established. The financials will be included in the newsletter going out in late summer - prior to the annual meeting for the membership.

**Treasurer's Report**

Philip said he would research other investment products, because funds currently in certificates of deposit, are earning very little. He will explain investment options at the June meeting. He will also transfer some funds from checking at that time.

Disbursements from January through April included \$1,490 for DNR permits to spray both lakes and \$300 for a weed-harvesting permit. Disbursements paid totaled \$2,015. Motion made, seconded and approved as paid.

May disbursements include \$370 for WAL membership and newsletters to be sent to the Board; \$300 petty cash to Bob McCracken; \$50 annual dues to the newly formed Walworth County Lakes Association; Aquarius Systems \$1,001.22 for repair of the gear box to the 7-ft. harvester; Whitewater Register \$159.60 for harvesting crew help wanted ad. Motion made to approve \$15,858.62 for payment. Seconded and approved.

**Administrative Issues**

Tangney stated Art Schmitz has left his job of 35 years with Alliant Energy and is starting a new job with the City of Elkhorn in their electrical consumption area. This change in employment may limit the time he can spend working with the harvesting crew. Tangney recognized Schmitz for the time and effort he has given to the Board. Doug Goodrich will be working closely with the harvesting crew, relieving Schmitz of some of this responsibility.

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The new weed-rake will be delivered soon. We had \$1,000 in modifications made to the rake. This piece of equipment, as well as all our other equipment uses biodegradable oil, which does not cause any damage to the lake. The weed-rake will be anchored with the other equipment near Parkside. Parkside will put out two anchors to keep it there nights and weekends.

Tangney spoke to Heidi Bunk, DNR, at the convention regarding using acid to clean the boat hulls. She did not get back to him with an official opinion. Since we did not hear from her, the crew will continue the same method unless the DNR gets back to Tangney with a negative answer.

The DNR, at County expense, will repair the shoreline on Whitewater Lake between the overflow and swimming beach with bundled old Christmas trees to prevent further erosion.

HeartScapes will not be taking the bog material that has been removed earlier. Tangney questioned whether we should form a new committee to research options to use this material because we will be having a space problem soon. The Board thought this would be a good idea.

**Budget:** See above.

**Chemical Treatment:** Tangney stated Shelly Garbish, DNR weed and chemical permit person, will visit Whitewater Lake on Monday, May 12<sup>th</sup> and he will have his pontoon available to take her and any of the Board interested in touring the lake to view the weed conditions. Goodrich confirmed he would attend and Bob McCracken also indicated an interest.

Marvin has already toured the lake with Barry (chemical sprayer) looking at the weeds. He set the date of June 4<sup>th</sup> for a heavy concentration of treatment to be followed up on June 24<sup>th</sup>. The chemicals are applied close to shore – to about 75-ft. from shore and the harvesters work outside of the buoys.

Tangney said he had mentioned to Marvin earlier that if anyone wants more chemical treatment than we normally would apply, he should bring it before the Board to make a decision. We had an instance last year when two homeowners paid half of the extra coverage cost.

**Harvesting and Equipment:** Goodrich has agreed to assist in the day to day operations of harvesting

Tangney took pictures of the conveyor over to Inland to assist in the sale of this piece of equipment. Tangney said we want a minimum of \$3,000 for the sale and Inland may take anything over as commission.

McCracken started as crew chief of the harvesting crew. Mike Lange will start work on May 12th, Ashby Hibbs on May 14th, Robert Ansby (SP) May 15<sup>th</sup> and another person on the 21<sup>st</sup>. The equipment will be in the water on the 19<sup>th</sup> and McCracken will begin training the personnel. On June 16th Eric Kuchan will start. Lange will go part time – as needed – on May 23rd.

**Bog:** The Phase II permit status is in progress. Philip has completed the summary of Phase I and will furnish Tangney with a copy.

**Walworth County Lake Association:** Marvin did not attend the last meeting and has not received the minutes of that meeting. He advised us to pay the \$50 annual dues.

**Fish:** On March 21<sup>st</sup> the DNR attempted to take a survey of the northern in Whitewater Lake. They caught lots of bluegills but only one northern in a net. There were six of these nets scattered around the lake. The minimum size of northern has been changed from 16" to 18". The DNR was concerned about what this would do to the population. They wanted to do the survey as soon as the ice was off the lake. This is when the northern are near the shore. They thought they missed the correct time, because they did not get the catch they expected.

Tangney will talk to Tom Ponyicsanyi to discuss the possibility of Dan Sable, retired from the biology dept. of the university, helping with the fish committee. Sable attended the WAL convention to learn more about what's going on and also would be willing to assist the DNR or the district in this capacity.

**Old Business:** Philip and Tangney attended the WAL convention in Green Bay. Philip said a DNR speaker did a great presentation on what homeowners can and cannot do between the water and 75-ft. from the water's edge. These new regulations will go into effect sometime in spring or early summer of next year. Whatever has been in place as of January 1<sup>st</sup>

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Of this year will be grandfathered. No changes will need to be made on prior projects. He cited an example of a homeowner already having a deck down near the shoreline – which would be a non-conforming structure. That homeowner would not have to take it down when these regulations go into effect. But to repair it, would need a permit, which the homeowner would have to pay for. To get the permit, a homeowner must put either the 35 or 50-ft. (whichever they pass on) from the shoreline back into a no-mow area. On the drawing board, but not finalized, they may pass that you will be allowed 30 ft. per 100 ft. of frontage. So if you have a 70-ft. lot, you can cut a 21-ft. “view path” – view and access to the lake. But everything else - from 35 to 50 ft. - will have to be in natural vegetation – “no mow”. She also indicated that in the future you would not be able to repair or replace any riprap walls that already exist. You will have to use a bag similar to a burlap bag but made of some kind of plastic fiber that’s supposed to last for a lifetime. It’s about 4 ft by 18 in. in diameter and you fill it with rocks, some seeds and dirt. You plant these bags along the shoreline. They will grow into the shoreline and you will have vegetation to hold the shoreline. This will go into effect when you apply for a permit to do any restoration to an existing structure.

Tangney said he spent quite a bit of his time at the convention trying to learn more about grants and legal issues. He said Lauderdale Lakes is still in trouble for the way they ran their meetings. He is very concerned that we don’t give anyone the opportunity to put us in that position. We must follow the agenda as published.

Prusener stated Town of Whitewater is going to spend \$600 and put up signs indicating “Designated Bike Trail” with no specific improvements for the trail, which will be ending at Kettle Moraine Dr.

**New Business:** The Board agreed a newsletter should be mailed as soon as possible. Topics to be included:

- Brian Morris is willing to chair a nominating committee for the 2 positions open on the Board – a notice should be included that nominees will have a brief biography published in the next newsletter before the Annual meeting
- Tom Ganfield is willing to write an article on the use of fertilizer near the lake
- Statement indicating property owners should not direct the harvesting crew as to where to harvest. Property owners should contact Art Schmitz or Doug Goodrich with complaints or compliments
- Request volunteers for committees
- Describe use of the weed-rake

There being no further business, the meeting adjourned at 8:45 p.m. The next scheduled meeting will be Thursday, June 12<sup>th</sup> at 7 p.m.

Respectfully submitted,

Rose Marie Berg  
Clerk

**WHITEWATER-RICE LAKE MANAGEMENT DISTRICT  
MINUTES OF MONTHLY BOARD MEETING  
JUNE 12, 2003**

Meeting was called to order by Bernie Tangney, chairman, 7:00 p.m. at Whitewater Town Hall.

Board members present: Bernie Tangney, Doug Goodrich, Jerry Grant, Gary Marvin, Gordon Philip, Norm Prusener and Art Schmitz

Guest: Tom Ponyicsanyi

Clerk present: Rose Marie Berg

Minutes of the May 8<sup>th</sup>, 2003 board meeting were unanimously approved as mailed. No corrections or changes.

**Treasurer's Report**

Philip distributed the May 2003 financials. Cash balances on hand as of May 31<sup>st</sup> were \$133,546. The DNR grant receivable request of \$6,250 will be filed in the month of June. Fixed assets, including the purchase of the weed/rake were \$291,864. Total assets were \$326,941. Total harvesting expenses for the month of May were \$6,794, which included wages of \$4,813. Purchase of the weed rake was \$13,565. Total disbursements for the month of May were \$21,108. Motion made, seconded and approved as presented.

Schmitz recommended repair expenses be separated into bog and harvesting categories as much as possible. Philip agreed and will try to categorize as much as possible.

**Administrative Issues**

Tangney said he spoke to Karen Van Atta, DNR regarding the Scenic Ridge permit application to place piers on Whitewater Lake. Tangney asked what they are doing and under the laws justifying their actions. She said it was a very complicated answer involving reviewing and studying their books, etc. The notice was published in the Register stating they would have a total of 34 slips on 150-ft. of frontage at the campground. Tangney said the State recommendations (not regulations) on piers are – 2 piers for the first 50 ft. of frontage and add one for each additional 50-ft.

Goodrich asked about the individual piers that used to be located to the west of the campground on township land. Three have already been installed. Prusener said the DNR sent a letter to the township saying they are not going to enforce the ordinance, but wants the towns to adopt their own ordinance and have the towns do the enforcing. The DNR does not have the money or manpower to enforce this ordinance. Prusener said the township doesn't want to spend dollars on attorney fees as their budget has been cut \$22,000 by the State. Schmitz suggested the township establish permit fees for these piers.

Tangney presented web pages from the Internet stating a developer has been saturating the lake with offshore rights to Whitewater Lake. He has 10 different parcels with a couple of them backing up into Scattered Oaks. He is selling and offering Lake Rights for the parcels. Tangney is concerned we are letting the lake get over populated with off shore boats, etc.

The Gnatzig property consisting of 76 acres is being developed into five 5-acre lots and the remaining will stay in the farm. Ponyicsanyi said the county zoning commission has not notified Lake Management or other homeowners. This property is in Richmond Township. He said the five lots are in the Lake District. Ponyicsanyi said the county zoning commission needs to be woke up in regard to notifying the Lake District when changes are being made. Marvin said someone needs to contact Richmond tonight or tomorrow to see if it's going to be residential. Anything other than residential – we need to go to the County and tell them they need to notify us of these changes earlier. Grant said he feels Richmond should have notified the Lake District and when it comes time to put out the notice for the public hearing at Elkhorn, the zoning commission should also notify the district. Schmitz said he's always wondered why Town of Richmond is not represented at the Lake District meetings as Town of Whitewater and the County has representatives. Ponyicsanyi said they were represented in the beginning and then asked we remove the rep. They would go with any patrolling the Town of Whitewater wanted to do and anything else we wanted they would go along with. Schmitz said not true - they denied our request to put in a landing on their township land. Schmitz moved that Town of Richmond be sent a letter stating that when someone comes in front of their Planning and Zoning Board that involves a piece of property in the Lake District, that we be invited to their meeting. Also that if anyone is trying to ask for a rezone of their riparian lake rights we also receive written notice to approve or disapprove their request. Prusener said it should state notification of a rezone or conditional use request on any property in Lake Management District.

Tangney suggested we send a letter to Town of Richmond Board, Town of Whitewater Board and to Michael Cotter, the Dept. Head of Zoning Land Conservation for the County that any time there is a rezone or conditional use permit relative to property in our district we would like to be informed in advance. Marvin said in the County letter we should mention that we are very interested in the parceling of the Gnatzig property. This is what initiated our interest. That includes out of the lake district area when they are advertising riparian rights on the lake as part of the off shore parcel. Marvin made a motion we send a letter to the party advertising on the Internet. Stating that any plan needs to be cleared with Lake Management and at this point we have no idea what the developer is trying to do. Request he inform us of his plans. Motion seconded and approved. The clerk will compose the letters and email to the Board for review before mailing.

Tangney said the DNR called to say they are considering doing a study on changing the program at Parkside and asked if we want to be informed and involved as they go. They're considering doing a study on changing the boat ramp. Possibly hiring a consulting firm to come in and try to make the grade a little less steep and the parking a little deeper. Schmitz said this would really affect us. Ponyicsanyi said they were talking about putting the pier in the middle. Tangney said they told him the pier would not move, but the road would move over. This is in the early stages, as the DNR would come to the township and doesn't have it in the budget yet. The Board agreed we want to be kept informed.

Tom Ganfield reported Heidi Bunk, DNR, will be at Whitewater Lake for shoreline stabilization. On June 13<sup>th</sup> they're doing some preliminary things. The actual plantings will be on the 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> on the shoreline between the beach and the parking area for the boat trailers. They are requesting volunteers to help. Work will begin at 8:30 a.m. on the 3 dates.

#### **Committee Reports**

**Budget and Finance:** Accounting books will be reviewed by Jim Bartlett and Dave Byrne at Tangney's home on June 18<sup>th</sup>. Tangney will also call Rich Farb to see if he is available to be the third reviewer on that date. If no one else is available Tangney will be the third person.

When the bills come in relative to the paddle wheel damage, they will be covered by insurance with a \$500 deductible. Another accident - our employee, Joe, had his car parked at Hennings and McCracken backed the harvester into the car. No damage was done to the harvester. Two estimates were done on the car - for \$1,800. And \$1,017. He accepted the lower amount and a check was sent for \$1,106.33 by the insurance company - mailed to his parents' home.

Philip presented bills totaling \$4,408.48 to be approved for payment. A \$700 bill for brakes on the truck was discussed as Schmitz had the truck inspected by S&H last fall with no mention of brakes needed. After driving the truck 10-mi. this spring, the brakes were bad. Philip will pull the bill for the inspection and repairs and talk to S&H. At a minimum we will try to get the inspection fee refunded. \$1,044.55 is owed to Ralph Henning for storage. Motion made to approve payments as presented, seconded and passed.

**Chemical Treatment:** A property owner called Tangney to say that he arrived at his property right after weeds were sprayed and he turned off his lake water irrigation system in time to turn it off. Tangney told him that to prevent damage in the future, he must send a letter to the District each year reminding us that he does not want his lakeshore sprayed. Marvin said he had also spoken to the same homeowner.

A follow up of spraying will be done on June 26<sup>th</sup>. Marvin also mentioned that the curly leaf weed is back this year. This weed requires a more aggressive treatment than milfoil.

**Harvesting:** Goodrich reported one employee is not working out and would need to be replaced. He gave McCracken two more names of applicants. Goodrich said the operation is not the most efficient system he has seen. Goodrich suggested to McCracken that while training the new person, he should take a very slow tour of the lake and observe the many skips. Schmitz said they are trimming from buoy to buoy, turn around and come back. Schmitz had specified when the harvester leaves Town Line Rd. they should put the harvester head down and cut all the way down along the piers. Upon reaching the other end of the lake - down by Cruse - harvest until almost full and cut all the way back. Turning around after reaching the next buoy wastes time and churns the weeds up - creating more floaters. McCracken told Schmitz he is doing this, but it is evident by the number of skips it is not being done well. Schmitz said if McCracken is not operating the harvester in this manner his bonus is gone. It was

mentioned that in the past the crew chief always operated a harvester full time. McCracken is not doing this. He is not out on the lake as he should be. After a lengthy discussion, it was decided that Schmitz would write a job description for McCracken to follow and will then discuss with Goodrich to familiarize him with procedure and efficiency.

Goodrich said the weed/rake is very difficult to operate and takes a considerable amount of time to be productive. He operated the weed/rake with McCracken picking up the weeds on the 7-ft. harvester. He said the weeds drop to the bottom of the lake very quickly. The curly leaf sinks very quickly when cut. The physical balancing of the operator on the machine is not safe and he does not want the crew to operate the rake as it is. Schmitz said he would like to operate the rake before they request any modifications. Tangney also had some thoughts with experimenting with PVC pipe. Pruesener would like to watch the rake being operated.

Tangney said Ralph Henning (storage owner) called him and is not happy. Tangney is taking full responsibility for parking the trailer for the rake without discussing it with Henning. That appears to be the straw that broke the camel's back. Tangney is meeting with him tomorrow. He feels we are taking advantage of him. Another issue is the crews' cars are all parked on his property during the day and the 10-ft. trailer is outside the barn. Tangney will apologize to him for placing the trailer in the yard and ask him if he requires us to move all the equipment out May 31 and bring it back Sept. 1<sup>st</sup>. Pruesener said to just listen to him as he probably wants to just vent his displeasure and it may all work out.

Dick Kraus of Fuzzy Pig is interested in using the elevator to load the bog material at the dumpsite. He does not have a high-end lifter and is considering putting the bog material on his farmland. He would have to get something with hydraulic power to run the elevator. He would spread the material with a manure spreader. Schmitz thought someone should be there when he tries to load it. Kraus is not in a hurry to take the bog material. This would save us paying Harmon to move the material further back into the gully.

**Bog:** Philip has not heard back from Pam at the DNR regarding the Phase II permit. He also requested expenses from Tom Ganfield because he should be reimbursed for his work on the permit.

**Walworth County Lake Association:** Marvin distributed the 2003-meeting schedule. Tangney will be the alternate if Marvin cannot attend the meetings.

**Fish:** Ponyicsanyi tried to contact Doug, DNR, with no response. He is attempting to find out what fish were planted and when.

#### **Old Business**

No comments on newsletter

#### **New Business**

Ashby, a crewmember, is getting his college degree in safety. Tangney requested that Goodrich ask if Ashby would be interested in writing a safety manual for the Lake District.

Pruesener said Whitewater Township would be redoing the landing on Cruz Lane. It will be a 1-day operation, putting in a new base and packing it down. Pruesener will notify Goodrich the day it will be done so it does not interfere with the harvesting operation.

Marvin will go out and take a look at the placement of the buoys on Whitewater Lake. Apparently some are out of alignment.

There will be a July newsletter publishing the proposed 2004 budget. Philip will furnish information via email to the Board next Monday. We also must discuss options regarding the deficit. Goodrich and Tangney will be seeking reelection to the Board. It is unknown if there will be any other candidates.

There being no further business, the meeting adjourned at 10:15 p.m. The next meeting will be Thursday, July 10<sup>th</sup> at 7 p.m.

Respectfully submitted,  
Rose Marie Berg, Clerk

**WHITEWATER-RICE LAKE MANAGEMENT DISTRICT  
MINUTES OF MONTHLY BOARD MEETING  
JULY 10, 2003**

Meeting was called to order by Bernie Tangney, chairman, 7:05 p.m. at Whitewater Town Hall.

Board members present: Bernie Tangney, Doug Goodrich, Jerry Grant, Gary Marvin, Gordon Philip, Norm Prusener and Art Schmitz

Guests: Tom Potrykus, Gerry and Sue Millin

Clerk present: Rose Marie Berg

Minutes of the June 12, 2003 board meeting were unanimously approved as mailed. No corrections or changes.

**Treasurer's Report**

Philip received a \$325 donation from Camp Joy – increased from \$300 in previous years. Total harvesting expenses for June was \$11,795, this included wages of \$8,316 for the crew. Total disbursements for the month of June was \$13,462. We are at least \$1,000 over budget for weed spraying right now. Motion made to accept the report as presented, seconded and approved.

**Administrative Issues**

Tangney said an article in the paper stated the LaGrange Lake District couldn't use phosphorous in or near the water. The DNR did not order this. Either the township or county instituted this ordinance. We discouraged the use of this chemical in our last newsletter in an article written by Tom Ganfield.

The town of Richmond received complaints from homeowners about the build-up and odor of cut weeds near the culvert. They are requesting Lake Management handle. Guest, Tom Potrykus said "to fix the ditch" it will cost the Lake District something. The culvert is a place for the weeds to congregate. Tangney said "we don't fix shore lines". The only way to clean it out is by hand and the Township wants us to clean it out. The weeds turn brown and are rotting & smell by the end of the summer. It is disgusting for the adjoining landowners.

The DNR worked on shore retention by placing old Christmas trees and plants on the shore between where the equipment is parked and the swimming beach on Whitewater Lake. Zack Scott of Ixonia, working on his Eagle merit badge, is handling the watering and finishing the plantings.

Letters were sent to Whitewater and Richmond Townships and the County regarding notifying the Lake District of rezoning or conditional use requests on any property in the District.

Accounting books were reviewed by Jim Bartlett and Dave Byrne on June 18<sup>th</sup> and were in order. A letter stating this, was given to the clerk for the archives.

**Committee Reports**

**Budget and Finance:** The repair bill for the accident damaging the paddle wheel was \$1,046. The bill will be sent to the insurance company and should be paid minus the \$500 deductible. Philip presented bills of \$17,312.42 that included \$11,209.50 for June 4<sup>th</sup> and \$3,097 for June 26<sup>th</sup> chemical spraying to Biological Services. Motion made, seconded and approved to pay the bills as presented. Planning for the 2004 budget will be handled later in this meeting.

**Chemical:** Marvin is very happy with the results of the chemical treatment. Next week they will re-treat approximately 12-20 lots near Cruse Bay, resulting in a small expense.

**Harvesting:** Goodrich requested an executive session after tonight's meeting. The Board agreed. He said he has had a lot of calls on floaters and very few calls to complain that boat movement was hampered. Schmitz said when there are a lot of boats on the lake on weekends there will be an abundance of floaters created and moving to shore, depending on wind direction.

Homeowner, Jerry Millin said he was very unhappy with the fact that Rice Lake has had no weed cutting at all this year and only once last year. He has to back his boat out and keep going back and forth in order to get out on the open water. He has four homeowners – Stritzel, Steinke, Martinez and himself who are willing to take the 7-ft.

harvester and operate it at no cost to the District to make Rice Lake more navigable. They have spoken to a marine lawyer who is willing to take the case on a no-fee basis as Rice Lake is not getting the service they require. Tangney requested Marvin and Goodrich go out on the lake and assess the weed problem. This will be done next week. Tangney also stated Rice Lake is approximately 9% of the Lake District according to assessed value. Millin again stated Rice should be considered and not as an isolated lake off all by itself. Schmitz said Rice Lake will be treated the same as Whitewater Lake.

**Equipment:** Schmitz said he would like to give the weed/rake a better chance. Goodrich and Tangney have researched other machines without much success. Schmitz said he worked 8 properties in 4 hrs. last weekend with the rake. He would back up & get around behind the weeds and push them out to the buoys. Prusener recommended we use the rake the rest of this year, play with it and see if they can do anything with it and then evaluate it this fall. Marvin suggested we call the manufacturer and tell him it's available. If he would have a sale for it, he should call us. In the meantime we could use it if we are comfortable. Goodrich said he feels it is unstable and unsafe. Potrykus said his portion of the lake gets a lot of skiers and there are huge amounts of floating weeds close to shore. He suggested homeowners guarantee there's no obstructions (pipes, rocks, etc.) in their pier areas and if any damage to equipment occurred because of obstructions, they would be responsible for equipment repairs. Schmitz moved to notify the manufacturer that the machine is for sale for \$11,500-12,000 and we would sell it, but he wants us to also make a gallant effort to use it for the rest of the summer. Motion made, seconded and approved unanimously. Philip asked what happens with the DNR grant. Tangney said since we will keep the unit to the end of the season, he will send in the final request for the grant money and if we sell it, we would have to give back half of the sale proceeds to the DNR. Marvin said it was imperative employees wear a life jacket at all times on the weed/rake. Tangney and the rest of the Board agreed.

Tangney stated he did talk with Ralph Henning regarding storage and everything is now okay. They took all of the equipment away from the outside with the exception of some of the small stuff that is inside. There will be no charge now until the fall storage begins.

The Board agreed to purchase 100-ft. of conveyor belt at a cost of \$1,200 for the transport but wait until the old belt breaks to actually replace it. Schmitz felt the old belt will last through the summer and it can be put on in fall and not lose any productivity. However, if the belt breaks, we would have the replacement ready.

Schmitz will try to obtain a refund for the inspection fee of the new truck last year. When it was inspected the brakes were fine. When they drove it the first time this year, it needed new brakes. It was agreed we will no longer do business with S&H for this reason.

If the buoys are going to be put back in the area near Philips, Schmitz would like to see us buy a small boat and motor that could be used to run an employee down there and put him on the harvester first thing in the morning. He would grease up and take off on the harvester. When the transporter catches up later in the morning, they would stop and refuel. We lose over an hour each day with each harvester. That's equivalent to a load. If we haul 8 loads a day that represents 25% of production. Pruesener will talk to the Township to see if we can have permission to park the transport. That would eliminate the need for the boat and motor. Another complaint is the harvester does not pick up floaters when it is traveling to another cutting area. Goodrich will speak to McCracken about this problem.

**Bog:** Philip spoke to Gabe Powers, DNR, who is working on the environmental assessment for Pam Schense. He is to have his report to her by the end of the month. Philip will contact Schense. We definitely need the permit before the Annual Meeting.

**Walworth County Lake Association:** Marvin did not attend the last meeting, but has requested a copy of the minutes from Audrey Greene. Tangney mentioned there was a favorable article in the Janesville Gazette regarding this association.

**Fish:** Ponyicsanyi reported to Tangney the DNR was going to plant 32,000 walleye fingerlings in Whitewater Lake and 342 Northern fingerlings (6" to 10" ) sometime in 2003.

**Old Business:**

Prusener will check with the County on the conditional use permit near JNT launch on Townline Rd.



**New Business:**

The July newsletter must be sent containing the minutes from last year's Annual Meeting. Tangney requested copies be sent to the Board to review. Two offices are up for election: Jim Bartlett and Bernie Tangney will run. The newsletter will contain brief biographies on both candidates. Goodrich will not run again, due to the amount of time required managing the crew and chief. No other candidates have applied. The Agenda and Budget for the Annual Meeting must be included in the newsletter and also published two times prior to the meeting. Philip suggested at the meeting, we ask if there are any questions prior to discussing the 2003 budget. We then go right into the proposed 2004 budget and have discussion and questions as we present each item and amount. We must publish the amount of the projected budget so there are no surprises. Philip suggested each of the Board members present their accomplishments and/or what they want to accomplish in 2004 and what it will cost and ask for discussion from the floor – all as part of the budget presentation. Should there be any changes, motions can be made as items are presented.

Philip also recommended someone from the DNR (if possible) could make a brief presentation regarding the new shoreline regulations. Goodrich thought it would be better in the newsletter as all members receive it. Tangney said we did that in the last newsletter.

**Proposed Budget:**

Goodrich asked whether we would do everything the same next year as we did this year. He said there are a lot of unhappy people around the lake regarding the weed situation. Philip said actual harvesting expenditures for wages alone were \$29,300. Our budget for 2003 was \$34,400. Listening to what Schmitz has gone through managing operations and Goodrich's comments, Philip feels a line item in harvesting operations should be for a salaried or paid crew chief. The chief should have more responsibilities and managerial experience. Someone that could take over and not require the Board members oversee what he/she is doing.

Philip requested numbers be filled in by the Board for the proposed budget –

	<u>2003 Budget</u>	<u>2004 Proposed Budget</u>	
Harvesting	\$34,400	\$36,000	- Includes salaried crew chief
Saturday pick up	2,500	4,500	
All other expenses	23,700	26,000	
SG & A	5,100	5,500	
<b>Total Budget</b>	<b>\$104,000</b>	<b>\$117,500</b>	<b>11% increase</b>

**Philip thinks in actuality we will probably spend between \$108-109,000 depending on the weed crop.**

Motion was made to leave unchanged the \$15,000 allowance for bog removal. All but Marvin voted for it to remain the same. Majority ruled, motion passed.

Motion made to retain the \$10,000 amount for equipment fund in 2004. We will have members vote to decide whether we will have a deficit this year of \$15,500 and we have to vote on whether we pay it from the equipment fund, bringing the budget up to \$130,500, or do we allow the equipment fund to make a permanent contribution to the deficit.

Motion made to accept the budget of \$117,500, seconded, all but Marvin voted to approve. Majority ruled, motion passed.

Philip will have the proposed budget to all members within the next week.

Line item of \$2,500 for Sat. pick up for 2003. The crew worked until 6:30 p.m. one Saturday instead of the usual 4 hours. It was agreed that the crew must pick up all the weeds homeowners have placed on their docks. Goodrich is suggesting they have three crewmembers work instead of two. Two could run the barge and the third could drive the transport and take it to the storage site. Schmitz suggested this additional labor cost is something that should be brought up at the Annual Meeting and put to the homeowners.

Meeting adjourned at 10:25 p.m. The next meeting will be Thursday, August 14<sup>th</sup> at 7 p.m. The Board then convened for Executive Session at the request of a Board member.

Respectfully submitted, Rose Marie Berg, Clerk

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Thursday, July 10, 2003 -- 10:30 p.m.

Executive Session with all members of the Board and the clerk was convened at 10:30 p.m.

The meeting began with the statement from Tangney that "he believes the Board is not happy with Bob McCracken's job performance. McCracken has been directed many times on his job responsibilities and he simply does things the way he wants. Schmitz said he told McCracken the Board is very unhappy with him and McCracken replied "it's been on my lips twice to quit." Schmitz told him he could control the situation by doing what Goodrich asks you to do. Schmitz said the only thing left to do is to have Goodrich and himself write up his "running orders." Give them to McCracken and tell him the next time he does not follow these orders, he will be fired. McCracken is an hourly employee without a contract of any type.

Tangney said one day after some rain, an employee came to Tangney and asked if it cleared up, could the crew come back to work. Tangney of course, said yes, but the point is that McCracken should have told the crew this and not allow a day to go by without production. He also cited a couple of other incidents such as taking the weed/rake out without a life jacket, etc. It appears he just does not think.

Goodrich was asked his opinion. He said it would be insane to have McCracken come back next year. He felt the Board should decide if he continues through the summer. He said Tangney is spending many, many hours doing the work McCracken should be doing. Schmitz said Goodrich is also out directing work and overseeing the crew at least twice a day. Goodrich says he thinks McCracken realizes his job is in jeopardy. McCracken had apologized to Goodrich for an incident that happened the other day. Goodrich said in his business world, that he would have fired McCracken immediately for the incident. It appears the Board is in the position of putting up with McCracken's performance because there appears to be no way of changing it.

Prusener stated the crew is not going to benefit one bit by having this man on the job another day. The crew sees how McCracken performs and someone can get hurt with his attitude. Goodrich said there is something to that. He said a couple of weeks ago on Saturday it started to rain with thunder and lightning. The crew of course got off the water and left. The sun came out shortly after and Goodrich tried to reach McCracken, but couldn't. He then reached Patrick (another crewmember) who said they would come back the next day. Goodrich told him the crew must come back to clear the docks today. Patrick agreed to contact the other member and come back. When they came back to work, Patrick had somehow reached McCracken and the two-crew members and McCracken all had a surly attitude. This shows that McCracken somehow had changed the pairs' attitude.

Schmitz said he has a previous crewmember with managerial skills who could work the next two to three weeks, but no longer. Marvin suggested they go to McCracken tomorrow and tell him the Board has discussed his performance and they feel they would like to give him one more chance. Either he has to go along and do as they say through the end of the season and if he's not willing to do this, tell us right now or he can leave today. Goodrich said he feels that with McCracken's apology today, he has understood the point.

Goodrich said this would just get us through the year. The only way to get efficiency out of him is to work almost full time with him and Goodrich can not do that. Tangney said he would continue to spend some time with him in the interests of Lake Management. Goodrich said he does not feel it is a good time to let McCracken go. He will talk to McCracken again and tell him he has to perform.

The entire Board agrees they will not hire him back again next year. Schmitz will pursue the former employee who has managerial experience and whomever they hire for next year, will be a salaried employee.

The meeting adjourned at 11 p.m.

Respectfully submitted,

Rose Marie Berg  
Clerk

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF MONTHLY BOARD MEETING  
AUGUST 14, 2003**

Meeting was called to order by Bernie Tangney, chairman, 7:12 p.m. at Whitewater Town Hall.  
Board members present: Bernie Tangney, Doug Goodrich, Jerry Grant, Gary Marvin, Gordon Philip and Norm Prusener  
Board Member absent: Art Schmitz  
Guests: Tom and Sue Potrykus, Gale Shelbourn  
Clerk present: Rose Marie Berg

Minutes of the July 10, 2003 board meeting were unanimously approved as mailed. No corrections or changes.

**Treasurer's Report**

Philip presented an expense report in which he estimated the surpluses or deficits by categories for year-end. He stated July harvesting expenses were \$9,700. Since we have a budget of \$58,100 and have spent \$52,800 so far, it would indicate there could be a surplus of approximately \$5,200 for year-end. The reason for this is that we did not hire an extra person to operate the weed/rake. We may have a deficit of approximately \$2,200 due to spending more on weed chemical treatment. He anticipates bog expenses to be about \$11,300 which would leave a surplus of \$3,700. He is projecting our total expenses to be about \$95,000 and our budget is \$104,000. We have the potential to have a surplus this year.

On the balance sheet the DNR grants receivable of \$6,250 for the weed/rake will come off in July since we are rejecting it. Motion made to accept the report as presented, seconded and approved.

**Administrative Issues**

Aquarius Systems is offering an all-day seminar on September 19<sup>th</sup> demonstrating equipment, etc. Tangney is planning on attending. Tangney also attended a meeting presented by the DNR discussing proposed changes to the Parkside launch. They are proposing changes to the whole area involving leveling the hill a little and moving the entrance to the launch will be moved down the road further and a little lower. They are applying for federal funds in 2004 and if approved they will begin in 2005. Tangney suggested they have launching on both sides of the pier and this will be studied also.

Tangney sent a letter to the DNR thanking them for offering the grant for the weed/rake but informing them we would not be applying for it. They accepted the letter.

**Committee Reports**

**Budget and Finance:** Tangney requested a motion to approve changes made to the proposed 2004 budget since the last board meeting. When we left the meeting the proposed budget was set for \$117,000. Since then the budget has been reduced to \$105,000 and this amount was published in the newspaper and newsletter. These changes were discussed by phone and agreed upon by the board members. Amounts were reduced in the harvesting and chemical treatment areas. Motion made, seconded and approved to accept the proposed budget as presented.

Philip presented bills to be paid. An Inland bill for \$3,200 was thought to be incorrect and will be questioned. It was felt the correct bill should be \$1,297 and will be paid. Total expenses were \$6,646.70 and were approved for payment as presented.

**Chemical Treatment:** Marvin will be out on the lake in the next couple of days to observe weed growth as recommended by guests.

**Harvesting:** Tangney said he talked with someone at Eagle Lake regarding weed harvesting. They have two 10-ft. harvesters and one stays out in the lake harvesting. The other one drives up to the shore and four men work along the shore with rakes & pitchforks pushing the weeds out farther. The difference between our lakes is that theirs has a sandy bottom. They collect \$230 from each of the 217 properties for an income of \$49,900. Philip said our average homeowner pays \$160 (\$.80 per \$1,000) to the Lake District. Eagle's operation is similar to Pewaukee Lake. Tangney was not advocating we do this, but wanted to explain what others are doing.

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Goodrich said we couldn't be beat with our one-man operation of the harvester. We cannot get into the shore with our machines as there are too many obstacles and it is too hard on our machines.

Tangney also said he had received a call from a homeowner on Oakwood (near county park) that there were a lot of floaters that blew in. Goodrich and Tangney will take a look at that site. Tangney also said he had commented in the newsletter that he is encouraging a committee is formed to evaluate and handle the floating weed problem. At the time he wrote the newsletter we had not tried the 7-ft. harvester with the rake attachment. tried it and found Both Potrykus and Goodrich agreed to be on the committee. Tangney also has another homeowner interested in this committee. This will be discussed at the Annual Meeting.

**Equipment:** Tangney reiterated that we bought the weed/rake for \$12,500 plus \$1,000 in modifications from Hockney. We sold it back to Hockney for \$9,500 with us retaining the modified parts (rake). The rake was attached to the 7-ft. harvester but the turbulence of the water created by the paddles blew away any weeds that might have been pulled out. This was unsatisfactory. Inland has been testing the 7-ft. rake on the harvester and is interested in testing it further. Tangney has told them, they will need to do this at their own expense. He does not feel we should pay them for trying to produce an efficient machine for their profit.

Tangney also said he had commented in the newsletter that he is encouraging a committee is formed to evaluate and handle the floating weed problem. At the time he wrote the newsletter we had not tried the 7-ft. harvester with the rake attachment. Both Potrykus and Goodrich agreed to be on the committee. Tangney also has another homeowner interested in this committee. This will be discussed at the Annual Meeting.

**Bog:** Philip has not heard back from Pam Schense, DNR, regarding the status of the bog permit. He will keep on her to process as soon as possible. The bog is not up yet. Tangney is encouraging the use of GPS when working on the bog.

**Walworth County Lake Association:** Marvin reported the next meeting is August 23<sup>rd</sup> and he will attend.

**Fish:** Tangney said he went on the internet to see what fish have been planted in the two lakes. It showed nothing on either lake. Ponyicsanyi checked with the DNR and we may not have had any fish planted. We are trying to get more information. Our budget does have \$1,000 allocated for plantings.

**Old Business:** Philip will bring copies of the treasurer's report to the Annual Meeting for handouts. The clerk will supply voting ballots and have people checking in the homeowners attending. She also has made arrangements with the school to have 150 chairs and a microphone for the head table. The meeting will open with the proposed budget and have input from the homeowners and committee heads as we move along with the budget.

**New Business:** Gale Shelbourn said he attended the meeting to see what is being done with the floating weeds. He has them piled high on his dock the last 3 weekends for pickup. Goodrich said he has reinforced with the operators they must clean up any floaters they created while cutting.

The next board meeting will be on Thursday, September 11<sup>th</sup>. Meeting adjourned at 8:30 for the board to go into executive session.

Respectfully submitted,

Rose Marie Berg  
Clerk

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**Thursday, August 14, 2003 – 8:35 p.m.**

**Executive Session** with all members of the board present, with the exception of Art Schmitz. The clerk was present and the meeting convened at 8:35 p.m.

Tangney stated Bob McCracken was terminated. He said the culminating factor was that about 2 p.m. last Thursday the crew came to his home and asked for help. Tangney said that since Goodrich and Tangney talked to McCracken about his poor performance, McCracken had improved his attitude with them, but was taking it out on the crew. He had become unbearable with his extensive criticism of them. They could do nothing right. Tangney phoned Goodrich and they decided it was time to let him go. Tangney drew up a letter and called McCracken to say they would be down to see him. The letter basically said you are being terminated. Pay will be through the end of the day and will be mailed to you. You will not be receiving any bonus payment. You will remove all personal belongings and return all items belonging to the District. Marvin went with Tangney as a witness. McCracken refused to sign the letter on the basis he expected a bonus. Tangney said no and McCracken replied he would see him in court. Tangney said he would bring the issue before the board at tonight's meeting and the board would make the final decision. The next morning, Friday, he met again with Tangney because he wanted to remove his tools in the black truck. He then gave Tangney his time sheet, which included his bonus of \$1,077.50 and requested checks be mailed to his P.O. box in Elkhorn. At that time he also asked Tangney what happened between noon when Tangney called him regarding the rake situation and 4:10 p.m. when you called him and said McCracken was done working. Tangney replied he didn't think it was proper for him to discuss the matter. McCracken replied "you can tell me now or you can tell me in court." He was referring to a phone call made to him earlier in the day on Thursday from Tangney. Schmitz wanted to test the rake on the 7-ft. harvester so Tangney requested McCracken to have the crew put on the rake at the end of any workday specified by Schmitz and possibly Inland. Schmitz would then use the harvester and return it to the parking site and the crew would remove the rake the next morning.

McCracken also had some very insulting comments about Tangney being cowardly. Tangney replied he was trying to be businesslike. He also informed McCracken if he really wanted questions answered he should send Tangney a letter and he would take it to his legal counsel and Tangney would follow the advice of legal counsel. They then parted at that.

Tangney said he wished Schmitz were here tonight to advise how the bonus was set up, as Schmitz had handled this matter at the time of hiring McCracken. Tangney thought the bonus was based on performance. Grant said his impression of the last executive session was that Goodrich and Tangney were to talk to McCracken about his performance and to tell him that if it did not improve he would be terminated and there would be no bonus paid. Goodrich responded that while talking to McCracken he said that it had been on his mind a couple of times to say that I quit. Goodrich said get in the truck and leave, you're done. McCracken then became very agreeable and had continued this manner with Tangney and Goodrich since then. That conversation ended on an okay note. Goodrich said they did not get around to saying shape up or you'll be fired. Prusener said his impression of the bonus was to be paid only if you finished the year. Goodrich said McCracken's argument was that he did perform by trying his best since their conversation and he was still terminated.

Goodrich feels we should have our attorney draw up a release letter and have McCracken sign it and then pay the bonus. It is not worth the time and trouble it could become. Marvin said there is a problem that we do not have any written documentation as to how the bonus should be paid and therefore the bonus should be paid to him. The board decided the bonus should be paid upon receipt of the release letter drawn up by our attorney.

Goodrich said he feels it is important to have a mature supervisor working with the crew, due to the possibility of something happening. For the short term Mike Lang is working as acting supervisor. He is not available all the time. However, we are looking for a mature person until the end of October and next year. Discussion was held on some possible candidates but there is a problem with the time frame needed with each person. As of this time we have no one to become supervisor. Philip is going to contact Dennis from Inland who had mentioned he could put us in contact with some districts. It's possible we could get someone to work from other districts if they quit their summer jobs at Labor Day and begin working here through September. Meeting adjourned at 9:20 p.m.

Respectfully submitted,  
Rose Marie Berg, Clerk

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF ANNUAL MEETING  
AUGUST 23, 2003**

Chairman Bernie Tangney called the Budget Hearing/Annual Meeting to order at 9:15 a.m. at Lakeview Elementary School on August 23, 2003. He began by stating that Bill Norris had passed away last Sunday and he asked Gary Marvin to say a few words. Marvin said Bill had been a good friend, neighbor and one of the founders of the Lake Management District. He also was town chairman for nine years. He did a lot to bring this organization to where it is today. The service at St. Patrick's was being held at 10:30 a.m. today and several members mentioned they would like to attend. People that intended to attend the service may fill out the voting ballots and place in the box before they leave.

Tangney continued by listing the handouts that were available at the registration table. They included: Agenda of meeting, copy of the financial statements and ballot slips. He then introduced the current board members: Gary Marvin, secretary, chemical treatment chairman and Walworth County Lake Assoc. representative; Gordon Philip, treasurer and bog chairman; Doug Goodrich, harvesting— he will not be running for candidate this election; and Jerry Grant, county representative. Absent was Art Schmitz, equipment and Norm Prusener, Whitewater township representative. Also introduced were Rose Marie Berg, clerk and Tangney's wife Linda. He continued by introducing John Brunner, president of the Property Owners Association, Tom Ganfield a very active volunteer and former board member. Tom and Mark Muschinski (introduced also) do the secchi readings on the lakes to verify the clarity of the water. Tom does the readings on Whitewater Lake and Mark on Rice Lake. Tom Ponyicsanyi, Fish Stocking chairman, was introduced.

Tangney said State Law indicates we must introduce the budget first. Last year we presented the budget, tabled it and went into committee discussion. By the time we got back to discuss the budget, a lot of people had left the meeting. This year we are going to go into the budget, category by category, and will probably take care of a lot of the committee reporting during this time. It will be opened up to discussion that way and we hope to get the most important things done before the meeting gets too long.

The first item of the budget is harvesting. The bottom line for harvesting is a proposed \$56,800 which is 60% of the budget. Jim Bartlett wanted to know why we were going down in the budget from previous years when the weeds were bad and we didn't do a good job of harvesting. Goodrich replied in 2001 the budget was \$67,517. The big variance there was parts and repair for \$12,000 and we're budgeting \$7,000 this year. There was some deferred maintenance from the previous year. We compare the budget in 2004 with projected 2003 wages of \$34,000 and we are projecting \$28,000 in 2004. The main reason for the difference is we had an extra employee in the budget for 2003 who was going to operate the weed/rake to help the floater situation. The rake did not work out and we never had that situation.

Ponyicsanyi asked Goodrich if he could give the tonnage we had removed according to the dollar. He said in the past we've spent a lot less and had taken out a lot more tonnage. Philip said he has reports through July 19<sup>th</sup>, but they were not in terms of tonnage, but in terms of total machine hours on lake harvesting and how many loads were taken off. He cited an example through the week ending July 19<sup>th</sup> 462 machine hours on water and took out 214 loads. We're averaging about 2 loads per hour. Tom wondered how that compared to previous years. Dave Cleven had information on the previous years: 1998 - 1,005 tons; 1999 - 1,526 tons; 2000 - 1,204 tons; 2001 - 441 tons; 2002 - 889 tons. Philip said he would get the information for the last six years and publish it in the next newsletter.

A member asked if we are considering purchasing an additional machine that might have the capability of going into the shoreline. Why is there no consideration in the budget? Philip replied we are looking at the formation of a committee for the purpose of evaluating how to properly deal with the floaters along the shoreline. Last year we thought we had a solution and had a line item of \$12,000 for the purchase of the weed/rake. Unfortunately our solution did not work out. Right now, speaking for the board, we do not have a definitive solution that can do it. We found out the equipment mentioned in the newsletter was not being used for our purpose. We took the cutter blade off the rake we had returned to the vendor and had it mounted on our 7-ft. harvester to simulate what the \$58,000 machine could do. We tested it and it failed. We do not have a solution at this time and that's why we don't have a line item in the proposed budget. The member said we should be looking at getting a much higher tonnage removal as experienced in the earlier years, rather than what we did in the last two years. Philip said that is the goal. He thinks with a new harvesting member on the board and more importantly a new crew chief. He feels the success of a good harvesting operation is really dependent on a good crew chief. Another member said he felt the board has failed to get competent people for the harvesting and we've been on at least a two-year bad run.

Philip said in his mind he feels that we had not acted quickly enough in finding a replacement for the crew chief that was not doing his job. Tangney responded that tonnage is a very easy thing to measure and we agree that we have not done the job well. He said tonnage is not the best measure. It is the quality we've done along the shoreline. He also said we had good people working, but unfortunately we feel the direction they received from the person leading them was inadequate and we did change crew chiefs about 2 weeks ago. Normal cutting hours is Mon. through Thurs. starting at 7:30 a.m. until 4:30 p.m. On Friday they came in for four hours of maintenance and Sat. pick up was supposedly filling up extra time.

Another member wanted to comment on the low lake level the past two years. We've been in a drought. Some people have lost trees. Three years ago we had a lot of water, a hard winter, the ice was very thick and we didn't have weeds. She thinks the criticism for the last two years is rather severe. We have to bear in mind what Mother Nature does and we have no way to control her. When the lake level is low, the weeds are going to be high. When the ice is very thick, we don't get a lot of weeds because during the winter they don't grow. She was not invalidating what had been said, but she thinks it is a valuable point that the weather has an effect on how many weeds are created.

Chuck Chamberlain said we used to use the transporter and now we use the big harvester to haul the weeds to shore, which is down time on the harvester. Tangney agreed that is one of the areas where we were inefficient. Goodrich said we were insisting on using the transporter more. However we lost an employee due to illness, so we were short an employee. Joan Wittenberg asked why we can't start harvesting earlier on Rice Lake. Tangney said he is part of that problem. He thought the harvester was needed more on Whitewater Lake.

Tom Potrykus suggested we increase the budget to do the job on Rice Lake and wherever needed. He thought we should attack the problem rather than save a few dollars now. He received a round of applause and Tangney said you're the people who can do it. Vic Potocki said he would not take his grandchildren to swim due to the condition of Rice Lake. He asked if we are doing any type of benchmarking against other lakes with similar depths, weeds, tonnage removed and cost. Maybe they have some ideas that we are not seeing. Our situation with personnel and equipment is pretty much normal in every day operations no matter what we do. However, the people here are dissatisfied with the service. Maybe we're closed in our parameters as to what we're trying.

Tangney said he is not the only one making decisions in regard to Rice Lake. He brought in two other board members to observe the conditions and they agreed the harvesting operation would be better used elsewhere. He also said they have been attending the WI Association of Lakes convention the last two years and they have been receiving a wealth of information from this. We also have talked to several lake districts about their harvesting and also the equipment to use.

Tangney also hopes that when we leave the meeting today, we have a list of people willing to investigate possible solutions to the floating weeds and shoreline weeds. A member said the committees meet during the week when it is not feasible for the weekend people to attend meetings. Tangney said we would meet when convenient.

Another member suggested we extend the harvesting to after Labor Day. Tangney said the board will discuss this and if the manpower situation is available we will be working on it.

Hal Beebe suggested we raise income to accommodate the expense. Ponyicsanyi disagrees with spending more money if we are not getting the efficiency out of what we are doing now. Another member said he would like to summarize what he is hearing that the weed situation is getting worse and we're all concerned. Cutting the budget is not the answer and we need to increase efficiency. We need to compensate for the weather.

Ken Johnson suggested we raise the budget a little so that we have extra money and if we need it because of bad weather conditions or buying new equipment. If efficiency is increased and we do not have the need for the money, we will have a surplus. Tangney said good point. Daniel Durn made a motion to keep the budget as it stands.

Jerry Millin said he came to a board meeting in July and offered names of five people and use of a dump truck to help remove weeds. The board told him we would not let them use our machines. Tangney said we would not let them use our machines and pointed out that this last week our 7-ft. harvester was rolled upside down in the lake. Tangney said it could be very dangerous to have volunteers run the equipment.

Christie Culven then seconded the motion to keep the budget at \$56,800. Another member urged members to feel that a greater budget will allow the board to do more in the future years than has been done in the past couple years. A new motion can be brought forward to give them more flexibility and some contingency that will enable them to do more in future years if it is determined that other avenues can be solved with a higher budget. Round of applause. Tangney reviewed the motion to reduce it to \$56,800 from \$58,100 last year. A vote was taken - 55 voted to keep it the same and 79 were opposed. Motion does not pass.

Gerry McCarthy presented another motion to give the board a 20% contingency in the proposed budget for next year in the event that they and their committee find an alternative use for these funds that will result in a better harvesting program than the ones we have experienced in the past couple years. This would be an increase of \$11,500 in the proposed budget. Gene Migli seconded the motion. Ron Fero asked why on earth would you give another 20% when you had 27% last year and it didn't work. A vote was taken with 57 voting yes to increase the budget 20% and 84 against. This motion did not carry.

Rich Gunter made a motion to change the harvesting budget to \$58,100 – the same amount as 2003 budget. Vic Pitocki seconded the motion. Laura Sullivan said the problem is not money but efficiency and schedules. Goodrich agreed that more money with the same amount of crew and the same machines is not going to have a very big impact on the amount of weeds taken out of the lake. A little more efficiency and solving the problem with floaters is needed. A bigger crew with pitchforks and barges would work with a bigger budget. He is again asking for a committee to form to solve this problem. Raising hands took a vote, majority ruled, **motion carried**.

A member asked whether the board had ever considered out-sourcing the management of the weed cutting. Tangney answered yes, and it is one of the items on the table right now.

**Weed Treatment:** Budget proposed \$17,700 – 19% of the budget. Marvin said the only thing different next year is that they will try to just chemical treat in 3 areas rather than harvest. The far north lobe up past the State Park – would not be cut at all. Woodchuck Alley and Isabel Bay are the two other areas that will only be chemically treated. Marvin said he was very happy with the treatment on June 4<sup>th</sup> until about the end of July when all of a sudden the floaters that came up from the boat props became rooted and came up again. We had treated about 350 plus homes and now they're back. The DNR goes out and approves the areas cited for spraying.

A question was raised regarding the use of phosphorous in lawn fertilizers. Marvin responded he thinks responsible lake owners know not to use phosphorous near the lake. The only problem is to keep the professional lawn maintenance companies from using phosphorous and we need to work on them. Tom Ganfield was asked what type of fertilizers we should use. He said there are a couple of different products but they're hard to find. He asked the member to see him after the meeting and he would refer the products to him. Basically, they encourage no phosphorous be used. It will say on the bag if phosphorous is contained.

A woman asked if we ever thought of reclaiming the northeast portion of Rice Lake. We haven't in the past, but Marvin said we would the State to get involved in that area.

A question was asked if we are doing as much treating as we could. He replied we could probably do more if we wanted. Marvin said we did treat the Chapel area up to and including the marina early in spring. Some weeds have come back now.

James Bronson made a motion to approve the weed budget proposed of \$17,700. Lyle Wilson would like to see more money put into spraying rather harvesting. Motion seconded to approve as presented. Vote was 46 opposed and 79 in favor. **Motion passed.**

Mike Keaton moved that a harvesting employee be allowed to speak. The employee had passed out a flyer to members as they came in. Tangney said this board of directors will stand by the decision that there is nothing to be gained by this. Keaton replied the board is putting the lid on fair disclosure and open discourse and he thought Tangney should resign over this. Tangney asked if he wants his job and would he step up here and do it. Keaton asked for two minutes and Tangney again said the board will stand by their decision. Keaton said there was a motion made and seconded and we need to call a vote. A member said the chairman has the authority to opt or not. Tangney opted to not.

**Bog Removal:** Philip said the proposed budget is \$15,000 – 16% of the budget. To date we have spent a total of \$21,403 and those expenses are comprised of payroll, payroll taxes, and repair on the equipment, fuel and consulting fees. We had a permit from the DNR to remove 10,000-sq. ft. of surface area in Phase I. We have probably taken out approximately 14,000-sq. ft. Tonnage is very difficult to estimate because it is very heavy. Cost comes out to about \$1.50 per sq. ft. of removal. Philip has asked for other estimates and no one wants to come out and offer an estimate. We do not include cost of insurance and storage fees in the bog costs. We are also waiting for DNR approval for Phase II to remove another 90,000-surface ft. of the bog. To remove the balance of 86,000-sq. ft. using the figure of \$1.50 sq.ft. would cost about \$265,000.

The line item of \$15,000 is for next year and intended to address the issue over time. Bog removal process begins after Labor Day and once we start this process all hours are charged to bog removal. A good portion of the bog has not come back. Gene Migli made a motion to approve the proposed bug budget. Edna Barber seconded, majority ruled, **motion passed.**

Tangney apologized he skipped step 1 of our agenda. This was to have the members approve the deficit from 2003 budget. Philip said we had a deficit of \$15,001, the majority was due to repairs to equipment – mostly on



the old harvester and conveyor. We also went over budget by about \$1,5000 on bog removal. We had \$5,140 in the contingency fund from previous years, which we used for part of the deficit. Law does not allow us to carry over a deficit in the general fund.

We can do one of several things, which is proposed in the budget. One is to increase the 2004 budget by that amount to cover the deficit today or basically allow a permanent borrowing or approve the transfer of funds from the equipment fund to the general fund to cover the deficit. This is the recommendation of the board to allow the equipment fund to cover the 2002 deficit. Tom Ponyicsanyi made a motion to that effect. Vic Potacki seconded, overwhelming majority voted for, **motion carried.**

**General and Administrative:** Gerry Millin moved to accept the proposed budget of \$5,500, motion seconded, no discussion, **motion carried.**

**Equipment Fund Reserve:** Proposed budget is \$10,000. Al Beebee moved to accept, Bill James seconded no discussion, **motion carried.**

Total approved budget is \$106,300.

A member asked the board to bring to the membership in the form of a newsletter a list of options that may improve the quality of life on the lake changing what we are doing. Tangney said we will do the best we can. Tangney again asked if anyone is interested in working with us on a new committee studying options relative to the floater weeds and the shore line weeds. He asked members to give their names and phone numbers to the clerk after the meeting.

Marvin informed the members that the 2003 Walworth County Clean Sweep effort would be collecting hazardous chemicals, etc. that you want to get rid of. These may be taken to Elkhorn on September 27<sup>th</sup> from 8 to noon.

**Election of Commissioners:** Tangney said members may vote for one or two of the three people running. Each candidate gave a brief summary of his or her qualifications:

**Jim Bartlett:** He would like to deal with the weed problem. Process has to be more efficient. Chemicals should be used more and less cutting. He doesn't know the answer, but we definitely have to communicate back. One of the first steps would be to talk to the people who did it in the past and find out why it worked for them. The other issue that's very important – Rice Lake – there is a sense of fairness and we need to take care of it. He toured the lake and thinks we lost a lot of the lake to weeds and something has to be done to address that. Bog removal – it is much better this year, but we have to get a more aggressive policy for that. He doesn't have the answer but he would like to think that for the next meeting, we will have a way to get rid of them in a somewhat timely manner. He thinks ten years is too long.

**Tammy Steinke:** She had a huge speech written out, but didn't bother with it because she said that obviously everyone feels the same way here. The weeds are a problem, the way the system is being run is a problem and Rice Lake is turning into a swamp. She has talked with people on Whitewater. She doesn't believe that residents should pick up their own weeds. She's done some research on the machines and talked to some of the farmers that run machinery similar to this and they're saying that if you ran these two machines we have in a tandem at about 2-1/2 to 3 miles an hour, it would be slow enough where the weeds would come to the top right away and the elevator could pick up those weeds. There's just no organization that she can see. There should be a schedule and know where they're going every day. She thinks we need a change and both lakes should be taken care of. She hopes we will get that.

**Bernie Tangney:** He retired 7 years ago and decided that Lake Management was the organization he would give his time to because of the ??? **Jim I didn't get the end of his e sentence** . When they moved to the lake their children were two to fourteen. Today they have nine grandchildren that come to the lake, ages five to sixteen. He is pleased that the lakes are as good today, or better, for his grandchildren as they were for his kids. He's been on the board for 8 years. Two years as treasurer, second two years as secretary and four years as chairman. This job can be very frustrating and the last couple of weeks especially. He feels his experience can be very beneficial for the future progress of Lake Management.

**Treasurer's Report:** Tangney entertained a motion to accept as presented in the newsletter. Tom Ponyicsanyi made the motion to approve, Daniel Berg seconded, overwhelming majority voted yes and the **motion passed.**

**Chemical:** Covered earlier

**Harvesting and Equipment:** Covered earlier

Brian Morris asked if there was a way of getting a copy of the bylaws. He asked if there was something in the bylaws to allow members to vote in absentia. Tangney said it was not allowed, but bylaws can be changed

He also said anyone wishing a copy of the bylaws should leave their names with the clerk and she would see they receive a copy.

**Bog:** Don Oker asked if there was still a bog committee. Philip replied it is inactive, but Jim Bartlett had mentioned we should increase activity and it could be resurrected. Oker also asked if we have a crew that is competent to work on the bog at this time. Tangney responded we're working on it with Inland.

**Fish Stocking:** Ponyicsanyi called Doug Welch, DNR, who schedules the fish for the lakes. He scheduled fish for our lakes for 2002 and in 2003 we found that none had been stocked. This year we're on the agenda for 32,000 walleyes for Whitewater and nothing for Rice. Next year he has not predicted the numbers yet but there is nothing that has been cut from the State so far. We have a budget of \$1,000 for our stocking. Rice Lake does not receive any DNR stocking at all due to it freezing out in the past. He has a running battle with the DNR over this.

**Walworth County Lake Association:** Marvin said we are a member of this newly formed organization and they were meeting today and he couldn't make it. This organization is to share information and see what works where. Joan Wittenberg asked if it was safe to swim in Whitewater Lake due to the report of algae. The answer was yes. Another member asked if the water in our lakes is tested for safety. Marvin replied it is at Whitewater Beach but he has not ever seen the results. He thought you could check on their website or the rangers would have this information. Someone said there were a lot of weeds at the beach. Tangney said we did pick up weeds there.

**New Business:** Morris made a motion to solicit both town boards to enact an ordinance to forbid the use of fertilizers containing phosphorous in the Lake Management District, Ponyicsanyi seconded, **overwhelming majority carried.**

Jerry Millin said people living over 200-ft. from the lake level do not have to pay Lake Management taxes. This was per Chicago Title. He said there is a distinction between a man-made lake and a natural lake. Chicago Title told him that he falls into the 200-ft. mark. He said we could be sued in a class action suit for collecting taxes all these years. Tangney said he did not think these statements were correct and Millin should get all the facts and they would be published in the newsletter. Millin also said the DNR "dam guy" told him our Rice Lake dam was leaking. Tangney said that the "dam guy" told him that it was not leaking.

Philip said he heard at the WAL's convention this year that new regulations regarding shorelines are planned for 2004. The DNR is in the process of revising the codes as to what you can and cannot do on your lakeshore. There will be some new rules coming out probably in spring such as 35-50' of your shoreline, under certain conditions, would have to be returned to a natural state. You can learn more on their website: [www.dnr.state.wi.us](http://www.dnr.state.wi.us) and go to the topic "shoreline management". We will update in the newsletter when we have more information.

The DNR is proposing some changes at the Parkside launch that might happen in 2005. They may increase trailer-parking slots from 15 to 25.

The next Annual Meeting is scheduled for Saturday, August 28, 2004 – before the Labor Day weekend. A member stated that as a member of the association, he wanted to say that though the board was beat up today, the board puts in a lot of time and as one person he wanted to thank Tangney and the board for all their time and effort. Loud applause

Greg Berg and Tom Ganfield counted votes. The final count was 128 for Jim Bartlett, 81 for Tammy Steinke and 69 for Bernie Tangney. Bartlett and Steinke were elected for the two positions – each for 3 years.

Motion to adjourn, seconded and so moved. The board will now meet in executive session for a few minutes. Adjourned at 11:45 a.m.

Respectfully submitted,

Rose Marie Berg, Clerk

amended

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF SPECIAL BOARD MEETING  
SEPTEMBER 3, 2003**

Meeting was called to order by Jim Bartlett, Chairman, at 7:05 p.m. at Whitewater Town Hall.  
Board members present: Jim Bartlett, Gary Marvin, Tammy Steinke, Norm Prusener, Jerry Grant and Art Schmitz  
Clerk present: Rose Marie Berg  
Guests: Tom Potrykus and Joe Murphy

Bartlett began by stating the meeting was called to raise a couple of old business issues and then get an update as to where the equipment is and also board responsibilities. In terms of new business a couple of issues he would like to raise – one is a potential detachment from some of the households from the district and a potential availability of a bog removal grant.

Minutes of the August 14, 2003 board meeting were unanimously approved as mailed. No corrections or changes.

**Administrative Issues**

At the special meeting that was held after the Annual Meeting, we tentatively talked about Marvin retaining his positions as Chemical chair and secretary of the board; Philip as treasurer and Bog committee chair; Bartlett as chairperson of the board and Steinke as Harvesting chair. There was a question as to Schmitz's availability in retaining his position as Equipment chair. Schmitz replied he would continue with the position. These positions are now finalized.

**Harvesting:** Bartlett requested an update from Steinke. She replied it was total chaos. They lost all their help with the exception of Mike Lange. He will stay on through the end of this week. She has two people training this week and possibly a third person tomorrow and the rest of the week. They are using the 10-ft. harvester and transporter in sync, so that the cutter can continually cut. They load the transporter right on the water, bring it in and load the trailer. Tuesday Steinke was out there learning the transporter and trailer system. The battery was dead on the transporter when they started, resulting in about a 40-min. delay. From 11 a.m. to 4 p.m. they took out about six loads of weeds from the Krahn bay area. Another six loads were removed today with the three people working and she is pleased. Philip asked if they were completing the harvesting log. She said she doubted it and knows Lange is not familiar with many procedures. He winged it with the new system of using the transporter and harvester together, but it's working very well. She said when they're taking a load of weeds in, the cutter is filling up again and by the time they get back there's another load ready. There is no wasted time. She does have a copy of one of the logs. Schmitz said he gave all his material to Doug Goodrich. Goodrich also has the disc where they write their reports and keep their inventory on. Schmitz said the log contains the number of loads and amount of tons they remove daily. They also had weighed the load several times during the year so they could estimate an on going average of the loads. The trailer can be weighed at a weigh station or the feed mill.

Schmitz said he liked what Steinke was doing with the transporter. He said if she had only the harvester out there, no one would be observing. The high water lines on the side should be about six inches out of the water. The transporter must be observing this, as the driver on the harvester cannot see them. He emphasized this is very important as the harvester will tip if the harvester is not even on the water. On the 7-ft. harvester if you get down to the yellow lines and are going not even at full throttle, the front end will go right down in the water and you will not even know what's happening. Bartlett asked if there are procedures written on things like this that are documented. Schmitz replied he did not think so. Bartlett said this must be written down, as it is scary.

Steinke spoke to Dennis Cole at Inland and his main concern is that we keep the machines maintained. If they're not maintained they can't run. He said we should not do anything with the bog unless we have someone with experience or we will lose the other harvester too. He will provide safety and maintenance training early in the spring. He feels it is very late in the season to try and gather people for maybe three weeks of work. He thought the end of April or early May would be the time for this training. Schmitz agreed completely that we use only experienced people on the bog. Bartlett asked if there is anyone around that knows this operation. Schmitz said the last time we did this, none of us had experience. We did hire Inland to train initially because they built the

machine, made modifications, etc. We then hired McCracken who was experienced. Schmitz felt Inland would train again. Schmitz himself does not have the time to train.

Philip said he is concerned about one section of the bog which is east of Camp Joy island. It looks to be about 20-ft. by 3-ft. with a big limb on it. It appears to be moving toward the shoreline. Schmitz said it is and what you see is only about a fifth or sixth of it. Bartlett asked what do we do. Schmitz replied in the past we've gone and picked them up. He said there is more than that one out there. He also said the machine is not set up right now to work on the bog. It is missing the top sickle bar, which isn't used in the day to day operation. He suggests, regarding the maintenance – they should call Cole a lot even if it's about adding or changing oil. He said if someone dumps a quart of hydraulic fluid in rather than the vegetable oil we use that it would ruin the entire system. Steinke questioned how we would winterize and take everything out of the water. Schmitz said Lange was hired early enough in the year to put the equipment together so he should be able to take it apart. Steinke said Lange would be through working the end of the week. Schmitz said he felt he might be willing to come back to help later. Philip said that if Lange were available on Saturday he would be willing to help Lange.

Philip said we should continue cutting weeds as long as possible if we have a crew. Everyone agreed. Ashby Hibbs is coming back tomorrow and he is experienced. He can work as long as needed, because he will then go to JNT Marina and help take out piers. He was one of the better workers. Nate is now being trained on the cutter, along with Jeff from JNT. Bartlett said one of the things we are trying to do is work closer with JNT. Jeff is helping us with some of this stuff. Next year we may be able to work out a relationship. Jeff wants people to do his pier business early and late in the season and we need people in the middle so it could be a good fit. Bartlett said maybe we could create something with him for a nine or ten month season and get the same people back each year. We're exploring this right now and Jeff has been working on a volunteer basis – learning the machines. He would also be good on the maintenance. Steinke said we needed a battery charger last week and Lange thought there was one in the storage barn. They ran out there and couldn't find any. JNT allowed us to borrow theirs, which saved us considerable working time. Philip said he thought we had paid for one or two chargers in the last few years. Schmitz said that's what bothers him – McCracken was supposed to do a complete inventory and it never happened. We have too many people coming and going. Schmitz said there is a white trailer that could be locked to store items. Prusener suggested when we are going through the equipment and taking inventory, we bring a video camera and film the items. This would be a permanent record. It was agreed that was a great idea.

Bartlett asked if at this point we're going to continue training this crew and working as long as we can – mowing into October trying to get caught up. Steinke said people were extremely happy last week when she sent out two volunteers on Saturday to pick up weeds off the piers. Her husband and his friend Ernie Martinez, along with Eric Kuchan, a previous employee worked. Homeowners were ecstatic and helping them work the weeds onto the machine. We will work at least this Saturday and possibly longer. Marvin said as long as we're cutting, we should continue to pick up on Saturdays, because the cutter is what causes some of the floaters.

Schmitz said for two weeks no one has been down on his end of the lake cutting. He had the worst summer ever in this past two weeks. He totally filled the size of two pick-up trucks with weeds. Potrykus is on the east side of the lake where they have been cutting. It was an east wind and he had no weeds at all. Today we had a strong west wind and the weeds are almost to the end of this pier. He said there were islands of weed the size of this room working their way across the lake. He added there was only one fishing boat, so the weeds were floaters from the cutter. He would like to see the crew have a big sign saying "if it's blowing from the west, don't go there." If it's blowing all the weeds go into between the piers and the board collectively agreed not to go in between the piers. What we end up with is all the weeds floating across and getting stuck between the piers. The ideal thing is that if we cut on the east end and they would float across to the west side, which is an area with no homes and a county park. We could then pick up the weeds in the deep water. It would save the homeowners a lot of work. Schmitz said from a procedural standpoint if they harvest an area today the 10-ft. harvester cuts and the next day the 7-ft. harvester was supposed to follow up, collecting where the floaters had collected. Of course now we don't have the 7-ft. harvester. Steinke said she thinks Potrykus will have to go out and do a dance for west winds because she does not see how we can follow a schedule where we start at the west end of the lake and we work around and have to go out and say – hey, there's an east wind – change the schedule. Potrykus said it makes a lot of sense if we can pull it off. Bartlett said in Potrykus area it may work, but there are many areas where it wouldn't and someone is going to get it no matter how we work. Schmitz said

We might want to check if the cutter blade is tight together. If it's all bent out of shape from bumping against the shore or whatever. If you can stick a pencil in there, it's cutting only the leaves off the stalks and the leaves replant and the stalks become floaters. Usually you see evidence of this at the shoreline. You can tell what the floaters are created by – if they're 5-ft. long they came off of the harvester. If they're 6" to 18" they probably came off a prop. Steinke said the problem is we have not had daily maintenance. Bartlett replied Mike said they were doing it. Schmitz said the schedule used to be four 9-hr. days and the fifth (Friday) a 4-hr. day working on preventive maintenance. Bartlett said that at this point we would continue to work on the mowing, work on getting the floaters and work on maintenance. If anyone asks – we will continue with Sat. pick up as long as we're cutting. Steinke said she is praying for a really hard winter and without the shallow water next summer. Marvin said he took a tour around the lake and saw that 40-50 homeowners cannot use their shoreline. The floaters are out so far that homeowners can't get out. They're out as far as 50-ft. and now the algae are starting.

Philip asked if we should look at other lakes to see if their crews would be available – assuming they've curtailed their operations. Bartlett suggested Marvin contact the other lakes in the Walworth County Lake Association and also see if they're experiencing the same situation. Schmitz said he spoke with Marvin's counterpart who does the spraying and he told him that of all the lakes he sprays with chemicals, Whitewater Lake is the best he's seen. Steinke said the water on Whitewater is clear compared to Rice Lake's.

Philip asked Bartlett if we are going to pursue any conversation with Jerome Converse. Bartlett said he did talk to him and at this point because of the fact we did not know how long we were going to go into the fall, he had a commitment to the DNR that he would give 2-3 weeks notice. It didn't seem to work out this year. We would keep him in mind for next year. The DNR would keep him working through December. We also have a couple other names that may be candidates. Steinke said our goal is to work at least through September and maybe the first week of October. We are all right on budget.

#### **Old Business**

**Equipment:** Bartlett spoke with the insurance company regarding the small harvester. Schmitz said he talked to Inland about the level of repair required. It would cost approximately \$1,200 to tear the engine apart and then we may find we have cracked or bent rods. Then if we found something else like a cracked block, the \$1,200 would not be accurate. A new engine would cost about \$7,000. Inland said the insurance company told them we are a very good customer. They didn't want us calling back six months from now and saying the rebuilt engine isn't working well. They said put a new engine on now. Very surprising. Cole also said the adjuster was quite knowledgeable about these machines. The adjuster also suggested they change out the instrumentation of the harvester. He was quite confident that the insurance company would support us in rebuilding the machine – sandblasting, repainting if necessary. Restoring to its original state. Also the machine has only 3 sealed compartments where the other machine has 12 sealed compartments. Schmitz was worried that maybe they had water in them. Inland said there was no water in them – which is good. There still was compression. Schmitz asked what \$\$ amount we were looking at – Inland said that with a new motor it would probably be in excess of \$15,000. We have a \$500 deductible. We also have a bill of \$11,000 from Parkside, which we consider excessive. Bartlett said they usually rent the barge out for \$1,000 -\$1,100 per day for construction. Philip said they charged us \$100 an hour for manpower and \$933 an hour for the use of the barge. Philip said we would submit the bill and let the insurance company fight it out. That is with a 15% discount! It took approximately 6 hours to get the harvester out of the lake.

Schmitz also said Parkside never put out the equipment buoys in the spring. They still have them in storage. These were buoys that marked the concrete blocks submerged in the lake to tie up the harvesters so we did not have to travel up and down the lake. We should check and have them moved to our site. He also has concrete blocks that we bought from him. We hired Inland to move them and he should move them to our storage site. Marvin said if the insurance company needs more pictures, Don Oker has about 30-40 of them. He was out there all day observing. Schmitz said the only other thing on this harvester that could go bad is the hydraulic pump and that usually lasts the longest. The harvester should last a long time. It will not be in service this year.

Steinke asked about the red truck and trailer that Inland has of ours. Inland needs the trailer and we need the truck. She said that next year we would use both trucks and trailers.

Potrykus said the consensus at the annual meeting was that most people wanted longer hours for harvesting. If the crew can't do it, we may need to outsource it. Philip said he was an advocate that on Friday they should work an 8-10 hr. day. Schmitz said that is not in the budget. Bartlett said one of the things he would like to do with Steinke is to put together a plan for next year in terms of how we're going to address the process of hours and timing and have that together before we go in and address the members. He said what he heard at the meeting is that people would spend some money for the most part if they knew it would accomplish something. We need to get a plan and see what it costs.

Grant said that if we're going to outsource the maintenance we should be careful of whom we get. He's learned from experience that a person who operates a piece of equipment and has to repair it takes better care of it. Outsourcing in Bartlett's mind is not a given, but a possible option. Grant also commented that we need to check if we have to pay overtime for more than 40 hours. Bartlett says he does not pay overtime in his business because they're part time people hired for a certain period of time. It's a matter of staffing. He does not want to pay overtime.

Schmitz said they also had discussed the possibility of hiring a salaried superintendent that would work as many hours as needed. Prusener said this is something they must work on this winter – job descriptions for each position. When we hire someone we must tell him or her what the position entails and hire them for this specific job. Bartlett agreed. Steinke said she has been working on a chart and will show it to Bartlett soon. She also said her husband would be willing to help in a desperate situation and it would be good to have a couple people like that. Available when necessary. Schmitz said Jim Harmon might be available at times.

#### **New Business**

Bartlett said he received a letter of resignation from Tom Ponyicsanyi, Fish Stocking. His basic issue was that he would be working towards detaching Pine Knolls from the district. Bartlett doesn't know how far he has gone, or how far he can go on that but Bartlett will check with an attorney on that. Marvin said there is a procedure. Bartlett said the procedure – from what he's read in section 33 – requires the unanimous vote of the commissioners to detach. He thinks this means our commissioners – not the county. Marvin thinks it is the county board. We must present it to the county board and if they justify it, it would be approved. Marvin agreed that this is important and should be verified with our attorney.

Bartlett also received a call from Dan Dahm, DNR in the Grant Area. He had seen a press release dealing with the bog removal. He suggested we apply for a grant. We would probably qualify for a grant under the dredging position. The board that grants them is meeting in Milwaukee the 3<sup>rd</sup> week in October. If we can get a grant request to them the week before that, he thinks the money may be available (up to 50%). The money does not have to be spent next year; it can be a multi-year program. Two years ago Philip said he had gone up to Manitowoc for a grant for the trailer we purchased. He said the person he worked with said we would not qualify for the bog removal. Another woman from the DNR said we can't "conduct a dredging operation." Philip will contact the gentleman he worked with. Philip said the DNR believes dredging that it is too intrusive and destroys fish life. Dredging creates too much turbidity in the water. In Manitowoc they were giving grants for dredging but they were adjacent to a marina or a boat launch area. Philip will follow up. This will be on the agenda for the next meeting.

Potrykus said that he heard at the annual meeting a lot of conversation regarding the bylaws and that we said we couldn't do this and that because of the bylaws. He recommended we might get some people to tackle this situation and review our bylaws and see what's holding us back. Steinke said several people requested copies of our bylaws. The clerk said she had mailed them out. Steinke also said she went to the library and found that we can get a little cabinet in this room and you can keep it at the property owner's discretion. You would have to sign in and read the minutes and the bylaws, etc. and not bother the board or the clerk for information. She suggested this might be something we put in the newsletter later on that this information will be available at the library. Bartlett thinks this should be put on the next agenda for next month. Philip said the last time the bylaws were amended was in August 1995. It can't hurt that at some point in time this is done. Bartlett suggested we set up a committee and asked Potrykus if he would be interested. He will get back to Bartlett on this. One of the items would be the no proxy vote. Philip said another issue is if you can't vote you can't speak at the meeting. We need to clarify who is a registered voter, especially on trusts or multiple owners.

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Marvin suggested the board send a letter and thank you to Bernie Tangney for his many years of service. Schmitz recommended a plaque. A gift certificate could be appropriate also said Marvin. Schmitz said Tangney put in many more hours on the district than any of the other board members. Bartlett said he would take care of it.

Philip said one of the comments at the annual meeting was benchmarking. He plans on obtaining some information on both the budgetary and spending point of views in terms of what other lake districts do with regard to their spending on harvesting operations. Bartlett said his plan would include measurements of productivity. He said he was upset that we did not have a budget with concrete specifics. If we're going to have a budget with this much money, what are we doing with it? Why are we spending less? Why are we spending more? We need to integrate in the budget this is what we did, this is the result, and this is what we want to do differently. They need to have an idea of what they're getting for their money. He doesn't want to let the meeting have a lot of open discussion on this is bad and that's bad. He doesn't want to have a gripe session but it needs to be curtailed.

Philip said he thinks we should consider having one or two of our monthly meeting on a weekend. Especially when the operations are starting up. Bartlett said we had tried a web site with no results. He thought setting up an email address might be helpful. We could set one up with yahoo at no cost. People could send complaints in an easy way and this would be a way to collect email addresses. Most homeowners have email and we could send updates, etc. He feels websites are too passive and email is more proactive. Receiving an email forces you to look at it.

Schmitz asked if we are doing shoreline clean up. The answer is not this year, but we should consider it next year. He said since the lakes are down, the weeds are in the center of the lake. This tells us we should be harvesting out further in the lake – which is not our policy. This would create more acreage and more time. Schmitz said the chemicals do very well, but the floaters come in to shore. He thinks we should explore shoreline clean up.

Potrykus then suggested we design a word picture to present to the members. What is it that we would like to see happen on the lake? Obviously get rid of the weeds, and then what equipment do we need, how many workers, how much money. We need a goal and then what kind of funding would get this done. Schmitz said we also need to treat both lakes equally. Rice Lake needs service. Also – what we do for Whitewater we must do for Rice.

Schmitz brought up one last item he considered important. When we have unpaid help we should make sure our insurance company is aware of this. We could get ourselves in liability trouble. We need to ask them that question. Philip will follow up on this. Steinke said we could get a waiver for them to sign. Bartlett thought we should pay them, even if it would be minimum.

Motion was made to adjourn at 8:25 p.m. Seconded, unanimously agreed. The next regular board meeting will be next Thursday, September 11<sup>th</sup>. Bartlett will post the meeting notice at the three locations, as we don't have time to publish the notice in the Register.

Respectfully submitted,

Rose Marie Berg  
Clerk

*amended*

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF BOARD MEETING  
SEPTEMBER 11, 2003**

Meeting was called to order by Jim Bartlett, Chairman, at 7:00 p.m. at Whitewater Town Hall.  
Board members present: Jim Bartlett, Gary Marvin, Gordon Philip, Tammy Steinke, and Art Schmitz  
Board members absent: Jerry Grant and Norm Prusener  
Clerk absent: Rose Marie Berg  
Guests: Bill Ashley, Don Oker, Tom Ponyicsanyi, Laurie Harnack and Donna Wojdula

Minutes of the September 3, 2003 meeting were reviewed. Marvin stated he would like to change page 2, 2<sup>nd</sup> to last paragraph to read "we should continue to pick up weeds on Saturdays, because the cutter is what causes some of the floaters." Page 3, 2<sup>nd</sup> to last paragraph should be corrected to read "Schmitz also said Parkside never put out the equipment buoys. Correction so noted. Motion made to approve minutes as amended, seconded, unanimously approved.

**Administrative Issues**

Bartlett said he had received the resignation of Tom Ponyicsanyi as Fish Stocking chairman and he is looking for replacement candidates. Marvin asked Ponyicsanyi if he had any suggestions as to whom we may get that would have any rapport with the DNR. Bartlett suggested Brian Morris, who just retired and has moved here full time and is very interested in DNR activities. Ponyicsanyi also suggested Doug Goodrich for the position. Bartlett said he would contact both to see if either had an interest in the position. Ponyicsanyi also commented he had received a request from someone on Rice Lake who was interested in buying and releasing Northernns on Rice Lake himself. He told him to contact Doug Welch of the DNR. Ponyicsanyi said there was \$1,000 in the budget to stock fish and he has a permit that could be completed and sent to the DNR to request stocking. There usually are good buys available in the fall.

Bartlett said he had not investigated the process of changing boundaries for the district, but he would look into this soon. Ponyicsanyi said he had spoken to Jerry Grant, county board member, and Grant would look into how Pine Knoll subdivision could put together an appeal to be removed from the Lake Management District. Ponyicsanyi said he feels his money is not being spent to better the whole lake. Money is beginning to be spent for the personal interests of some people. He mentioned weed harvesting and bog removal as two of the items. He said there is an appeal in process right now in the Wisconsin Supreme Court regarding removal of a property on Lake Koshkonong. Don Oker asked what the board's feeling on changing district boundaries is. Oker said this could be a dangerous precedent if we allow removal. Bartlett said he felt it was irrelevant to state opinions until we understand the process and our role in the process. Ponyicsanyi said his group is interested in hearing if the board is interested in adding any off shore properties to the district. Schmitz said two years ago many of the board were interested in adding properties but at the annual meeting a member said shore owners could possibly lose control if off shore members were not interested in maintaining or spending money on lake improvements. Ponyicsanyi said that years ago properties were not put into the district because they were considered agriculture. Since then the use of some of them has changed. He cited Pine Trees with 28 lots being developed and lake rights can be bought for some of these lots. Gnatzig is splitting property into 5 lots and these should be part of the lake management district. Philip pointed out that in attending the WAL convention, we have a lower percentage of off shore owners than other districts do. Bartlett said at a minimum that we would have to readdress our definition of boundaries. Precedents will have an impact. Schmitz said he would be in favor of user fees. A guest said it is getting more expensive to maintain the lake and losing 13 properties may have an impact. Bartlett asked if we need a committee to start looking at the boundaries. Marvin said he feels this whole issue came about because of the boards' considering raking shorelines. Off shore owners started thinking this is going too far. Schmitz raised the question of maybe we should make cleaning shorelines an option and if owners want this done they would pay for the service. Bartlett said this might be a service that would be very salable to owners. Possibly, Parkside or JNT may be interested in providing this service.

Marvin wondered if we are going to form a committee to look at the bylaws, if they can't address this issue. If there should be any changes, it would mean changing the bylaws. He said he agreed with Ponyicsanyi that everyone in the district should have a vote, whether or not they come to the annual meeting. If it means we have to send out paperwork to the people in the district and they send it back to us to tally up the votes, that is what we do. Marvin



said that as secretary, he feels it would be appropriate for him to be on the committee. Marvin said he is willing to get started on this as we have a list of volunteers. Bartlett asked if anyone else was interested.

### **Committee Reports**

**Budget and Finance:** Philip reported we collected the final taxes of \$35,469 so all funds have been received. Harvesting expenses for August were \$9,493; G and A expenses were \$1,229, bog removal \$162 and chemical treatment \$1,247. Total expenses for August were \$12,131. There is a surplus of \$34,427 year to date for harvesting expenses. Philip reversed out the grant that was awarded last November of \$5,250 for the weed/rake. This results in a reduction to the equipment fund. We have cash balances on hand of \$93,749. Marvin made a motion to approve the report as presented, seconded and approved.

Philip said he does not like to pay a bill from a statement. He is requesting bills from JNT to identify the work. The bill in question was replacing a gas tank for the transporter. He will hold the bill until we receive clarification. Philip presented total bills of \$2,780.67 to be paid. This included \$897.00 to Whitewater Register for the notice of annual meeting, the publishing of the budget and notice of tonight's meeting. Also \$63.85 for printing 150 copies of the budget and financials for the annual meeting. The insurance company is handling Parkside's bill for \$10,728.70 for righting the harvester. Motion made to accept and pay the bills as presented, seconded and approved.

**Harvesting:** Steinke reported the transporter is at JNT's dock. The plugs and points were clogged up. Three men are cutting right now and using the transporter. Yesterday they did not show up so Jeff from JNT took the transporter down to the marina to examine and pull the plugs and points. She has told the people on Whitewater Lake they would pick up weeds from piers for two more Saturdays. This week and next week they're cutting and she has people to pick up the weeds on the 13<sup>th</sup> and 20<sup>th</sup>. After that, if the two guys, plus the JNT man that's helping, are still around, Dennis Cole will come in from Inland. He gave her a list of items they need to acquire to winterize all the machines. He wants all of them together prior to setting up a time for him to come in. She is hoping to move the operation to Rice Lake the last week. They will clean up the area by the boat landing and the 40% part of the lake that they lost this year. If we left the weeds just sit like that and go into the winter season and freeze, she didn't know what would happen with the low water and fish dying, etc. Cole will let her know when he and his men can come. She will email the date and anyone that wants to come down may come. It will basically be safety, maintenance, winterization and help get all the equipment into storage. Bartlett said the lease had expired on the storage barn several years ago. We have to make sure it is still available and get the lease updated. Jeff from JNT, Nate and Ashby will be trained. Jeff is working as a paid employee and if we didn't have him, we would not be operating per Steinke. We are paying each of them \$10.50 per hour. Steinke said we have to pay this rate to keep them. Motion was made to approve this rate for the balance of the year, seconded and approved.

Ponyicsanyi said Rice Lake is the worst he's ever seen it with the algae on it. It is also the lowest and without the water coming over the dam and if we have a hard winter, we can almost count on 100% fish kill. He said Rice survived the last two times other lakes around here had fish kill, only because there was high water. He thinks we should not cut weeds in the fall as it helps the fish. Schmitz moved we shut down the weed harvesting right now and concentrate on the bog removal. This would allow us to park the transporter now, clean it up and put it away. He's concerned about the pieces of floating bogs. These pieces should be picked up before they do any damage. We need someone experienced to work on the bog and there is no one available. Inland will not come out now to train on the bog. Bartlett asked for a second - no one seconded it. Steinke motioned that we keep harvesting for the next two weeks. Motion seconded and approved.

Bartlett said for next year's harvesting he would like a plan. In addition, we need to research and document best practices - whether we will go between the piers or not, what worked before, whether we will play the wind or not. The major plan we have for the district has a lot of good information in it - what areas to cut and where chemicals can be applied. He thinks we should revisit the plan and make sure that's where we want to go. Steinke said the plan does not show sensitive areas to scale and you can't tell if it's a 3-ft. or 30-ft. area. Bartlett also wants measurements recorded as to how much we're taking out, how much on Saturdays and to integrate it with the chemicals.

**Equipment:** Bartlett will check with the insurance adjuster to check on progress on the harvester claim. Schmitz recommended that since we are using the transport more we look at replacing the gasoline engine on it. He suggests a diesel engine that doesn't suck in the water and muddy the lake. We would have a much more reliable machine. The only engine we would have that uses gasoline is the small engine that drives the hydraulics and we could probably change that too. Everything would then be on diesel. Bartlett asked Schmitz to look into this. Schmitz said he's already looked into it. It's about twice the cost and he thinks we could get a grant from the DNR for half the cost. The elevator is still for sale at Inland for \$3,000. Marvin suggested Schmitz ask Jeff at JNT what he thought it would be worth and if he knew anyone interested in purchasing it.

**Chemical Treatment:** Marvin said he would ask Barry how much it would cost to spray the whole lake, but he thought it would be very expensive.

**Bog:** Philip requested the name and phone number of the person Bartlett talked to that got a permit for bog removal for a period of ten years.

Schmitz suggested that he be authorized to remove the bog floaters. He thinks they are dangerous and the board made a commitment they will remove them. Schmitz wanted to go on record he was not going to ignore this issue. Steinke thought it was a waste of time and she's worried the cutter could be damaged and she won't be able to finish the final two weeks. Schmitz thought he could get Jim Harmon to help him and Bartlett thought he could get a third person. Schmitz said he could work 4-7 p.m. on Mon., Wed., Fri. and/or Sat. Schmitz also said he did not think it would take that much time – possibly an evening or a Saturday. Steinke did not want them out on Saturday because there are too many people on the lake. Motion made to allow Schmitz (and pay him for his time) to remove the floating bogs between 4 and 7 p.m. during the week and/or Saturday assisted by two individuals. One would ride along with him to keep him level. He will start this Saturday. Motion seconded, Steinke opposed, Schmitz abstained, motion passed by majority. Schmitz wants to park the cutter near Camp Joy. Schmitz requested they put the cutting bar on for his use. Steinke said they don't have anyone to do this. Schmitz said then they should shut the operation down right now. He said they have the people and the cutter to harvest weeds but they don't want to do anything else and it also sounds like she wants to spend the last week on Rice Lake. She said for two years they have neglected Rice Lake. Schmitz said she is on the board to take care of both lakes. A heated discussion followed between Steinke and Schmitz. Schmitz said he will work on Saturday and Bartlett will ask JNT to put the cutter bar on the machine and remove when Schmitz is done so Steinke can use for cutting. Philip suggested maybe Jerome Converse would be a good candidate to help on Saturday. Schmitz will contact him to help on Saturday. Marvin said he asked Ron Fero to move the buoys from the entrance to Round Lake and put 6 of them "slow no wake" around the bog. Fero said he would ask someone to move them but so far they have not been placed. Fero claims they have lost 25 buoys this year. Oker suggested we contact Fero and state that it is dangerous for skiers around the bog. Bartlett will send a letter to Fero stating this is a safety issue.

**Walworth County Lake Association:** Marvin said there is a meeting coming up in October. He suggested we update the WAL mailing so the current board members receive the WAL mailings.

**New Business:** None

**Old Business:** Philip asked if Tangney had received any remembrance of his service to the board. Bartlett said he would get a plaque and tickets to the Fireside and have them by the next meeting.

Bartlett asked if we need a motion to pursue a grant for removing the bog.

Meeting was adjourned as we ran out of tape. Motion for adjournment, seconded, unanimous. The next scheduled board meeting will be Thursday, October 9<sup>th</sup>, 2003.

Respectfully submitted,

Rose Marie Berg  
Clerk

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF BOARD MEETING  
OCTOBER 9, 2003**

Meeting was called to order by Jim Bartlett, Chairman, at 7:00 p.m. at Whitewater Town Hall.  
Board members present: Jim Bartlett, Gary Marvin, Gordon Philip, Tammy Steinke, Art Schmitz, Jerry Grant and Norm Prusener  
Board members absent: None  
Clerk absent: Rose Marie Berg  
Guest: Brian Morris

Minutes of the September 11<sup>th</sup>, 2003 meeting were reviewed. Marvin added Gordon Philip's name to the board members present at the meeting. Grant noted that on the last page – the next scheduled board meeting should have read October 9<sup>th</sup>, 2003. Motion made to accept the minutes as modified, seconded and unanimously approved.

**Administrative Issues**

Bartlett said the consensus of the board was to send Bernie Tangney a letter of thanks and a gift certificate to the Fireside Theatre for dinner and show for two. Bartlett read the letter to the board and requested everyone to sign. He will deliver it to Bernie and Linda tomorrow.

Regarding the detachment process – Bartlett said he had spoken to the attorney and received a written response that he passed around to the board. Basically the process if Pine Knolls wants to detach is that they would come to the board with the request. If we turn it down, it's over. They have the right to appeal and that is the process the Lake Koshkonong district is going through. The circuit court overturned the commissioner – they said they could as there was a change. The appeals court said no. Their verdict was basically that they could not pull out of the district unless there was some change in circumstances from the inception of the district. If something changed since it started they could talk about it, but unless they could demonstrate a significant variance in circumstances since it was created they cannot back out. In Bartlett's mind, barring the Supreme Court over turning that, they can do what they want, but it is not likely unless we approve it. Philip asked what was the basis for the circuit court's decision to overturning the commission. Bartlett thought it was that these people were not receiving benefit from the district. The appeals court said they do not go through the benefit analysis anymore – if something did not change, it's a done deal. Bartlett does not think we will have a problem on this. Grant asked if Ponyicsanyi has been given this information. Bartlett said he would give it to him.

Bartlett introduced Brian Morris as the new fish manager. Morris lives on Ridge Road. Morris said he spoke with Doug Welch of the DNR twice to get the sense of what he thinks needs to be done. His general consensus is the DNR takes care of both lakes. Morris intends to sit down with Welch and see what exactly has been done in the last three years. Welch's general feeling is that they know what's best for the lakes and they will stock as required. Also if we put fish in and the DNR decides we have too many fish, the DNR won't put in their allotted amount and then we've paid for fish that the DNR can put someplace else. Bartlett suggested Morris touch base with Ponyicsanyi on the matter as he had been doing this for a long time. Morris said the DNR will be over here after the first ice thaw to do some surveys on both lakes. He will go along to see just what they will do.

Prusener has a copy of an ordinance from the Town of LaGrange regarding use of phosphorous-free fertilizer. He said it is a rather broad bill. He felt it would cost approximately \$500 for notices, attorney fees, etc. to have a similar ordinance. He said Town of Whitewater's share of the State's revenue has been cut by \$23,000 to \$27,000 and they've just spent \$4,000 purchasing buoys so their funds are very limited and the District may have to pay for the ordinance costs. Marvin questioned who would enforce this ordinance and also contact the many lawn maintenance companies. Prusener said it would be the township's law enforcement officer's responsibility. Philip questioned if Richmond Township had someone in that position. Discussion continued on the benefits to the lakes if we enforced a similar ordinance. It was agreed that the lakes would benefit by a reduction of weeds and we would have to educate the homeowners on these benefits. Bartlett suggested that we spend up to \$400 to pass this ordinance and the townships pay the difference. Prusener will suggest this to Ron Fero and the subject will continue at the next meeting. Grant will email to Bartlett the names of the companies that supply phosphorous-free fertilizer.

**Treasurer's Report:** Philip reported that total harvesting expenditures for the month of September were \$5,584. Total expenditures, property and cost, for 2003 was \$66,164. He moved the \$10,000 that was in the 2003 budget for addition to the equipment fund to the actual equipment fund. He thinks we will have an approximate surplus of \$12-13,000 for the year 2003.

Expenses for the month of October included \$7,838 to Laub & Horton for our annual insurance policy, which was renewed effective September 23<sup>rd</sup>. This was an approximate \$600 increase from last year. Three insurance claims had been filed this year. Total expenses were \$11,660.44. Motion was made to approve payment as presented, seconded and approved.

#### **Committee Reports**

**Budget and Finance:** None

**Harvesting and Equipment:** Steinke reported nine loads were removed in 3-1/2 days from Rice Lake the last week of harvesting. Marvin questioned the areas they cut on Rice. Steinke said they did not do any residential cutting, as the water is too low. They cut around the boat landing, into the two bays, around Dr. Rice Park, inside the buoys and along State Park Rd. They went back and forth in the unexplored territory across the lake where it had never been cut before. It was very thick, but they had no problems with floaters.

All the equipment has been placed in storage and Dennis Cole from Inland will be out on Tuesday morning to do any maintenance necessary before winter storage. She said Jerome Converse and Nate would try to be there. Jeff from JNT will also be there. She said Cole also offered to advertise the elevator we have been trying to sell, in a publication he puts out in spring. Motion was made to ask \$2,500 with a bottom price of \$2,000 in the advertisement. Anything over \$2,000 would be Cole's as an incentive to sell. Motion seconded and approved.

Steinke said she and Bartlett had been going over staffing issues for next year. They are considering hiring a working crew chief. Jerome Converse is interested in this position and they are talking with him. JNT Marina could be the home base. They would keep a file cabinet containing extra keys, phone numbers, copies of insurance policies, W-4 forms, job applications, etc. There is also extra space above the marina that they could lease for the summer and park the truck and trailers. This would be where the employees would report every morning and pick up the keys to the equipment. This past year the keys were left in the truck and the employees would have to crawl through the back window to retrieve them every morning – not very organized. Schmitz said that only happened at the end of the year – not as a daily routine.

We would use JNT for general repair, maintenance and working with the crew chief. In addition we would have four operators. She would also like to have at least three relief operators - back up people that have said they would volunteer. They would be trained and if there should be absences the back-up people would cover. Schmitz suggested a staggered shift and not using the transporter. He said it is not worth hiring a fourth person for the transporter alone. He said the transporter is needed only in the area where Bartlett lives and maybe in Isabel Bay. Marvin said they were not going to cut Isabel Bay until possibly July. Back-up people would be paid employees and must be trained. Motion was made for Bartlett and Steinke to discuss with Converse the possibility of being hired as crew chief and to determine wages – either hourly or salaried. It will be their responsibility to furnish a detailed description of the crew chief's responsibilities and possible hours required. Motion seconded and unanimously approved.

Bartlett said he spoke with the insurance company and they have approved \$21,000 for repairs to the harvester. He requested Schmitz to review what will be replaced and repaired. If Schmitz is comfortable with what they will do, it will be approved to begin repairs. The insurance company also approved the full bill from Parkside, which is approximately \$10,800.

**Chemical Treatment:** None. Steinke and Marvin will work together and coordinate chemical application with harvesting schedules.

**Bog:** Philip reported he received the bog removal permit for a period of ten years. He feels confident the remaining 85,000-sq. ft. will be removed during that period. Philip has not heard from his contact regarding the possibility of applying for a DNR grant for the removal.

**Fish Stocking:** Previously discussed.

**Walworth County Lake Association:** Marvin reported the annual meeting and election of directors on October 11<sup>th</sup> at the Lake Geneva City Hall at 9:00 a.m. Everyone is welcome to attend. Heidi Bunk, DNR will speak about lakes. Philip requested Marvin find out when they will discuss shoreline regulations.

**Old Business:** Marvin reported he has himself, Tom Ponyicsanyi and Tom Potrykus on formation of the Update Bylaws Committee. He is still looking for one or two additional people. He asked if anyone has any suggestions. He requested the Board give him an idea of money that could be spent on legal costs. He said one of the main items he would like changed is to have everyone in the district have a vote whether or not they are at the annual meeting. Philip suggested that in the next newsletter we ask for recommendations or ideas as to what property owners would like to see changed. Morris said he thinks there should be some changes in the number of votes allowed for each property. He suggested one vote per property. Philip thought there should be a later transition date for the incoming board members. Possibly begin their term at the new season. Bartlett said he thinks there will be many issues brought up.

**New Business:** Bartlett will begin working with the clerk to work on formation of a newsletter mailing. The newsletter would include a request for homeowners to furnish email addresses to eliminate the cost of a large mailing. He would also like to set up a YAHOO mailbox, which is free. Morris pointed out that it is not easy to keep current with email addresses. Marvin wondered if the Property Owners Assn. could assist us in obtaining the email addresses. He said they are looking for a project and this would help us.

Bartlett also said we should re-visit the idea of expanding the district to include Scattered Oaks. He will check with Mark Ohm, but he thinks the process is to notify them that we are annexing them into the district, the county holds a meeting, passes on the issue that they are getting benefits or not and that's it. It would also help Pine Knolls feel better too. Schmitz said Scattered Oaks is using the lake more every year. They have re-done their shoreline and there are 3 or 4 boats at the pier all weekends. Some weekends you can't even get down the road.

Morris said he would like to come to the next meeting and spend only ten minutes, giving the board a plan stating what the board does, the weed harvesting manager, the people who are cutting and where. The organization needs a plan that lets everyone know what we are doing and what we are going to do. Steinke responded we are working on it. Morris responded he has roughed it all out to save the board time. Marvin suggested he gives it to Rose Marie and she can type it up and email it to the board. Morris gave the plan to Marvin.

Motion made to adjourn the meeting at 9:05 p.m., seconded and approved. The next board meeting will be on Thursday, November 13<sup>th</sup> at 7:00 p.m.

Respectfully submitted,

Rose Marie Berg  
Clerk

*discuss discussion*

**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF BOARD MEETING  
NOVEMBER 13, 2003**

Meeting was called to order by Jim Bartlett, chairman, at 7:00 p.m. at Whitewater Town Hall.  
Board members present: Jim Bartlett, Gary Marvin, Gordon Philip, Art Schmitz, Tammy Steinke, Jerry Grant and Norm Prusener  
Board members absent: None  
Clerk present: Rose Marie Berg  
Guest: Brian Morris

Minutes of the October 9<sup>th</sup>, 2003 meeting were accepted as mailed to the board.

**Administrative Issues**

Schmitz presented a memo from Dennis at Inland (or was it from the insurance co.) regarding the repair of the harvester. They decided to wait until the harvester is repaired and able to be tested, to then decide if the #3 conveyor would need to be repaired and replaced at a cost of \$800. Schmitz also had a memo stating insurance would not cover the wear and tear and maintenance items. This included replace the horizontal sickle assembly in front \$150; 14 wear-guards \$133; 5-spring tension (?) labor \$210 and replacing the skids on the bottom \$1,060. Schmitz said he would investigate what we could do with the transport unit. Last year they bought new belting, but never put it on the unit. Over the winter months he feels we should put it on. He also said he would investigate the possibility of getting rid of the outboard motor. He now feels we should do this before next spring. He thinks we either should buy another outboard this year or convert it to a twin spool diesel, which would be about twice the cost of an outboard. Since the last meeting he demo'd the unit on the lake. It did not pick up the speed much, but the power was unreal. The motor was sitting on the bottom in mud and hydraulically put it in reverse and backed it right off the bottom. The cost of the unit is slightly more than twice the cost of an outboard. An outboard costs somewhere between \$7,500-8,000 and about \$16,000 for the diesel including the hydraulic driven twin spool props. We would be getting rid of the mechanical problems we have with gears. The hydraulics take more of a shock if the props hit a rock or go too close to shore. Schmitz recommends the board purchases the diesel and the transport would probably last another 8-10 years. If we can get a grant for half of the purchase it would be a toss up as far as cost. Bartlett said he spoke with Phil at Parkside who has diesel drives on his barges and he is considering take them off. He has a lot of problems with the drive shafts breaking down. They are thinking of going back to the outboards. Phil is very happy with the new 4-cycle engines. Schmitz said he spoke with the Lake District that has the diesel and they like it and have not had any problems other than tearing up the props. Also as an economy measure – you will get a lot better fuel economy on the 85 hp on the diesel than opposed to an outboard like we have.

Steinke observed that last month Schmitz said we shouldn't use the transport any more. He said he agrees with that except that as long as we do shore pick-ups on Saturdays we need the transport. If we would only use the harvester it would be much slower and you couldn't haul as much. Philip wondered how many hours we would put on the transport – would it be cost effective to do anything. Bartlett said we have to replace the engine at any rate. Bartlett agreed he would check on the grant situation and Schmitz would look at other places using the machines. He will also check with Jeff at JNT for his opinion.

Marvin suggested we put his e-mail address in the newsletter and that if anyone has questions or suggestions on changing the by-laws they contact him. Bartlett requested Marvin write up a paragraph or so on both the by-laws and chemical operation and send it to the clerk.

Bartlett has set up a free e-mail address for the Lake District on yahoo. To reach the address go to the Yahoo website – [my.yahoo.com](mailto:my.yahoo.com) and the id is **whitewater\_rice** and the password is: **manage**  
We will request members to send us their e-mail addresses through this yahoo e-mail address. We will also get the e-mail addresses that John Brunner has collected through the Property Owners Association.

Newsletter to contain: talk about last season issues and what we will do this year; increase on chemical use, harvesting, equipment, fish stocking, shoreline zoning rule with time and location of DNR meetings;

treasurer's report, chairman's report on the boundary issue, e-mail and phosphate issues. Bartlett would like to have the newsletter out before the next board meeting.

Bartlett reported at the last meeting that Morris distributed comments describing the board's activities. Bartlett interpreted them as an issue that needs to be put together to document some of the stuff that people have already known and done. Much of the items have not been documented such as job descriptions, etc. Putting together a manual is a very difficult, time-consuming job. He distributed a table of contents with topics that need to be documented somewhere. His thought is to develop a repository that's empty and then start building on it. As we write up procedures for harvesting, job descriptions, staffing, etc. the items will be deposited. Information on securing grants, equipment purchases, chemical suppliers, insurance policies all need to be in a central location. Bartlett requested each person write up a page or less on what their roles are in terms of what the committee has done or officers do. This would be a starting point and the rest of the stuff will be used as a filing and we will build on the operations in terms of a real manual. A big concern is the permit applications and necessary reports that need to be filed with the DNR.

Prusener reported the phosphorous ordinance (ban on applying fertilizers containing phosphorous) was tabled at the Township meeting last night. The board members decided to work on educating the people on the use of fertilizers before enforcing and drafting an ordinance. The subject will be brought up again next month at their regular meeting. Prusener distributed a list of area suppliers selling No-Phosphate fertilizers. Marvin said he spoke to Turtle Lake representatives and they agreed with the ordinance. Richmond Township would go along with the ordinance. However, they do not have anyone to enforce it. Information on this subject will be included in the upcoming newsletter.

Marvin is obtaining names for the by-laws committee. Bartlett said he had a couple names he could furnish. Bartlett spoke to Mark Ohm, attorney, regarding expanding the district boundaries. Ohm said what we can do, as the district, is to map out areas - for example Scattered Oaks. We would get the name and address of the property owner, assessed value and map. We would pass a motion affirming we want to assess or annex them to our district. We need to notify the property owners of our intentions by mailing to the last address. It then goes to the County. The County has a hearing and within three months of the hearing the Board meets to discuss the issue. The County makes the decision whether they should go in or not. We don't have to get people to sign or get a petition. We can just map it out, send it in and go to the hearing to present our case on why we think they are actively part of the lake district. Bartlett feels this would be a do-able thing. Schmitz said we have to be careful that we don't make an example out of one area. We need to follow "land use" as did at an earlier meeting. There were other areas besides Scattered Oaks that had multiple piers on the lake. We should not segregate one area. Bartlett said we should look at the areas that would make sense to be added - the areas that are benefiting from the lake. Bartlett will bring the maps he has to the December board meeting and discuss the areas to be considered.

### **Committee Reports**

**Budget and Finance:** Philip reported harvesting costs were \$12,055 for a YTD of \$55,421. Chemical and fish stocking YTD was \$17,047 - over budget by \$1,247. He is estimating a surplus of \$10-11,000 for next year. Cash and cash reserves total \$103,737. Under the liability section \$31,881 was payable to Inland and Parkside for the insurance claim. He will mention in the newsletter article we can't carry a surplus in the General Fund. At the next annual meeting we will need to decide what should be done with it. There are three choices:

1. Transfer the surplus to a Contingency Fund or Equipment Fund
2. Apply the funds toward bog removal in 2004 because the surplus was related to deferral of the bog removal
3. Apply the surplus to a reduction of the 2005 tax assessment

There are also expenses for repairs and maintenance to the harvester and trucks that will be incurred before the 2004 season begins. Schmitz will talk to a mechanic that he knows to see if he would be willing and able to do our equipment repairs.

Expenses for November are \$34,925 included a fish stocking charge \$1,070; Parkside Marine \$10,726 and 2 checks for Inland Lake Harvesters totaling \$19,152.50 for the harvester insurance claim. We will hold back another \$2,000 to Inland until the harvester is put into the water in spring. Motion made, seconded and approved to pay bills as presented.

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**Equipment:** Previously covered

**Fish Stocking:** Brian Morris reported fish were stocked with the \$1,070 only in Whitewater Lake. The DNR is concerned that Rice Lake may experience a winter-kill due to the low water level. If there is a kill the DNR will reintroduce the fish in approximation to the loss. Stocked were 400 – 7” highbred bluegills and 500 – 3 to 5” crappies. The DNR stocks walleye and northern so it doesn’t pay to stock more. Morris suggests when we talk about the next year budget we increase fish stocking to about \$1,500 per year.

**Harvesting:** Steinke and Bartlett interviewed Jerome Converse for crew chief. He is looking for a full-time position but has not found one. He intends to continue looking for a full time position even if hired by the district. No decision was made on hiring at this time. The board will look into what type of wages – hourly or salaried – and amounts, other lakes are paying and then decide on what type we will offer to whomever we consider. Schmitz suggested we place an ad for crew chief describing our requirements, working conditions and months required to work. Schmitz recommended a resume is required and then we can choose whom to call. Marvin will call the president of the Walworth County Lakes Assoc. to obtain more information on salaries, etc. for crew chiefs. Steinke would like to have the maximum hourly or salaried wage set before they start interviewing.

**Chemicals:** None

**Walworth County Lake Association:** Marvin attended a meeting in Lake Geneva. Fifteen people attended the meeting. Heidi Bunk, DNR, was there and said she knows nothing about the zoning regulations. They hope to have all the lakes join by next year. Meetings are set up for the entire 2004 year.

**Old Business:** None

**New Business:** Philip suggested we discuss the bog grant at the next meeting because it must be submitted in February. We cannot start the project until after the grant is awarded – not before. We have not started Phase II. Because they wrote the permit as a “dredging” permit, it falls under a certain clause that grant monies are available. He also said that since we’re applying for a grant for bog removal over a period of ten years, besides putting together a payroll budget we should consider including purchasing a harvester for this purpose. We will probably need another harvester within that period.. Philip raised the question that we would be putting more time and money into bog removal and he’s not sure it’s politically appropriate because we’re not addressing the problems of harvesting and floaters which were the big concern of the members. Bartlett felt we should put the harvester in the bid. Philip suggested everyone thinks about this and decide at the next meeting. In the meantime, he will do some research on the subject and email the information to the board as he receives it. It was tabled till the next meeting.

Philip asked Steinke if we had the crew chief, crew and the third harvester we wanted ,if we would still need the Saturday pick up. She felt if the crew was visible and working longer hours this would make the members happy. This too was tabled till the next meeting.

Schmitz said he took a drawing of his to Dennis at Inland regarding an idea he had about the floaters. Dennis liked it and is thinking about building a pontoon that he would bring it out to our lake and we would use it all spring and summer as guinea pigs for the machine. We would donate one of our 90-hp motors and he would put it on this pontoon boat to move it more quickly in the water. You would then lower a small paddle on the back of the boat. That would propel it in the weedy areas. A basket would be put between the two pontoons and you would screen the floaters from the water. You would then go backwards with the pontoon and dump them in a chunk and pick them up with the 10-ft. harvester. Bartlett thought it would be a good idea to try.

Motion made to adjourn at 9:20 p.m., seconded and passed. The next meeting will be on Thursday, December 11<sup>th</sup>, 2003 at 7 p.m.

Respectfully submitted,

Rose Marie Berg  
Clerk



**WHITEWATER/RICE LAKES MANAGEMENT DISTRICT  
MINUTES OF BOARD MEETING  
DECEMBER 11, 2003**

Meeting was called to order by Jim Bartlett, chairman, at 7:05 p.m. at Whitewater Town Hall.  
Board members present: Jim Bartlett, Art Schmitz, Gordon Philip, and Tammy Steinke  
Board members absent: Gary Marvin, Gerry Grant and Norm Prusener  
Clerk present: Rose Marie Berg  
Guest: Art Speerbrecher

**Administrative Issues:**

Minutes of the November 13, 2003 meeting were approved as mailed earlier to the Board.

Steinke showed how she has organized all her materials in individual binders including one for blank forms, payroll log, charges and receipts, equipment manuals, tax forms, insurance, maintenance logs, etc.

Bartlett asked if everyone received the newsletter. They all agreed it was very well done and looked sharp. The clerk said Mark and Lynne Muschinski have stated they will continue to print the newsletters and will charge only for the paper used. This is a tremendous cost savings to the District and very much appreciated.

**Committee Reports**

**Harvesting Committee:** Bartlett asked if anyone had any questions regarding his "Request for Proposal for the Harvesting Function – 2004 Season." The proposal was to outsource the function. We would have to advertise the requested proposal in the newspaper to enable vendors to apply. He suggested we check with Parkside Marina and JNT to see if they could come up with a proposal for providing the harvesting functions and the anticipated cost.

Steinke commented a benefit would be that we have a home base to keep all records, manuals, etc. in one place. Otherwise we will have to come up with a plan to keep all these items where the crew chief or whomever could have the information conveniently available.

Bartlett exhibited a log showing anticipated labor hours and crew costs. Steinke asked if the vendors would know what the cap would be or would they be going blindly – figuring the cost they thought they could do it for. Bartlett said he was guessing they would provide the cost with us showing how many hours the crew worked in the past. His spreadsheet provided the number of staff we used previously and included Saturday pickup, etc. If we hire a good crew chief we would be okay, but if that person leaves we're in trouble. Schmitz said vendors have the problem of employees leaving (part of our problem in the past). Bartlett said that outside vendors would have the stability to manage. Bartlett said his experience is that it is easier to control a contractor. It is easier to get rid of a contractor than an employee. You can exercise more stringent control over a contractor. Frequently the contractors know how to do the job better than employees. Philip said he thought this idea would be worth taking a look at. He does think a good crew chief would help our operation.

Bartlett then requested Art Speerbrecher to tell the Board why he is interested in the position as crew chief. He said he was at the meeting to obtain more information about the position. He is a mechanic and retired from J.C. Penneys Distribution Center. His position was to maintain and take care of conveyor belts to keep them operating the next day. He knows how to deal with people and loves being on the water. His mechanical experience would be a benefit for the maintenance of the equipment. He also spent four years in the Coast Guard as an engineer; however, the crew was cross-trained in all aspects. He is also an automotive mechanic and has a small shop in his garage. He is also a certified welder and does work in his garage. Discussion continued on the job duties of the crew chief such as hiring employees, every day duties, etc. Steinke provided him with a tentative crew chief job description. Schmitz asked Speerbrecher what his salary requirements would be. He replied money is a factor but not that big a thing. He said he would like to keep busy and the position sounds like it may even be fun. Salary or hourly would be fine. Bartlett said he thought somewhere in the range of \$15 an hour. Speerbrecher said he could live with that. He also asked the circumstances of the harvester tipping over last summer. Schmitz said you must be very aware of keeping the harvester level on the water – by constantly checking the yellow stripes on the side. No one knows for sure what happened. Bartlett said the board would be looking to fill the position in March.

Steinke said she spoke to Rachel Gall, DNR Aquatic Plant Manager, and found out the system has changed in that the weed harvesting permit cost is \$300 for 3 years. We are paid until July 2005. A usage report does have to be submitted at the end of each harvesting season. Steinke returned the \$300 check to Philip.

**Equipment Committee:** At the last meeting discussion was held on the purchase of a new motor for the transport. Schmitz distributed copies of a letter from Michael Weygand, Supervisor of Browns Lake Sanitary District Weed-Harvesting Operation. This letter was used to obtain their state grant to purchase the hydraulic propeller system powered by a diesel engine for their transport barge. Their problems were similar to ours – low water table and poor maneuverability. Browns Lake is very satisfied with the hydraulic system and has had few problems.

Dennis Cole of Inland built their barge and did the installation of the two hydraulically driven prop drives. Bartlett asked Schmitz the cost of the outboard motors. Schmitz said the last cost he had was 3- years old and was about \$8,000. He also said he thought we would get eight more years of service from the transporter. It is about 10-years old now. Schmitz said if we commit ourselves to the Saturday pick-ups we would be using it on a regular basis. We would also be using it on the ends of Whitewater Lake – away from the landings. In the past we replaced the motor every year costing us \$3,000 per year. This motor is now 3-years old and needs replacing. Schmitz said if he is still around 8-years from now, he would recommend that instead of buying a new transporter, we would just build a barge. He'd transfer all the peripherals off of the one we have – the motors, framework etc. He also thought in later years as we continue doing the bog removal we could use the barge in this operation. We could put on heavier belting at that time. Bartlett made the motion that we purchase the diesel – subject to obtaining the grant. Schmitz seconded. Philip questioned that we really need this piece of equipment under our new harvesting plan. Schmitz pointed out that this equipment is an on-water service vehicle. It transports fuel, carries the toolbox, etc. Steinke said that we used the transport daily the last 2-months she was in charge. With this information Philip voted for the diesel. Motion passed unanimously. Schmitz said Inland felt they could do the work for under the \$18,000 price Browns Lake paid in 2002. Mention was made the board may ask for Bernie Tangney's assistance with the application for the grant.

**Bog Committee:** Philip will start working on the bog grant in January. He will be very open ended in terms of cost over ten years and he will include a request to buy a piece of equipment at a fixed price. He will also put an inflation factor for the labor over ten years. Also included will be the possible rental of equipment to chop at the bog. This will be a special grant for dredging the bog. He noted the DNR only reimburses for the actual amounts spent under the grant. He will try to have it done before the end of January and will email it to the board for their comment. Philip will present the request at the DNR meeting in February.

**Chemical Treatment:** None

**Fish Stocking:** None

**Walworth County Lake Association:** A meeting will be held on Saturday, December 13<sup>th</sup> at the Landings of Lauderdale Lakes at 9 a.m. None of the Board members will be able to attend. Marvin is out of town. Bartlett will check with Brian Morris to see if he could attend the meeting.

**Budget and Finance:** Total expenses for the month of November were \$3,250 which included harvesting expenses of \$1,409; \$1,070 for fish stocking and \$771 for general & administrative. Total expenses for the year were \$81,676. December bills presented for approval tonight paid total \$1,537.84. Philip also asked for a motion for his authorization to pay any bills less than \$250 that may come in before the next board meeting. Motion seconded and approved.

Schmitz recommended the board authorize painting the bottom of the harvester. This is considered normal maintenance. Motion made, seconded and approved. Inland still is considering building a pontoon boat that would be able to go into shore to pick up weeds. Inland would pay all the expenses involved in building it and would let us experiment in the use of it. Bartlett said we would love to try it and if it works we would buy it.

Philip said Bartlett needs to appoint an Audit Committee to review the books. Bartlett will obtain three people.

**Old Business:** None

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**New Business:** Bartlett said the next meeting would be March 11<sup>th</sup>. Schmitz requested we meet earlier in the month, as there will be a lot of business to take care of. Most important would be the hiring of a crew chief or outsourcing the harvesting operation. Bartlett will take care of advertising the outsourcing proposal in the newspaper.

It was decided the clerk would call the town hall and see if we could have the meeting one-week earlier – on March 4<sup>th</sup>. She will notify the board of the correct date.

Respectfully submitted,

Rose Marie Berg  
Clerk