

Minutes of a Special Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, May 10, 2003 at Town Hall, Town of East Troy, Wisconsin.

Elected Commissioners – Jeff Beiriger, Jana Charvat, Barry Bonneau.

Appointed Commissioners – None.

By Invitation – Kathy Aron (Aron & Associates)

Also Present: 36 Electors

Chairperson Jeff Beiriger called the meeting to order at 8:34 a.m.

AQUATIC PLANT MANAGEMENT

Kathy Aron (Aron & Associates), the District's lake management consultant, presented information about the District's aquatic plant management plan.

It was noted that Eurasian Watermilfoil began to reappear in the lake in small areas in 2001. That area was successfully treated using 2-4-D. In 2002, an aquatic plant survey indicated a reemergence of milfoil along the north and west shoreline requiring treatment, once again using 2-4-D. The survey was repeated later in the year in response to the District's concerns regarding milfoil along the south shoreline.

Most thought the milfoil treatment done last year was relatively ineffective. A winter with above average temperatures, little snowfall, and open water contributed to continued milfoil growth throughout the winter and with spring came a full-blown reemergence. The reemergence has raised many questions about the nature of reintroduction of milfoil into the lake. Since it is unlikely that such a uniform reemergence would result from weeds coming off a launched boat, it has been suggested that seeds, some dormant for several years, may have caused the re-growth. If this is the case, this could be an important clue for the long-term eradication of milfoil from Wisconsin lakes. Residents were asked to continue raking floating weeds from the shoreline as this is a known method for milfoil to spread.

For 2003, residents should expect a year more similar to those experienced before the lake was treated with Sonar five years ago. The District has applied for a permit to use 2-4-D in a near-shore treatment scheduled for the end of May. On proper MOTION, the District residents approved spending up to \$10,000 for this treatment.

The treatment area will generally be the entire shoreline of the lake excepting areas near the public launch and the marsh. The treatment is expected to provide control of the milfoil in an area 100-150 feet from shore.

The District applied for and received a permit to harvest aquatic plants last year and the harvester will be out on the lake as much as is necessary to control the milfoil. In the five years since the District harvested weeds, however, the DNR has published new rules regarding what areas can and cannot be harvested, including areas in and around piers. The new rules allow residents to remove aquatic plants in a 30-foot wide area.

Finally, the District has applied for a permit to conduct a whole-lake treatment this fall using Sonar (or its generic equivalent). On proper MOTION, the District residents approved spending up to \$50,000 for this treatment. It was noted that the use of Sonar continues to be closely monitored by the DNR and that approval, despite the success on Potter's Lake, is by no means guaranteed. Residents were asked to consider voicing their opinions to their legislators, one way or the other, regarding the proposed treatment.

WATER QUALITY

Although perhaps not at an historic low, the lake level is down significantly. Rains in early May added some volume to the lake, but the level remains perhaps 18 inches or more below normal levels. As a result, the dam is not really coming into play so far this year. The level will continue to be monitored, but without rain and snow, a seepage lake such as Potter's Lake cannot make up lost volume. The lake, it was noted, has few springs to replenish water. Residents were encouraged to keep an eye on the lake level so as to not have problems removing boats at the end of the season.

Residents were advised that several communities have adopted phosphate-free fertilizer ordinances for riparian (lake-front) and/or watershed properties. Residents were encouraged to find out more about the issue and to review a list of providers of phosphate-free fertilizers which is available on the website.

PROPERTIES & ASSETS

The District has nearly completed all of the legal processes involved with taking possession of the Love and Torpe properties. After considering the cost and benefit and considering the cost that plant management will take on this year's budget, the Commissioners will not recommend the purchase of the Stevens property, located at the end of Spleas Skoney Road, at this time. The Commissioners continue to discuss the triangle-shaped farm property located at the intersection of Miramar and Stone School Roads. The building, harvester, elevators, truck, and other equipment are all in good shape.

FISHERIES/WILDLIFE

The last time the lake was surveyed was in 1999. A survey has been scheduled for 2004. Anecdotally, some fishermen have reported small, stunted fish while others are reporting larger game fish, particularly largemouth bass.

There are still beavers living on the lake. Residents were encouraged to protect their trees. Similarly, residents were reminded that shoreline buffers can help to reduce any problems with geese.

ENFORCEMENT

The Town of East Troy has assured the District that it will make a presence on the lake again in 2003. In addition, the Town will enforce "no parking" provisions along Highway L and in the public launch area. The triangle-shaped property on Shorewood Drive and adjacent to the launch sometimes draws vehicles but is private property that must be marked before any citations can be issued. The residents along Shorewood Drive own the land and with their permission, the District placed signs on the property a few years ago. The signs were removed by a vandal and have not been replaced. The Commissioners were asked to review the feasibility of developing a self-funded or volunteer lake patrol.

It was suggested that the District purchase more buoys. Six were purchased in 2002 bringing the total number of buoys to more than 30. It was also suggested that the buoys might be placed differently so as to use more of them to protect sensitive areas rather than equally spacing them to define the navigational area. Failing to maintain a proper distance from the buoys continues to be an enforcement issue.

MEETINGS/EVENTS

The Boat Parade and Lighting of the Lake will take place on July 4. The Annual Meeting and Picnic will take place on September 13.

NEWSLETTERS/COMMUNICATIONS

The District mailed out reply cards to those not already on the e-mail distribution list, encouraging them to become part of the list because of faster, less costly, and more frequent communications. Several residents have already responded and others were encouraged to do so. Residents were also encouraged to continue checking the website.

TREASURER'S REPORT

The Treasurer provided an update on the income and expenses of the District. It is expected that plant management activities will cause expenses to exceed income. The District plans to make up the difference using funds that have been set aside in recent years for that purpose. The District has no liabilities at this time.

At 10:37 a.m., a proper **MOTION** was made and approved to adjourn the meeting.

Respectfully submitted,

Barry Bonneau
Secretary

Minutes of the 2003 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 13, 2003 at the Town Hall, Town of East Troy, Wisconsin.

Present: Commissioners Jeff Beiriger, Barry Bonneau, and Jana Charvat.

Also Present: 42 Electors.

Chairman Beiriger called the Annual Meeting to order at 10:31 a.m.

A **MOTION** was made, seconded and approved to approve the Minutes of the 2002 Annual Meeting as presented.

The Treasurer reported that the District has assets of \$163,936.35 in the savings account and checking accounts. The District has no outstanding liabilities. Net income for the year to date is \$19,271.21, but there are several bills to be paid before the end of the year and revenues have all been collected. A surplus is expected and will continue to be set aside for lake projects including a whole-lake treatment and the purchase of properties critical to the watershed. It was noted that the District has made improvements in its financial reports, having computerized check writing and financial reports. Continued progress is planned for 2004. On proper **MOTION**, the Treasurer's Report was approved as presented.

The Commissioners reported that:

Residents were thanked for their participation in the Boat Parade and Lighting of the Lake. Six cases of flares were sold and the profits were used to pay for the picnic planned for after the Annual Meeting.

There have been no changes with regard to any properties being sought by the District. There has been a change in ownership with the "triangle" property and the new owners are aware of the District's interest in acquiring the land. In the interim, the District continues to look at methods for remediation of the problem, perhaps in a way that will make the purchase of the land unnecessary.

Dane County and several municipalities within Walworth County have either adopted or plan to adopt an ordinance prohibiting the use of lawn fertilizers containing phosphorus within the watershed of a lake or lakes, unless it can be demonstrated that phosphorus is needed for the health of the lawn would be adversely affected by such a ban. Several model ordinances and a Milwaukee Journal-Sentinel article were available for review. On proper **MOTION**, the Commissioners were directed to bring this matter to the Lake Beulah Management District and, jointly, bring the matter to the Town Board. It was noted that statewide and countywide bans might be considered in the interim, superceding the need for a local ordinance. It was suggested that the Commissioners review the historical and current levels of phosphorus in the Lake.

The Lake level was discussed briefly. The Lake is at near historic low levels. Residents were advised to monitor the Lake level to avoid any difficulties removing boats this fall. It was suggested that the Commissioners review the possibility of installing a deep well to maintain the Lake's proper level. A question was asked regarding the pumping of water out of the Lake. The Commissioners will review the regulations and provide guidance.

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There were 30 hours of police patrol, up three hours from last year. 9 citations were issued, up from six the previous year. Most citations were issued to PWC operators for failure to obey proper distances. The Town estimated that for every citation issued, ten warnings were given. Violation of a Town ordinance carries a fine of \$49.30. Violation of a State ordinance carries a fine of \$75.20. By DNR measures, the Town has one of the highest citation rates among agencies enforcing boating regulations. There were no reported accidents on the Lake this year. The posting at the launch will be reviewed over the winter with the Town police to make certain that rules can be properly enforced. The Commissioners will also seek information about the citations issued and whether they were issued primarily to District residents or people visiting the Lake.

The District treated the Lake with 2, 4-D in May. The treatment was successful, but 2, 4-D only provides a limited amount of relief and weeds did, in fact, redevelop over time. The Commissioners were asked to review the possibility of doing two treatments in 2004 to get through the season. 180 loads of weeds were harvested so far in 2003, significantly higher than in the past several years. The harvester will remain on the Lake a few more weeks and be on the Lake again as soon as practical in 2004. Weed pick-up has been done when and where possible, but residents may need to compost. The harvesting crews were thanked for their efforts on behalf of the District.

The District is anticipating another 2-4-D spot treatment early next spring and a whole-lake treatment using Sonar next fall. The District was denied a whole-lake treatment for 2003 pending further research. Several meetings have been held with DNR to seek approval for 2003 and a meeting is planned September 30 to determine the scope of the research project. It was noted that the research project and the additional time would, in the end, likely make it easier for DNR to review and approve. DNR indicates it has no particular problem with Sonar to treat milfoil, but it is concerned with any unintended effects on the number and density of the native weed population.

State Representative Scott Gunderson, who was present at the Annual Meeting, was thanked for his efforts to bring DNR to the table. The representative provided further information about the project and indicated his continued willingness to work with the District and its residents.

On proper **MOTION**, the Commissioners were authorized to proceed with a 2, 4-D treatment in the spring of 2004 with a cost not to exceed \$20,000. On proper **MOTION**, the Commissioners were authorized to spend monies as are necessary to secure a whole-lake treatment in 2004 and to proceed with a whole-lake Sonar treatment with a cost not to exceed \$50,000. It was noted that the 2,4-D treatment is a budgeted expense for 2004. The whole-lake treatment would be funded using the current assets of the District and would not result in a change in the levy or any special assessments.

The Lake was neither shocked nor stocked in 2002. The District is scheduled for a fisheries study in 2004, though current budget restraints could affect that schedule.

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Nearly 70 residents are now receiving their newsletters via e-mail, up from 30 the previous year. Residents were encouraged to provide their e-mail addresses to the District to continue to improve communications. The District continues to receive positive feedback on its website.

The Commissioner presented the following:

Resolution 03-1, designating September 11, 2004 as the date for the 2004 Annual Meeting, was presented and, on proper **MOTION**, unanimously approved.

Resolution 03-2, designating F & M Bank of East Troy (or its successor) as the depository of the District, was presented and, on proper **MOTION**, unanimously approved.

Resolution 03-3, pertaining to the operating budget (\$11,250.00) of the District for 2004, was presented and, on proper **MOTION**, unanimously approved.

Resolution 03-4, pertaining to the lake projects and the weed-harvesting budget (\$38,750.00) of the District for 2004, was presented, amended, and, on proper **MOTION**, unanimously approved.

Resolution 03-5, authorizing the District to borrow up to \$10,000.00 for operating expenses only, was presented and, on proper **MOTION**, unanimously approved.

Resolution 03-6, authorizing the Commissioners to seek any grants available to the District, was presented and, on proper **MOTION**, unanimously approved.

On proper **MOTION**, the District agreed to write a letter to Walworth County recommending the continued funding of the lakes specialist position within the Land Conservation Department. It was noted that current specialist, Audrey Greene, has been a valuable resource to the District and to the Walworth County Lakes Association.

Barry Bonneau was nominated and, on proper **MOTION**, unanimously elected to a three-year term as a Commissioner (2003-2005).

The District thanked Tom Jordens for his years of service as Commissioner and Treasurer. The District also congratulated District resident Tim Keepers who recently won two national championships in wakeboarding.

There being no further business, on proper **MOTION**, the Annual Meeting was adjourned at 12:16 p.m.

Respectfully submitted,

Barry Bonneau
Secretary

