

**Minutes of the 2023 Special Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, January 21st, 2023 at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bob Simon, Bob Rice, Bill Roeber, Liz Sanders, and MaryJo Jones.

3 constituents from the district attended.

Chairman Christine Celley called the meeting to order at 9:05AM

Christine explained to those in attendance that when she started on the board the district was spending \$2,000 to have an accounting firm conduct the audit. When she was treasurer, she reached out to her accountant who said that the board could conduct a review of the books with witnesses present. Bob Simon handed out bank statements showing account activity to all board members as well as Annette Larson, Jeff Mahloch, and Joe Jones who were there to help with the audit. Bob provided a copy of each bill and invoice to account for funds taken out of our accounts. Statements also included tax deposits from Town of East Troy and the grant payments from the DNR. Currently the district has \$238,559.53 in assets. The district spent more than it took in last year. This was due to our new 5-year lake plan, increased cost of lake treatments (new chemical but should give us multiyear relief) and the cost of engineering for the replacement of the dam. All in attendance for the audit found the books to be in order. Bob Simon's term ended on January 1, 2023 and records were handed over to the new treasurer Bill Roeber.

MaryJo and Christine talked about moving away from our current bylaws and following the state statues which would be a better way of handling things going forward as the bylaws cannot impose more than the state statues. MaryJo is going to do some research on this and report back to the board. She asked if she had the boards permission to consult with an attorney. The board gave MaryJo approval to consult.

Bob Rice updated the board on the status of the dam project. We are still waiting on approval of the permits from the DNR. Once approved the project will be sent out to bid and Adam still thinks that a spring start date is possible. There are 2 permits that will be required from Walworth County and no permits will be required from the Town of East Troy. Christine asked that we stay on top of this and follow up if we haven't heard back within 2 weeks and then communicate findings back to the board.

Bob Rice had received bills from GoDaddy and talked with Al. There is an email that we never use and is not connected with the district. It was Al's suggestion to cancel the Microsoft 365 and the security basics and shop the services out with a local vender. Because the security basics is coming due in the next week Bob thought we should pay that for 1 year and cancel the Microsoft 365 email and then have AL bid out the services and report back to the board at the spring meeting. There was discussion and those in attendance thought that the current rates were a pretty good deal but agreed it wouldn't hurt to get a bid if it was easier for Al to work with someone local.

Christine announced that she was not seeking reelection next year and she is working on transferring responsibilities to make the transfer smoother. Joe Jones has stepped up and is going to be the harvesting liaison for our district. Christine put together a bullet point list of responsibilities for the position. She asked for input on the handout and was open to any ideas on ways to make things run smoothly. Christine and Joe were together on a call with the DNR and we are not going to be required to file one of the permits which we usually have to (this will save us \$300) We also confirmed where our dump sites for harvesting were located. Rick Witt has also been busy ordering needed replacement parts for the harvester to make sure we are ready to go in the spring. Christine also mentioned that we should not rule out contract harvesting as the district has a lot of expense with labor, insurance, and upkeep of the equipment. Currently we have been able to manage with people on the lake who have stepped up but we need to be

open to other options as a backup. Joe Jones is going to be working on a timeline so that year to year we know when things need to get done and it will also help with efficiency of permit applications.

Bob Rice asked about staffing at the launch for Clean Boats Clean Waters. Traditionally we have had the launch staffed all weekend and some weekdays. It is getting harder to find people to work just weekends because it is hard for them to find another summer job needing all weekends off. Last year we were \$2500 over the minimum payroll for our grant. If we keep that number, we should be able to keep weekends covered all summer. The board agreed to keep things consistent with what we did last summer.

MaryJo made a motion to adjourn the meeting, the motion was seconded by Bob Rice and the meeting was adjourned at 11:29 AM

Respectfully submitted,

Robert C Rice  
Secretary

**Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation District held Saturday May 6th, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 33 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 9:06 am

Christine introduced the commissioners. Bill Roeber who is our Treasurer, Bob Rice our Secretary, Liz Sanders our Town appointed board member, and MaryJo Jones our Walworth County appointed board member and Christine Celley our chairman.

A copy of the minutes from the 2022 annual meeting and the 2023 budget were available for all to review. A motion was made by Jon Voss to approve the minutes as presented. The motion was seconded by Fran Basso. All were in favor, and none opposed.

Jeff Stelzer from Lake and Pond Solutions spoke to those in attendance. Jeff updated everyone on NR107 (treatment legislation) and NR109 (harvesting legislation). The DNR received an overwhelming number of comments against the new proposed legislation and the new proposed changes were killed. If approved this new legislation would have significantly changed the way we treat and harvest as well as additional expense to the district. Last year the DNR did not allow us to do a whole lake treatment, but a pretty extensive spot treatment was done with a new product called Procellacore. This new product was expected to provide multiyear relief. Jeff was out on the lake to do a survey last week and no milfoil was found at all in the lake. He is very happy with the results of last year's treatment. The lake clarity is the best he has seen. Elodia (native plant) is still present in the lake but not as aggressive as it has been in the past several years. We do have a large amount of Curley Leaf Pond Weed. Curley Leaf does not spread through fragmentation and will usually die off mid-summer. Treatments can be done but harvesting may be the best way to manage it. Even with treatments there is no way to eradicate it. A constituent asked if the low water levels helped to control the weeds. Jeff responded that the lack of milfoil we are seeing this year is due to the Procellacore treatment that was done last year. Procellacore has a secondary breakdown process and that is what gives you the multiyear control. We also need to adjust our thinking about herbicides. The chemicals that we are using today take about 10 years to bring to market and work on a molecular level (they are very advanced and targeted). We do have some Chara in the lake which is a form of algae. Chara will filter out water and increase the clarity. Jeff doesn't have any immediate concerns about our lake this year. He will be back mid to late summer for another survey in case we need to make any adjustments. Christine and Jeff talked about the importance of plant life in the lake for fish and oxygen levels. The zone from shore to 3-4-foot depth is referred to the littoral zone and is the most important part of the lake. The plants in this area help to provide oxygen to the lake, give habitat for small fish and protect from shoreline erosion. It is also recommended that you leave a buffer zone in your yard and not mow all the way down to the edge of your shoreline. Sand is also not good for the lake and should be put behind your riprap and not in the lake. Fish stocking was brought up and Jeff recommended to stock bass to help control our small panfish.

Stocking northern could reduce bass as northern would prefer to feed on a small bass than a panfish. Zebra Muscles are still in the lake but have not been prevalent the past couple of years.

Rick Witt gave us an update on the harvesting. Due to the age of our equipment, we have been making some repairs on the harvester which should be done in the next week. The conveyors are in and ready to go and the harvester should be ready to go next week.

Bill Roeber updated the constituents on the district finances. Our checking account has a balance of \$59,225.50 and we have 2 CDs one with a value of \$65,802.17 and another at \$65,171.17 as well as an account with LPL with a balance of \$92,816.93. The LPL account is tied up until 2028 with a rate of 5%. We collected \$47,909.10 from tax settlements. We also received a grant from Clean Boats Clean Waters for \$4,000. Interest so far this year is \$218.79 and we are looking to renew the 2 CDs at a higher rate. Bill offered a copy of the financial statement to anyone who wanted one. A constituent asked why we had money tied up for a long time (LPL Financial) It was explained that the district did this when interest rates were less than 1% and it was an opportunity to earn significantly more, but the term is longer. This was done well before there was any talk of replacing the dam.

Bob Rice updated the group on the dam project. Ayres completed the engineering work and applied for a permit from the DNR in December. The DNR approved our permit in late February and the job was put out to bid. We received one bid back for an amount of \$300,000. When this project started Ayers estimated that the project could be done for between \$100,000--\$150,000. Inflation along with soil conditions at the dam have contributed to the increased cost. When core samples of the soil were done, they had to go down 15ft to find solid ground. Helicoils need to be used to support the precast concrete. While the increased water level has been good for our lake this also contributes to higher cost of the project due to dewatering expenses. When the DNR reviewed the permit, they asked if the berm was going to be addressed (removal of vegetation). We are aware of the work that needs to be done on the berm but at this time the DNR is not requiring this as a condition of our permit. If we don't complete our project and must reapply for another permit down the road there is a good chance that we could be required to address the berm as a condition of the new permit. Our current permit to complete the work is good until February 2025. Bob Rice had copies of the bid for anyone who wanted to review. Last year our approved budget for the dam was for \$200,000 which included engineering. Currently our engineering costs are at \$34,935. A constituent asked about the history of the dam. Christine commented that she believed that the current dam was constructed in the 30's or 40's and was done by some of the local residences. The culvert that the water passes through has rotted out and has been sleeved with a smaller pipe and patched with concrete. Bob Rice commented that there is a person who lives on our lake who specialize in dams that we have been talking to. It is their opinion that we are going to have to do something to our dam within the next 10 years. He would like to see the project move forward as we already have the engineering done and an approved permit from the DNR. We will need to have an additional meeting on these as last years approved budget for the project was for \$200,000 and the only bid we received was for \$300,000. Christine explained to the group that the proposed dam is very specific to our lake and the manufacturing lead time is about 20 weeks. She also talked to Michels about the specifics of the bid and they commented that you have to look at the bid as a whole and not line items. They thought that they would be able to do an

additional discount of 8-12% which equates to \$25,000 -- \$40,000. There may be other considerations once the project starts as well. Extending the timeframe out also helps because they would be able to use this job for winter work. There are a few ways to fund a project like this, take out a loan, a onetime assessment, or increase the district tax. Christine said that we could possibly use money from our 2 CD's and finance the rest of the balance as we need to keep some money set aside in our operating budget. This would also spread out the cost over a period of time and also allow the cost to be shared by new homeowners. A constituent asked if there was any possible funding from the DNR or the state. Bob explained that we had talked with Ayres about possible grants, and we were told that because of the small scale of our dam that it would rate very low for possible funding and there would also be an increased cost for additional tests of around \$10,000. There were several questions about why other companies didn't bid and if Ayres contacted company's direly to let them know the job was posted. Christine asked the group in attendance if anyone knew a contractor who might be interested in a project like this. Liz stated that part of the reason for the discount from Michels is because we would be extending the deadline which would allow them to do the work on their timeframe. A constituent asked if we had considered ARPA funds. We had not but will check into it. Much conversation was had about contractors, quoting, and financing. A motion was brought forward by Dave Bradley to have the board contact Ayres and get two other recommendations, check with the Village of East Troy and find out who did the dam on 120, talk to our local person and get two recommendations from them, and check with local banks for financing options. The motion was seconded by Dick Cameron. A proper vote was taken, and all were in favor with none opposed. The board will move forward with the motion and schedule another meeting in 30 days to report back on their findings.

Liz made a recommendation to consider putting some of our funds in a short-term CD to maximize the returns on our money.

MaryJo spoke to the group about our bylaws. Our district was created in 1976 and the last time our bylaws were amended was in 2007. There are many districts that are currently operating without bylaws and just following Chapter 33 which is what our lake district falls under. MaryJo recommended an attorney out of Madison who covers lake districts. She is willing to look at our current bylaws and update them to conform to chapter 33 or we can just look at moving to chapter 33. Our bylaws cannot be more restrictive than chapter 33 so it may make sense to do away with them. Christine is going to check with other lake districts who have moved to chapter 33 and provide feedback. The attorney would charge \$2,000 to do this work and this is something that we could do in house to save the fee's

Today there is an E-cycle at the town and there is another one coming up in Walworth County on June 23<sup>rd</sup> & 24<sup>th</sup>. This is a good time to get rid of electronics and small appliances.

Bob Rice is going to be running Clean Boats Clean Waters again this year. The program will run from Memorial Day through Labor Day. We did receive grant money again to help cover the costs of the program, grant total was \$4,000. Christine commented about the importance of the program and that the primary way weeds transfer from lake to lake is through launching.

The district has received emails again asking when the fireworks are for this year. The lake district has never sponsored or organized the fireworks. This has been organized and done by private individuals. The only thing the district is involved in are the flares and the boat parade. Kathy Froehlich is trying to organize fireworks for this year and is hoping to have them on July 3<sup>rd</sup>. She is seeking donations. We will also be selling flares at the launch the two weekends before the 4<sup>th</sup> of July. Flares this year will be \$5 apiece as costs have increased. Karen Wilkleman will also be selling flares out of her home for the district. The district boat parade and lighting of the lake will be on July 3<sup>rd</sup>. There is no theme this year so be creative.

Christine's term is expiring at the end of this year and she is encouraging people to get involved as she is not seeking another term.

The annual meeting will be on Saturday September 9, 2023. The budget meeting will start at 9:00am and the annual meeting will follow.

Dave Bradley made a motion to adjourn and was seconded by Steve. Meeting was adjourned at 10:52am

Respectfully submitted,

Robert C Rice  
Secretary

**Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation  
District held May 31st, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 4 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 6:05 pm

Christine updated the attendees on the Michels dam bid. She has been in contact with them, and they are willing to work with us on a rate with a potential discount of \$25,000-\$40,000 (depending on dewatering and completion date of project). Christine received an estimate from McMullen & Pitz for \$220,410. She gave them a \$50,000 leeway in the estimate so this number could come in higher. They are well versed in these smaller projects and were very easy to talk to when answering questions. They would like a larger window of time for completion as the gate would take 20 plus weeks to manufacture. It was briefly discussed about us possibly ordering the gate prior to contract and having it installed. It was determined that this would not be something the board would pursue. If there would be problems with the gate it would be hard to determine if it was the gate or the installer. Janke was also contacted and did not supply an estimate but were very interested in doing the project if we put it out to bid. JF Brennan passed on the project as it was too small for them. Bob received an estimate from CW Purpero for \$179,000 but that estimate excluded an amount for flow diversion. Ballard Marine was also contacted and is interested in the project but had not provided an estimate. Nordic Group and AW Oaks were both contacted but did not return calls. Bob also talked to Janke prior, and they were interested in dealing with us directly. Liz commented that what we received were estimates and they are likely to go up but still less than Michels. Christine has been in contact with Ayres and they estimate a cost of \$500---\$1,000 to send this back out to bid. Christine stated that Bob is the one managing this project and she is just helping to process along because she doesn't want to lose the investment we have in this. Bob also talked to Adam about rebidding and was told there would be a cost to do so. He expressed to Adam his concerns about the original estimates he had given us for the project and the bids coming in almost 3 times that estimate as well as only receiving 1 bid. Bob thinks that Ayres should eat the fee for the rebid. Liz commented that the deadline for completion should have been extended out further since our permit allowed for the additional time. She also thought that they should eat the cost to rebid.

Christine asked how the project would be paid for. The total approved budget for the project was for \$200,000 and we will have \$45,000 into Ayres which leaves us quite a bit short even with our lowest estimate. Bob suggested that the budget should be amended to \$300,000 for the project because that is the only hard number we have. MaryJo stated that we are not able to do that because we do not have enough cash on hand to balance the budget and that would have to be done at the annual meeting. Christine asked the company's she talked to about payment options and was told that no payment would need to be made until the gate is done. This buys about 6 months' time where we could renew our current CDs into a higher yielding 6 month CD. Provided this is all approved by the constituents. She also stated that we should budget on the higher side because there is a disconnect with engineers and the contractors. The engineers are

providing us with an estimate and often the actual cost exceeds those estimates. Last year we thought we budgeted enough based on estimates and the one bid we received came in much higher than expected. The board agreed that we should send this out for rebid.

MaryJo presented some projections. We currently levy at \$11,300. If we borrowed \$150,000 @ 5.25% for a 10-year term, payments would be just under \$20,000 a year. The district does have the power to finance and is able to do an assessment to cover those payments. Chapter 33.31 spells this out. Bob put together an amortization chart for the above loan which showed the amount that went to principal and interest each year as well as a 10 year look back on the district finances. The district has spent \$36,094.41 more than they have collected since 2012 (that amount excludes what has been spent on the dam). He has concerns about the districts ability to service a loan and provide the same level of services without increasing the assessments. Christine talked to a few banks and suggested that we seek out a longer-term loan, if possible, to keep the payments down. Bill commented that the LPL Financial will come due Dec of 2028 (if not called before). Bob explained that at the end of 5 years it would be an option to use the funds from LPL to payoff the remaining balance of the loan. Bill asked if we could base the needed increase in levy on the frontage and not on the total assessed value. MaryJo said no because the frontage tax is for weed control. Liz stated that we have not had a levy increase in at least the past 15years. Bob commented that we should continue to save for projects. We have a berm that will need to be addressed in the future, an older harvester and truck (repairs and upkeep), dredging was looked at years ago and could come up again sometime. MaryJo stated that we need to be frugal with our money because there will be unforeseen things that will come up. Christine suggested that we come up with a plan and a few options for the constituents to decide on. Bob reiterated that the new budget should allow for \$300,000 for the project as that is the only bid we received. It may also be worst case scenario. MaryJo said that if we did that we would need to add a loan line to the budget increasing our money in order to balance the new budget. Christine said that we have \$130,000 in CDs and we looked at a loan amount of \$170,000 that would get us to the \$300,000 desired amount. Bob commented that he felt uncomfortable using all the money in the CDs and thought that the district should hold back \$30,000 of it for their operating expenses. MaryJo said that we should look at all of our true expenses and see what we bring in excluding the transfer from savings. Christine said that we also need to take into consideration that we don't have whole lake treatments or 5 year plans every year. Christine asked if the board felt comfortable investing the \$130,000 in a 6 month CD to earn a higher rate, all were in favor.

For the June 10<sup>th</sup> meeting there will be a slide show presentation. Liz and MaryJo offered to help put this together. We will have a few different options for the constituents to decide on. One option will be for a loan and an increase in assessment to cover the P&I payments. Another option will be for a onetime special assessment based on assessed property value. The last option will be a onetime special charge split evenly amongst all tax parcels. We will also have an option to increase the levy by \$5,000.

Christine will be leaving after her term expires at the end of December. The election at the annual meeting will be to fill the vacant board position not necessarily the chairman spot. It will be up to the board to decide what positions they will serve once the new board member is elected. Bob stated that he was not interested in changing positions as he is also going to be done at the end of his term (end of 2024). MaryJo asked how we would be advertising it at the



annual meeting (open board position or chair?) MaryJo would consider stepping up but would like to see if someone else is willing to step forward. Christine suggested that all correspondence that goes out should include a reminder that we are seeking an individual for an open board position.

Christine said that parking in the district lot was looked at and insurance did not cover the Lake District if an incident occurred. If we were going to consider allowing parking at the district lot it should be put out to the constituents and decided on at a meeting. Bob was asked if our insurance policy would cover us in the event something happened. He said that he was 90% sure that it would be covered but would have to check the policy. There was a request for 1 day parking from a resident on Shorewood Dr which would not be an ongoing thing. Christine stated that they had a lot at the end of Shorewood they could use that was owned by the subdivision. She said that this is something that cannot be decided by sending out an email and that doesn't fall under Roberts Rules and needs to be decided at a regular meeting for all to vote on. If we are going to do that we need to find out if our insurance would cover us. An email will be sent rescinding our prior decision approving the original request.

MaryJo made a motion to adjourn and was seconded by Liz. Meeting was adjourned at 8:00pm

Respectfully submitted,

Robert C Rice  
Secretary

**Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation District held June 8th, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 1 constituent from the district was in attendance.

Chairman Christine Celley called the meeting to order at 6:04 pm

The commissioners gathered to finalize their Power Point presentation for the June 10<sup>th</sup> special meeting. Recommendations were made to remove a Profit and Loss 10 year trend showing slow deterioration of reserves and also the suggestion to increase the current levy by \$5,000 in order to keep pace with inflation and our current costs. It was determined that this would be more appropriate at the annual meeting. Christine asked to have another option brought forward for payment. Instead of taking out a loan, the shortfall could be split evenly amongst each tax key as a one-time special charge. This option will be added to the slides.

MaryJo made a motion to adjourn and was seconded by Liz. Meeting was adjourned at 7:35pm

Respectfully submitted,

Robert C Rice  
Secretary

## **Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation District held June 10th, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 30 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 9:08 am

The goal of this meeting is to review the information that we uncovered since our last meeting. When the dam was put out to bid in the spring, we only received 1 bid. Christine and Bob reached out to several contractors and asked them to provide an estimate. They were able to secure three additional estimates. Christine went through the attached power point.

A constituent asked about the three payment options and pointed out that the paid in full option was more expensive. There was a mistake on the financing option and the amount will be corrected prior to posting it on the website. The attached PowerPoint Presentation has option #1, the loan financing calculation corrected. The example was corrected to now show that the financing option would be the most expensive based on a \$500,000 assessed property value. Another constituent asked why we would get a loan when the district has enough cash on hand to pay for the project. It was explained that we spend more money year to year than what we have been taking in and we also would have a stiff penalty if we took money out of the LPL CD. The numbers on hand are what we have currently and the district will still have bills to pay before the end of the year and we need some money set aside. Bob had a handout that showed income and expenses of the district for the last 10 years for anyone who wanted to see it. Chirstine also explained that if we spent all of our money now we don't automatically get all the assessments after the first of the year. We get a big chunk but then the rest trickles in as people pay their taxes. Also, every five years we are required to do a 5-year plan for treatment and harvesting which usually coincides with a large treatment.

A motion was brought forward by Dave Bradley to move forward with reopening the bidding process for the dam project on Quest. The motion was seconded by Fran Basso

Motion one at the annual meeting will be which bid to move forward with. Motion two to approve budget and financing for the dam which will be completed on or before February 2025. Motion three to nominate a new board member. Christine will not be seeking reelection. These motions will apply to all lake front homeowners whether or not they are in attendance. A constituent asked if a proxy vote would be allowed if you are not able to attend. Christine will check to see if this is allowed. Annual meeting will be on September 9<sup>th</sup> 2023.

Christine has since confirmed that proxy votes are not allowed at the Annual meeting nor at any Special meetings per our Bylaws.

Dave Bradley made a motion to adjourn and was seconded by Fran Basso. Meeting was adjourned at 9:53 am

Respectfully submitted,

Robert C Rice  
Secretary



# Potter Lake Dam ~ Project Status & Proposed Plan

June 10, 2023



**AT OUR SPRING MEETING ON MAY 6, 2023 a motion was brought forward by Dave Bradley asking the board to:**

- 1. Contact our consultant Ayres & Associates asking for two other contractor recommendations.**
- 2. Check with the Village of East Troy about who handled the dam replacement on Hwy120.**
- 3. Talk to our constituent to request two Contractor recommendations.**
- 4. Check with banks and credit unions for financing options.**
- 5. Schedule another meeting in 30 days to report back to our constituents with our findings.**

**The motion was seconded by Dick Cameron. A proper vote was taken, and all were in favor with none opposed. The board will move forward with the motion.**

# Goals for Today's Meeting

- Why we are proposing to replace the dam now
- Review timeline
- Estimates/Bids
- Present data on how to cover costs and why
- Shall we move forward and open the project for rebidding
- Discussion of September 2023 Annual Meeting & what to expect



# Why we need to replace the dam today

- PLPRD has been told by our consultant that our spillway & dam have exceeded its service life and that the dam overall has a limited life. Additionally, the berm culvert was re-sleeved once and is showing signs of severe degradation requiring attention.
- If the dam fails, there could be multiple consequences:
  - As owner of the dam, PLPRD is responsible for proper maintenance and repair of the dam.
  - The cost to repair will most certainly be higher in the future and we cannot be sure that the DNR would not impose additional requirements on dam replacement.
  - The DNR generally does not like dams, so if the DNR imposes additional restrictions it could make replacing the dam extremely costly if not impossible.



# Review Timeline

- Sept 11, 2021 - Budget for legal fees and professional services increased for next year due to harvesting operations and dam assessment. Collin's proposal was roughly \$22,000 to engineer and manage the project. Project estimate of \$200,000 for budgeting purposes. The initial phase of the project and securing of bids would be between \$12,000-\$15,000. SCOPE: Total replacement of the dam itself as well as the culvert that goes into the spillway before going under the road.
- May 14, 2022 – Bids from Collins & Ayres were close. Ayres had a proposal of almost \$40,000 for their work/oversite and a construction estimate of \$100,000. Bob asked for approval to set aside \$150,000 for completion of this project. It was approved.
- Sept 10, 2022 - budgeted \$200,000 for the dam and the consultant provided a verbal estimate of \$119,000. It was explained that the amount was carried over from last years approved amount. On hand funds cover expense at this time!  
- Ayres did core samples of the berm in preparation for the new dam. Solid ground found at 17 foot depth. Helical piles will need to be used due to poor soil conditions and precast concrete will sit on top. Wheel and gate construction.
- Feb 3, 2023 – Two year permit issued by DNR.
- Feb 27, 2023 – Bidding docs were finalized.
- March 10 & 17, 2023 – Bids were published in the newspaper and on Quest.
- March 31, 2023 – Received one bid from Michels Corp.
- May 6, 2023 - Motion to discuss other options and report back.

# Estimates/Bids

In the interest of due diligence: the following companies, which were recommended to us by either Ayres or our local person, were contacted and did not provide an estimate at this time. Some may be interested in supplying an actual bid if put back on Quest with a deeper deadline for completion.

	<u>No bid or estimate due to:</u>	<u>Possible Bid</u>
1. Nordic Group	location	yes
2. A.W. Oakes & Sons	timing	yes
3. Ballard Marine	timing	maybe
4. JF Brennan	business levels	no – too small

The following companies did not return calls: All Ways Contractors, and RLP Diversified – the company who did the work for East Troy on 120.

# Actual Bid & 3 Estimates

As discussed on May 6, we received one bid for the dam replacement work from Michels Corp. Over the last few weeks, we have reached out to multiple contractors and have been able to secure three additional estimates for the project. The verbal conversations held with multiple companies indicate an interest in re-bidding if the project was relisted on the Quest bidding network.

<b>Contractor</b>	<b><u>Bid</u></b>	<b><u>Estimates</u></b>	<b><u>Notes</u></b>
Michels	\$ 300K		Thought they could reduce the bid 8-14% based on a more relaxed completion deadline
McMullen & Pitz		\$ 221K	Could vary \$25K to 50K
C.W. Purpero		\$ 179K	
Janke		\$ 246K	

## Current Financial Situation

### Currently:

We have paid Ayres \$35K

We have two CD's at Citizens Bank of Mukwonago valued at \$130k that have not been re-invested pending the decision on this project.

We have LPL Bond investment that is potentially tied up until December 2028 if left to mature it will be valued at a minimum of **\$116,000**. Penalty for early withdrawal changes daily, cashing it in now would result in **a \$23,214 penalty**.

As we have an approved 2023 budget, we can not alter it. But we can approve the change in our 2024 budget at our September meeting.

### THEREFORE:

- Based on the bid & estimates it is clear we do not have enough money in our reserves to cover the total cost of this project.
- Additionally, PLPRD must maintain sufficient funds on hand to cover our annual expenditures and cover unforeseen costs.
- We are required by WI State statute 33.31 (3) to pass along to the taxpayer the principal & interest of any loan.



# Three Options on how to cover the dam cost

Based on our current financial position, the recommended amount to finance for the dam project is \$175k.

Three scenarios are being reviewed for how we can move forward with the dam.

1. \$175,000 10-year LOAN @5.25% APR, P&I \$22,524 annual payment (Based on each lake properties Total Assessed Value)
2. \$175,000 one-time special assessment (Based on each lake properties Total Assessed Value)
3. \$175,000 one-time special charge split equally amongst the 147 lake property tax keys

**Please hold your questions on this until we work through the next two slides that illustrates individual costs.**

# How much is this going to cost us individually?

## Loan Scenario presented is based on:

- \$175k loan over a 10 year period
- Interest rate is 5.25% fixed
- Annual loan payment \$22,524/year which covers principal and interest

==> Tax Bill Impact per \$100k Total Assessed Value, \$41.44 annual x 10 years = **\$414.36** for the life of the loan

IMPORTANT: Examples are based on 2022 property assessments and mill rate, so they represent a reasonable estimate. Actuals will vary!

## Two No Loan Scenarios presented is based on: \$175k funding

- One-Time Special Assessment Scenario  
==> Tax Bill Impact per \$100k Total Assessed Value, **\$321.94** for one year
- One-Time Special Charge Scenario  
==> Tax Bill Impact would be \$175k divided equally between 147 properties \$1,190 for one year ( $\$175k / 147 = \mathbf{\$1,190}$ )



# How to Figure YOUR Impacted Cost

- Option #1 Loan: \$41.44/\$100,000 or \$0.41/\$1,000 on Total Assessed Value annually for 10 years under Potters Lk Pro & Reb District Levy Tax Assessment
- Option #2 One-time special assessment: \$321.94/100,000 or \$3.22/\$1,000 on Total Assessed Value for one year under Potters Lk Pro & Reb District Levy Tax Assessment
- Option #3 One-time special charge: split equally amongst the 147 lake property tax keys ( $\$175k / 147 = \$1,190$ ). Special Charge

in this mailbox

EAST TROY TOWN TREASURER  
PO BOX 872  
EAST TROY, WI 53120

WALWORTH COUNTY - STATE OF WISCONSIN  
PROPERTY TAX BILL FOR 2022  
REAL ESTATE

Parcel Number: PMR  
Bill Number: 651386

Important: Be sure this description covers your property. Note that this description is for tax bill only and may not be a full legal description. See reverse side for important information.

Location of Property/Legal Description  
LOT 17 BLK 1 MIRAMAR SUBD  
0.293 ACRES

EAST TROY WI 53120

Please inform treasurer of address changes.

ASSESSED VALUE LAND 142,800	ASSESSED VALUE IMPROVEMENTS 337,700	TOTAL ASSESSED VALUE 480,500	AVERAGE ASSESSMENT RATIO 0.735505067	NET ASSESSED VALUE RATE 0.01662025 <small>(Does NOT reflect credits)</small>	NET PROPERTY TAX 7720.79
ESTIMATED FAIR MARKET VALUE LAND 194,200	ESTIMATED FAIR MARKET VALUE IMPROVEMENTS 459,100	TOTAL ESTIMATED FAIR MARKET VALUE 653,300	<input type="checkbox"/> A star in this box means unpaid prior year taxes.	School taxes also reduced by school levy tax credit 885.78	Garbage Collection 219.26 Weed Control 189.68

**Special Charge**

TAXING JURISDICTION	2021 EST. STATE AIDS ALLOCATED TAX DIST.	2022 EST. STATE AIDS ALLOCATED TAX DIST.	2021 NET TAX	2022 NET TAX	% TAX CHANGE
WALWORTH COUNTY	146,126	140,995	1,886.20	1,811.80	-3.9%
Town of East Troy	240,624	252,151	1,118.05	1,198.05	7.2%
East Troy Community Schools	3,634,305	3,590,700	4,048.88	3,874.60	-4.3%
Gateway Technical	762,197	766,218	428.74	416.48	-2.9%
East Troy Sanitary Dist #2	0	0	405.96	402.27	-0.9%
Potters Lake Protect & Rehab	0	0	100.81	99.89	-0.2%
CDEB East Troy School	0	0	202.20	162.74	-18.8%
<b>TOTAL</b>	<b>4,783,252</b>	<b>4,750,064</b>	<b>8,191.54</b>	<b>7,986.03</b>	<b>-2.5%</b>

FIRST DOLLAR CREDIT	-62.54	-61.94	-1.0%
LOTTERY AND GAMING CREDIT	-221.82	-203.30	-8.3%
NET PROPERTY TAX	7,907.18	7,720.79	-2.4%

**TOTAL DUE: \$8,129.73**

Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty. Failure to pay on time. See reverse.

**PAY BY: JANUARY 31, 2023**

FOR INFORMATION PURPOSES ONLY - Voter Approved Temporary Tax Increases

Taxing Jurisdiction	Total Additional Taxes	Year Increase Ends	Taxing Jurisdiction	Total Additional Taxes	Year Increase Ends
East Troy Community Schools	\$1,824	2036			
East Troy Community Schools	\$36,510	2036			

PAY 1ST INSTALLMENT OF: \$4,167.69	PAY 2ND INSTALLMENT OF: \$3,962.04	PAY FULL AMOUNT OF: \$8,129.73
BY JANUARY 31, 2023	BY JULY 31, 2023	BY JANUARY 31, 2023
AMOUNT ENCLOSED	AMOUNT ENCLOSED	AMOUNT ENCLOSED
MAKE CHECK PAYABLE AND MAIL TO:	MAKE CHECK PAYABLE AND MAIL TO:	MAKE CHECK PAYABLE AND MAIL TO:
EAST TROY TOWN TREASURER PO BOX 872 EAST TROY, WI 53120	WALWORTH COUNTY TREASURER 100 W WALWORTH PO BOX 1001 ELKHORN, WI 53121	EAST TROY TOWN TREASURER PO BOX 872 EAST TROY, WI 53120

# Tax Bill Impact

Sample based on \$500,000 total assessed value, 2022 tax rate and \$175,000 funding

Whole Dollars		
Option #1 (\$175,000 Loan, \$22,524 P&I Annual Payment x 10 Years)		
Total Assessed Value	\$	500,000
Net Impact mill rate increase		0.000414
Total Assessed Value x Net Impact mill rate increase	\$	207
Years		10
<b>Your Tax Bill Impact over 10 Years</b>	<b>\$</b>	<b>2,072</b>
Option #2 (\$175,000 One-Time Special Assessment)		
Total Assessed Value	\$	500,000
Net Impact mill rate increase		0.0032194
Total Assessed Value x Net Impact mill rate increase	\$	1,610
Years		1
<b>Your Tax Bill Impact for 1 Year</b>	<b>\$</b>	<b>1,610</b>
Option #3 (\$175,000 One-Time Special Charge)		
Total Funding	\$	175,000
Property Tax Keys		147
Total Funding / Property Tax Keys	\$	1,190
Years		1
<b>Your Tax Bill Impact for 1 Year</b>	<b>\$</b>	<b>1,190</b>



**YOU NOW HAVE ALL THE INFORMATION TO MOVE FORWARD  
THIS IS THE DECISION THAT NEEDS TO BE MADE TODAY**

**MOTION :**

- 1. I MAKE A MOTION TO MOVE FORWARD AND REOPEN THE  
BIDDING PROCESS FOR THE DAM PROJECT.**

➤ **MOTION PASSED ON JUNE 10, 2023**

**WE CAN NOT MAKE ANY MOTIONS REGARDING  
FINANCING UNTIL THE ANNUAL SEPTEMBER MEEETING**

**ANNUAL MEETING WILL REQUIRE MOTIONS ON THE FOLLOWING  
IN ADDITION TO OTHER ANNUAL MEETING BUSINESS.**

**MOTION 1:  
WHICH BID TO MOVE FORWARD WITH**

**MOTION 2:  
APPROVE A BUDGET WITH DAM PROJECT & FINANCING  
INCLUDED TO BE COMPLETED ON OR BEFORE FEBRUARY 2025.**

**MOTION 3:  
NOMINATE & VOTE IN NEW BOARD MEMBER  
(CHRISTINE (CHAIR) IS RETIRING HER POSITION)**

The motions voted on at the September 2023 Annual Meeting will apply to all lake property owners, whether they are in attendance at this meeting or not.

Please let your lake neighbors, who are not in attendance today, know to be there in September as these decisions will affect all of us.

**IF YOU ARE INTERESTED IN JOINING THE BOARD – PLEASE REACH OUT TO ONE OF US.**



**Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation District held August 11th, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 2 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 3:04 pm

The commissioners met to go over the bids that were received from the rebidding process. Bob handed out a spreadsheet that contained the bids that were received. CW Purpero was the low bid. Bob contacted Todd from Purpero and asked if he had any questions or concerns. Todd asked if the soil had been tested for contamination. Bob then reached out to Adam with Ayres to check. The soil has not been tested nor did the DNR require it or have concerns. Todd said if the soil had contaminants there would be an extra charge for dumping. Estimated charge would be \$600 per truck load with an estimate of 4 truckloads. It was not Bob's recommendation to test the soil. Even though they are the lowest bid by quite a bit when you compare line items there are other bids that are priced similar. Mobilization was low but that may be due to them being a local contractor. Purpero does not have a time frame planned for the work and would schedule it in once they have the materials. It will take some time for the grate and gate to be made as well as the precast concrete. Christine commented on the range of bids we received as they ranged from \$170,850-\$327,500. Liz asked if any contingencies were included in the bids. Bill clarified that Ayres will be over seeing this project. Christine said that she talked to Ayres and Adam told her that they would probably make two site visits and their engineers would work directly with the contractor to make sure that they have all the specs needed before anything is ordered. Purpero is a local company out of Oak Creek and have very good online reviews and are members of the trade associations and have been mentioned in trade publications.

Bob is under the impression that we are required to take the lowest qualified bid. He commented that even with the low bid there are other companies that support their line-item cost. Mobilization was the lowest, but it could be due to them being local. Liz questioned why we were required to take the lowest bid. Christine commented that we are not required to take the lowest bid as the lowest bid may not be the best bid. Liz said she questioned this because if a company is too low are they going to build it in at a later time when extra work may be required. Christine commented that if the water levels remain low, we may not have to have flow diversion. If that's the case would the other company's remove that line item? This would bring some of the other bids down quite a bit. Christine suggested that we reach back out to the companies with a list of questions and get an idea of what other work they have done as well as references. Bob stated that he felt comfortable with all who have quoted as we have been talking with them over the last two months and they were referred to us by people in the business that do this kind of work day in and day out. MaryJo read that our bylaws state that we are required to take the lowest bid and if we accept another bid that is more warranted and over 20% of the lowest bid we need written justification as to why we chose the other bid. Christine suggested that we reach back out to the 3 lowest bidders with a list of questions as well as talk to someone who they have done work for and report back. Bill asked what the engineering firm thought of

the companies that bid because they are the ones overseeing the job and working with them. Bob stated that whatever company received the contract would be required to build the items to specs set by Ayres who is overseeing the job. They are also required to carry a performance bond. Bob also suggested that when we set the annual budget for 2024 that we budget a higher amount so in the event something happened we would have an approved amount for the middle ground bidders. Liz and Christine said that the budgeted amount needs to go hand in hand with the contract we sign. MaryJo asked what the current budgeted number was for the dam. The 2023 budget allowed for \$200,000. Christine figured the rough numbers would be about \$500 per homeowner for assessment. Bob commented that he was not comfortable spending all the CD money for the dam and wanted to hold some back for operating expense and not have to take a penalty on the LPL CD to do so. Bob said that he would like to keep \$30,000 out for operating expenses for next year in the event of a treatment. MaryJo suggested \$10,000 to \$20,000. Christine commented that we don't need a new 5-year plan and there is no indication that we will need a large treatment next year and if we do our harvesting expense will be less. Liz suggested that we use the \$130,000 in the CD's and not hold any of it back and assess for the \$70,000 to balance the budget. There was discussion on how the 2024 budget should be presented for the annual meeting. It was decided that the budget should stay at \$200,000 for the dam project. Liz made a motion to move forward with the bid from CW Purpero in the amount of \$188,000 which includes a contingency of 10%. MaryJo seconded the motion. Motion passed.

Christine wanted to know what the plan is from Purpero for billing and when they expect to start. This would help the district with how long to keep money in CD's in order to get higher returns. They will have until Feb 1, 2025 to complete the project but money will be due at different points of completion per the bid packet.

Bill was for putting the CD money towards the dam without holding any of it back. We currently have over \$20,000 in our checking account and could take money from the LPL account. Penalties would only be assessed on the amount taken out. Bob Rice made a motion to use \$100,000 from the CD's and special assess the remaining amount (this would leave \$30,000 for operating expenses for next year and help to avoid potential early withdrawal penalties from LPL Financial). There was no second on this motion. There was discussion about the cost of weed treatments and our expenses over the last 10 years. Christine commented that there are no big expenses coming up besides the dam and there is no reason not to use all the money in the CD's for the dam. If needed, we could take the penalty and use some of the LPL funds. Bill estimates that there will be about \$15,000 left over in the checking account at the end of this year. Liz commented that people are being hit this year with the school referendum as well as the Shorewood Dr Road project and we have enough in the LPL if we run short next year. MaryJo made a motion for a special assessment of \$70,000 for the construction of the dam. Motion was seconded by Bob Rice and motion passed.

Christine asked if there were any contingencies in Purpero's bid. Bob said that the only thing they were concerned about was the possibility of the extra dumping expense if the soil was contaminated and could run an extra \$2500. Liz said that the 10% contingency was budgeted in our numbers and should not be included in Purpero's bid. Bob clarified that the questions for Purpero were: If they have any contingencies built into their quote? What other dam projects have they done? When is the first payment due? When is the anticipated start date? Christine

wanted to know this so that we could plan when to take money from the CD's to have money on hand when the bills come due.

The constituents will be given three options to vote on at the annual meeting. One being a loan for the \$70,000. The second option was to split the \$70,000 equally amongst the lakefront tax parcels for a onetime assessment. The third option was a onetime assessment based on the taxed assessed value of your property. Christine had talked with Kim at the town about these options and Kim said that there would be additional fees if she had to figure it out based on the tax assessed value. The board members thought that based on feed back that people are favoring the onetime assessment option.

The board discussed the proposed land use agreement with the DNR for parking our conveyer at the launch. Christine talked to Lance at the DNR and asked if we chose not to enter into the agreement and let them continue to maintain the launch if we would be able to come back if we changed our mind in a year or so. Lance said the person who handles the reality part of things is going to be retiring and there is a chance that this offer would no longer be on the table. Christine asked the person who is currently mowing for the district what the charge would be for him to include the launch. The reason for the draft of the land use agreement stems from someone who has been questioning the harvesting operations with the County and the DNR. MaryJo suggested that we have an attorney look over the proposed agreement. There were several items of concern included in the contract. The board agreed to email MaryJo their questions and concerns so that she could put together an email to the DNR to get answers.

Bob commented that the garbage at the boat launch was going to be removed due to people dumping carp in it each week.

MaryJo made a motion to adjourn and was seconded by Bill. Meeting was adjourned at 7:35pm

Respectfully submitted,

Robert C Rice  
Secretary

# **Minutes of the 2023 Budget Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 9, 2023, at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bob Rice, Bill Roeber, MaryJo Jones, and Liz Sanders

Also Present: 64 Electors

Chairman Christine Celley called the Budget Meeting to order at 9:15 a.m.

Bill Roeber reported on the finances of the district. The below numbers were provided in a handout. We saw a small improvement in interest income this year as a result of higher interest rates. There are two CD's that mature in February that we will be cashing in to use for the dam project. Expenditures this year came in under budget as we did not have a weed treatment or any large expenses for repairs. The LPL Financial has a value of \$98,056.21 which is down from our cost basis of \$116,111. If this is held to maturity in 2028 the minimum that we would get back would be our original basis. Bill asked if anyone had questions on the 2023 plan and expenditures. He then went over the proposed budget for 2024. The district now has firm numbers for the dam and we have also budgeted in the event we need a weed treatment for next year. A constituent asked what the possibility of a whole lake treatment would be for next year. Christine responded that there was very little Milfoil this year and it was mostly natives that thrived in the lake over the past year. If anything, we would probably be doing a spot treatment. It was asked why we were budgeting so much for treatments. Jerry Kozic asked why the district was asking for an additional \$70,000 for the construction of the dam when there is enough in reserves to cover the cost. Christine asked for Kim Buchanan to comment on that. Kim asked if the proposed budget included a transfer of funds from the CD's to balance. It does. Kim stated that her auditor said that you should have 15% of your operating budget in reserves. Bob Rice commented that the district has not raised the assessment or levy since 1996. Bob went over the last 10 years income and expenses. The assets of the district in 2011 were \$381,049.23 and in 2023 \$266,059.72. The district has been using the interest from the CD's to off set what we are not collecting. Christine stated that we are a government entity and need to keep that in mind. She verified what Jerry said and maybe we should take a look at using some of the LPL money even if we have to take a small penalty. Jerry commented saying maybe we need to raise the assessment but we should still not be special assessing for the dam. Bob agreed that the assessment will need to be increased but was not in favor of taking a loss to get funds from the LPL account. Rick Witt commented that if a weed treatment was needed the district could spend everything it collects in 2024 just for the treatment and we still need funds available for our other expenses. Barry said that there may be a benefit in not taking money out of LPL because of current market conditions. We also need to have reasonable expectations for 2024 and be able to position ourselves accordingly. The issues have not been invasives plants in the lake but natives. Liz commented that in the prior meeting we had discussed options to be presented at the annual meeting. Those were voted on and are the only options that we will be able to choose from. Kim Buchanan stated that if the LPL money was used the district would have to increase their annual levy in order to cover operating expenses so either way people would be getting charged. Bob commented that if the LPL money was used, we would not be able to approve the budget as the current budget shows a transfer from reserves of \$172,784. Jerry commented that the option of borrowing money didn't make sense when we have money available. This was one of the 3 options presented. Bill Roeber explained that we would get a preferred rate being a government entity and we would have no closing costs on the loan. There was conversation about the amount of money in reserves and what is an appropriate amount to have on hand. Tim Krenke made a motion to approve the budget as presented the motion was seconded by Chuck Dewart. There was further discussion about the dam and a vote was taken to approve the budget as presented 43 voted to approve as presented and 12 voted against. Motion passed. Budget meeting was adjourned at 9:51am.

## PLPRD 2023 ANNUAL MEETING - Sept 9, 2023 - TREASURER REPORT

### POTTER LAKE PROTECTION AND REHABILITATION DISTRICT

ACCOUNT/DESCRIPTION	2023 Budget	PROFORMA 2023	2024 Plan
<b>Receipts:</b>			
Special Tax	\$39,700.00	\$39,507.00	\$39,700.00
District Levy Tax	\$11,300.00	\$11,101.17	\$11,300.00
Interest on Savings	\$1,000.00	\$3,036.21	\$1,100.00
CBCW Grant	\$4,000.00	\$4,000.00	\$4,000.00
Special Events	\$1,100.00	\$1,685.00	\$1,800.00
Transfer from Reserves	\$270,223.00	\$0.00	\$172,784.00
Special Dam Assessment			\$70,000.00
<b>TOTAL RECEIPTS</b>	<b>\$327,323.00</b>	<b>\$59,329.38</b>	<b>\$300,684.00</b>
<b>Expenditures:</b>			
Office, Advertising, Meetings	\$1,000.00	\$1,570.00	\$1,400.00
Dues and Subscriptions	\$425.00	\$452.50	\$500.00
Equipment, Tools and Vehicles	\$9,999.00	\$3,985.00	\$4,200.00
Computer and Web Expenses	\$2,500.00	\$703.00	\$1,200.00
Lake Functions	\$1,500.00	\$981.00	\$1,500.00
Utilities	\$525.00	\$440.00	\$550.00
Lake Projects	\$50,000.00	\$6,400.00	\$59,999.00
Dam Engineering	\$9,999.00	\$4,026.00	\$8,855.00
Dam Construction	\$200,000.00		\$188,000.00
Lawn Maintenance	\$0.00	\$1,802.00	\$2,400.00
Insurance	\$4,700.00	\$4,234.00	\$4,700.00
Banking	\$250.00	\$40.00	\$40.00



Fuel	\$1,000.00	\$700.00	\$1,000.00
Maintenance	\$4,325.00	\$2,400.00	\$2,000.00
Payroll Expenses	\$30,000.00	\$13,000.00	\$16,000.00
Payroll Fees	\$850.00	\$700.00	\$940.00
Professional / Legal Services	\$7,500.00	\$0.00	\$5,000.00
Misc Expenses, Promotional	\$500.00	\$257.25	\$150.00
Officer Compensation	\$2,250.00	\$2,250.00	\$2,250.00
<b>TOTAL EXPENDITURES</b>	<b>\$327,323.00</b>	<b>\$43,940.75</b>	<b>\$300,684.00</b>

CERTIFICATE OF DEPOSITS	CURRENT RATE	CURRENT BALANCE 8/31/2023	
Citizens Bank - xxxxx3476	4.89%	\$65,467.33	
Citizens Bank - xxxxx3468	4.89%	\$66,071.63	
LPL Financial**As of June 30, 2023	TBD	\$98,056.21	Cost basis: \$116,111
<b>Citizens Bank Checking Account</b>	<b>0.01%</b>	<b>\$36,464.55</b>	
		<b>\$266,059.72</b>	

## **Minutes of the 2023 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 9, 2023 at Town Hall, East Troy, Wisconsin.**

Christine Celley called the annual meeting to order at 9:52am.

Christine reported on lake conditions. There is a small amount of Milfoil and located in small patches. Nothing unusual from other years. The majority of the weeds we had this year were native and were managed by harvesting. We are again experiencing low lake levels.

There was little discussion on the Treasurer's report as the budget meeting was held prior and answered most questions. There were some questions about the line item for lawn mowing and Chuck Cairns stated that he had been mowing the launch all summer. He also said that he would be interested in getting paid to mow it. That will have to be addressed next year.

There were five meeting minutes to approve. All of the minutes were emailed out prior to the meeting and some copies were on hand for anyone who wanted them. Joe Jones made a motion to approve the minutes as presented. The motion was seconded by Chuck Dewall. All were in favor and none were opposed. Motion carried

MaryJo Jones informed the group about the E-cycling in the Town of East Troy on October 7<sup>th</sup> and the Clean Sweep that Walworth County is having on October 6<sup>th</sup> & 7<sup>th</sup>. This is an opportunity to get rid of appliances and old household chemicals.

Bob Rice updated the group on the dam. The board had rebid the project based on the response from the constituents at our special meeting on June 10<sup>th</sup>. Bids ranged from \$170,850 to \$327,500. The low bid came from CW Purpero. CW Purpero would require us to test the soil at a cost of \$2,000 and if contaminated the cost per truck load to remove could be up to \$1,000 per load. This could add \$7,000 to their number. They think that this would be a project they would complete over the winter and have an approximate completion time of 2 weeks. The gate and grate would have to be ordered first. Bob Haines commented that there may be arsenic in the lake. When they looked at dredging several years ago signs of arsenic were present. A constituent also asked how we were going to address the berm. Bob explained that the berm would be another project and not part of the bid or permit. The trees on the lake side of the berm pose a problem

as their roots create channeling where the water erodes the soil around them. Right now, the water levels are low and currently there is no water around the dam area which will help with the project. Bob Rice made a motion to move forward with the bid from CW Purpero. The motion was seconded by Rick Witt. All were in favor and none opposed. Motion carried.

A ballot for voting on how to pay for the dam was handed out to all who were able to vote. Christine went over the three options available for the district to collect the \$70,000 needed for the dam project. Option 1 was for a one-time special assessment based on your property's total assessed value. Option 2 is for a 5-year loan and payments would be split equally amongst the 146 tax parcels. Option 3 was for an equal split base on 146 tax parcels. Barry asked for clarification on how the assessment would work. Is it based off of market value or assessed value? This would be based off of assessed value. Liz Sanders, Kim Buchanan, and Jerry Kozik tallied the ballots and reported back with the results. Option 1 based on total assessed property value received 12 votes. Option 2 for a loan over 5 years received 4 votes. Option 3 to split equally over 146 tax keys had 54 votes. The district will collect \$70,000 divided equally over 146 tax keys and the charge will be on the 2023 property taxes.

MaryJo briefed the group on the bylaws. The last time our bylaws were amended was in 2007 so they need to be updated. MaryJo will continue to work with other lake districts as well as an attorney and present them at the spring meeting.

Chairman Christine Celley's term expires at the end of 2023 and she will not be seeking reelection. She asked the floor for nominations. Cathy Schulz expressed an interest. Her husband's family has been on the lake for almost 100 years and Cathy has been coming here for the last 45 years. Two years ago, they built a new home on the property and now reside there full time. She has experience as a Treasurer, Co-President, and Secretary on other boards and committees. No one else came forward with interest. Joe Jones made a motion to elect Cathy Schulz as a new board member. The motion was seconded by Dympna Purvis. All were in favor and none were opposed. Motion carried.

Bob Rice went over all resolutions and asked if there were any questions. The next annual meeting will be set for September 14<sup>th</sup> 2024. There were no questions and Dale Marciniak made a motion to approve the resolutions as presented. Don Cameron seconded the motion. All were in favor and none opposed. Motion carried.

Spring meeting date was set for May 11<sup>th</sup> 2024.

Heather Schwar made a motion to adjourn the meeting. Meeting was adjourned at 10:21 am

Respectfully submitted,

Bob Rice  
Secretary

**Minutes of the 2023 Special Meeting of the Potter Lake Protection and Rehabilitation District held September 26th, 2023 at the Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bill Roeber, Bob Rice, Liz Sanders, MaryJo Jones, and 5 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 5:05 pm

The first item on the agenda was the proposed land use contract with the DNR. Bob went over the contract that the DNR gave to the district. His primary concern was that it did not allow for parking the harvester on site, only the conveyor. Harvesting of navigation channels was also part of the contract and Christine commented that it should be changed to follow our harvesting permit as issued by the DNR. Rick Witt commented that it should be in the contract that we can park a truck down there while we are harvesting. MaryJo said that the district should also have an option if we wanted to back out. Cathy Schulz said that we should be careful that we don't take on any unnecessary liability. Bob Rice also suggested maybe a lot line adjustment since the district already owns the property up to the launch. The thought being that we could add the sliver of land used for the harvester and that way the district would own the property eliminating the need for future agreements. The DNR would still control the launch and parking. Liz thought it would be a good idea to ask. Christine thought it would be pretty cumbersome to do and a land use agreement might be a cleaner option. She also said that things are changing at the DNR and it is easier to renew a current agreement than it would be to start from scratch at a later point. Lance is trying to help us to get an agreement in place. MaryJo made a motion to have Bob Rice amend the agreement with the suggestions that were discussed and resubmit to the DNR. He will also ask about a lot line adjustment. The motion was seconded by Liz Sanders. All were in favor and none opposed. The motion passed. Bob will keep the board posted on updates with the agreement.

Christine updated the group about the concerns Ken Zess complained to the DNR about. The farm where we dump our weeds is on our permit and is an acceptable location for us to dump the weeds. Heidi Bunk has still not approved our 5-year plan that was submitted last year. She is working on it and we hope to have it approved by the end of the year.

The board had sent a letter to a homeowner who was redoing their shoreline without a silt fence. The homeowner has since installed a silt fence to prevent runoff and has been working on the shoreline. The board agreed that there is no further action that needs to be taken.

Bob Rice gave updates on the dam. There is a 6-month time frame for the manufacturing of the gate and grate. The contractor asked if they could set the concrete while they are waiting on the gate and grate. Bob had concerns about starting the project without the pieces in place and said that Ayres should give them guidance on that. We are still waiting for the signed contract back from Pupero. We received the road right of way permit from Walworth County but are waiting for the small project site permit. Bob had met with Darrin, from Walworth County Zoning, prior to sending in the permit to make sure that everything was complete so that there were no hold

ups. The final permit is expected next week. Christine asked if Purpero had ever done a dam where the gate and grate were installed at a later date. Bob did not know but can ask. Liz suggested that Ayres handle it since they are overseeing the project. Purpero is suggesting that the soil that is being removed be placed on the berm in the work area and Ayres said that this would be fine as long as it is decent soil. This would then be overseeded. Christine asked about the timeline of payments. Bob will ask about an estimated time frame of when the district will start receiving bills.

Christine's term will end at the end of the year and Cathy Schulz will be joining the board. There was discussion about next year's positions Bob and Bill are interested in staying in their current positions and Cathy is willing to step into the chairman's position. Liz and MaryJo are fine staying in their current rolls as Town and County representatives, respectively. There are usually only 3 or 4 board meetings per year but due to the dam replacement project there were more this year. Committees can also help and there are a couple people who asked about helping with fisheries. A notice could go out to the district asking for volunteers. A motion was made by Chritine Celley to nominate Cathy Schulz as the chairman starting January 1, 2024. The motion was seconded by Bob Rice. All were in favor and none were opposed. Motion passed.

Christine and Bob signed the needed resolution for the \$70,000 one-time special assessment that was needed by the town.

MaryJo made a motion to adjourn and was seconded by Bob Rice. Meeting was adjourned at 6:10 pm

Respectfully submitted,

Robert C Rice  
Secretary