

Minutes of the 2021 Special Meeting of the Potter Lake Protection and Rehabilitation District held Saturday May 14th, 2022 at Town Hall, East Troy, Wisconsin.

Present: Commissioners Christine Celley, Bob Simon, Bob Rice, Liz Sanders, MaryJo Jones, and 48 constituents from the district were in attendance.

Chairman Christine Celley called the meeting to order at 9:13 am

Christine introduced the commissioners. Bob Simon who is our Treasurer, Bob Rice our Secretary, Liz Sanders our town appointed board member, and MaryJo Jones our Walworth County appointed board member.

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

Jeff Stelzer from Lake and Pond Solutions spoke to those in attendance. He circulated a draft copy of the aquatic plant management plan that was submitted to the DNR which is waiting approval. Jeff commented about last year's problem with Elodia which was found in 90% of the vegetative areas of the lake. This is a native plant that you can't do much about. Jeff was out on the lake this past week and handed out maps which showed areas that contained Milfoil and Curley Leaf Pond Weed. He is hoping that treatment can be done this coming week, but it will depend on when he is able to get product. This will not be a whole lake treatment but targeted spot treatments. A whole lake treatment was turned down by the DNR for this year. ProcellaCore will be used to treat the designated areas for Milfoil. This product should give multiyear relief to the treated areas. It is different than what we have used in the past but by changing up the chemicals it is harder for the plants to become resistant to treatments. Curley Leaf Pond Weed was also found in large areas. It produces seeds that can lay dormant in the sediment for up to 10 years. The best way to control this is through harvesting. Curley Leaf will die back by mid-summer. Elodia is still abundant in the lake and will remain an issue and harvesting of navigational channels may be needed. Christine commented that the district is working on getting the harvester and conveyors put in. A constituent asked if the treatments and the decaying weeds contributed to the muck. Jeff answered that when weeds die, they do turn into muck at the bottom of the lake but they do the same thing when they die in the fall. The hope is when you treat, you are getting out early when there is less biomass there for reducing the amount of decaying matter. Jeff went on to explain about the safety of the products being used. It takes 7-10 years of testing before a product can be registered. The new herbicides are very target specific. A constituent asked what caused the pea soup condition a couple years ago. Jeff replied that it was caused by phosphorous or nitrogen in the water column. It can be a result of runoff, warm weather, or it can happen if too many plants die at once and there is nothing else to take up the nutrients. This is one of the reasons why it is important to have plants in a lake. Jeff was asked about an update on NR107. This has drawn interest from across the country as the DNR is on track to become one of the strictest states from an APM (aquatic plant management) standpoint. They are looking to get stringent not only with treatments but with harvesting as well. There will be a board meeting later this summer. Bob Rice commented about the loss of fish due to harvesting. Jeff said that is one of the downsides to harvesting especially in shallow waters with the small fish.

Bob Simon went through the budget and had a handout as to our current financial standing. Our receipts from last year were almost \$53,000 and we took in about \$59,000. Last year the lake projects were down and the payroll was up due to more harvesting and less chemical treatment. This is typical as years where

there are larger treatments there is less harvesting. The anticipated cost of this year's chemical treatment is around \$38,000. Jerry Kozik asked for a breakdown of Lake Projects due to the large budgeted amount. It was explained that this number included the amount approved at the annual meeting for the dam project.

Bob Rice spoke about the condition of the dam and the need for near term replacement. Last year the board was authorized to have an engineering study done. We received two proposals for the job, one from Collins Engineering and another from Ayres. Ayres was referred to the district from a constituent who specializes in dams. Bob read a statement from Ayres. He also stated that the replacement of the dam would not help with current low water levels. Ayres had a proposal of almost \$40,000 for their work and oversight and a construction estimate of \$100,000. Bob asked for approval to set aside \$150,000 for completion of this project. Christine commented that if water levels were higher there would be additional costs. With the low water levels now may be an opportune time to do this. Christine also commented on the vegetation near the dam and how it is contributing to the erosion. There was discussion about the size of the pipe. It was explained that it would all be part of the study and we are also limited by the pipe that goes under the road. We are also looking at wings or a retention wall on either side to prevent erosion. The new dam would be similar in size to what we already have but more functional. Dave Bradley asked about the differences in the cost between the two quotes. They are very similar; Ayres was a little more but that was comparing a quote from last year for Collins. Ayres came recommended and has been very responsive and gave us bids for multiple stages of the project. MaryJo Jones asked if the proposal included fencing and signage for safety and to prevent vandalism. The current proposal does not but we could request a bid if needed. The timeline for the project would be to get the engineering part done over the summer and get bids late this year for an early spring 2023 start. A constituent asked why it is in the 2022 budget if we aren't going to do the project until next year. It was explained that we pass the budget at the annual meeting for the following year. We had to budget for it so that we could start on the project if approved. Someone asked if grants were available for the project. We did research this and there is grant money available but there are many additional studies and tests that would be required to apply. The grants are also based on a grading scale and we were told that based on the scope of our project we would fall along the bottom for grant money. The district thinks it would be best to apply money to the project instead of studies. Rick Witt made a motion to approve the board to spend up to \$50,000 for the engineering and bid for the dam. The motion was seconded by Lou Ferruzza. A vote was taken all were in favor and none opposed.

Christine Celley had worked on getting bids from a local service that would collect the weeds off shorelines due to the abundance of floaters from harvesting and boat traffic. Eco Waterway Services has done work on our lake and provided us a quote to do weed pick up once a week while we are harvesting. Weeds would be picked up at the end of your pier and the cost to the district would be \$1150 per visit. We estimate that it may go for 10 weeks and would coincide with harvesting. This is something that we have not done before but would help the residences with disposal. A constituent asked why we would outsource this when we already have a crew harvesting. It boils down to liability; the size and number of boats have increased through the years, and it is hard to navigate a big piece of equipment around peoples lifts and piers. A constituent expressed concerns about the costs of adding another service as the district is already facing increased cost of treatments as well as additional harvesting. Someone asked to do a survey to see who in attendance would be interested in the weed pick up. With a show of hands only about 1/3 of the people were interested. It was recommended that if people wanted to pursue this that maybe they could use Facebook to organize those who want the service and then contract privately for it. Bob Rice also commented that the weed removal also helps the lake. If people take the time to remove the weeds from their shoreline it helps to stop the spread by fragmentation. Christine said that it was also a recommendation as part of our lake management plan. A motion was made by Jerry Kozik for the district to contract with Eco Waterway Service to provide weed pick up this summer. The motion was seconded by Lee Barber. A vote was taken and only 14 were in favor. The motion did not pass.

Gary Froehlich asked to speak about organizing the fireworks. He is organizing a private firework show for the lake and gave an update on the donations that he has collected so far. The plan is to have the show on Sunday July 3rd. There is a small shortfall for the needed amount and if needed he will provide the shortfall.

MaryJo went over the Lakeshore Resource Guide. It has many useful links for information for lakefront homeowners about their shorelines. The guide will also be available on our website.

Christine thanked Fran Basso for her help selling advertisement for the new directory. Directories were mailed out to everyone and additional copies were on hand if people wanted an extra.

Bob Rice talked about Clean Boats Clean Waters. Please give the workers time to check your boat over before launching. There will be people working the launch weekends as well as some hours during the week. Flares will be sold at the boat launch by the CBCW crew on Saturdays and Sundays starting June 18th through 4th of July weekend. Karen Winkleman will also be selling them again this year.

The 4th of July Celebrations were also discussed. In the past the district always did the flares and boat parade on the 4th. It was decided that the flares and boat parade this year would be on July 3rd to coincide with the private fireworks show. The date of the district's celebrations will be determined at each spring meeting. If people still want to do the flares on the 4th they are always free to do so. There is no theme for this year's boat parade.

The annual meeting will be on Saturday September 10, 2022. 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 Christine Celley. Meeting was adjourned at 10:35am

Respectfully submitted,

Robert C Rice
Secretary

Minutes of the 2022 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 10, 2022 at Town Hall, East Troy, Wisconsin.

Christine Celley called the annual meeting to order at 9:13am.

Christine reported on lake conditions. Our five-year lake management plan was updated this year and approved by Heidi Bunk at the DNR. The approach for lake treatment is similar to past years with a combination of chemical and harvesting. Rick Witt was able to get on the lake and started harvesting early this year. The early harvest was effective for controlling the Curly Leaf Pond Weed. We continue to struggle with low lake levels and rely on precipitation and run off for maintaining lake levels. The lake was lower in the 50's and we are on the low side of the cycle. A few years ago we were experiencing high water problems. A constituent asked about dredging. Our consultants have not recommended it in the past. If you want to do something with your frontage you should start with Walworth County and the DNR to find out what is allowed. A constituent asked if we were ever connected to Lake Beulah. Someone commented that it used to connect before HWY 43 was put in. Christine thanked everyone who sent emails and letters opposing NR107 and Joe Jones for putting the notice together that was distributed. Bob Rice commented on the shallow lake levels and to make sure when using the launch to stay close to the Shorewood Dr side as the water in the center of the bay is about 6" deep.

Also, the lakes levels off Spleas Skoney and Lake Lane are very shallow. Even at 100 yards from shore it is still only about 4ft deep.

Copies of the minutes from the spring meeting on May 14, 2022 were available for all. Rick Witt made a motion to approve the minutes as presented. The motion was seconded by Dale Marciniak and all were in favor and none were opposed.

Rick Witt spoke about the harvesting season. Last year we took out 108 loads of weeds and this year we only had 23. The chemical treatment for the Milfoil worked well. The main weeds harvested were Elodia and Curley Leaf. The harvester was removed for the season due to low water levels. He did find some Sago Pond Weed along the buoy line. Sago is a native weed that we will keep our eye on next year. Also due to the low water levels the harvester was not able to get as close to piers as we have in the past. When the water level comes back up, we will be able to get closer to shore.

Bob Rice gave an update on the dam replacement. A packet of information with costs and engineering were available to all who attended. Ayres did core samples of the berm in preparation for the new dam. They did not find solid ground until a depth of 17ft. A recommendation was made to remove the brush and trees from the berm to help with future erosion from tunneling. Helical piles will need to be used due to poor soil conditions and precast concrete will sit on top. If the lake levels remain low in the spring it will help to keep the dewatering cost down. We did ask them to raise the level of the plate to 8.7 from the current 8.6 in order to keep more water in the lake. Slow no wake is at 8.8. There will be a wheel and gate instead of stop logs so it will be easier to adjust lake levels when needed. The project will take about a week and is slated to be done in the spring. The district will not be seeking grants for the project. If we were to apply for a grant, it would involve more work and higher costs. The project, because of its size, would fall at the bottom of the requests for grant funds. We would rather put the money towards the dam. A constituent asked about how the levels would be measured with the new dam. There will be a new gauge installed that will be based off a survey of the high-water mark. Funds will come from CD money. There will not be a special assessment for this project. Christine commented that this is why we have been collecting money for years so that when a special project like this occurs the district has the funds to do it. Bob Rice also reiterated that this will not solve the low water levels.

Joe Jones updated the group on NR107 / 109. He had attended a Walworth County Lakes Association Meeting. NR107 is the rule for chemical treatment of lakes and NR109 is for harvesting regulations. They are trying to consolidate the two and they are also looking to increase fees. The first part of the process is to develop a scope statement, the second part of the process is the writing of white papers and then they do a draft rule, and the final process is when the Natural Resources Board approves it. This process takes between 3-5 years. The proposed document was 51 pages. They were going to try and approve this at the August 10th meeting. We were informed of this in late July and then on August 9th before the meeting, we received notice that this was being pulled from the agenda. This can be revisited at the September or October meeting but if it goes past October they will need to start over.

Christine commented that the consultants had problems with what was being proposed because the data didn't agree with what was in the white papers. She also thanked those who responded and voiced their concerns as their voice made a difference. We try not inundating people with email but when the district sends emails they should be read. Bob Rice commented that when our consultant Jeff does a weed survey the DNR does not take into account visuals. Meaning even if you see weeds from the boat if they don't come up on the rake you can't count them on the survey. Jeff does an addendum to the survey so that they are accurately recorded. A constituent asked about the Wisconsin Lakes meetings and if they could be notified of when they are. The district will make sure there is a link on our website so people can view the schedule.

Bob Simons term will be up at the end of 2022 and he will not be seeking reelection. An email was sent out asking for interest and a couple people responded. MaryJo reached out to those who responded and went over the responsibilities of the position. Bill Roeber was in attendance and introduced himself. He has been the treasurer for another board and runs quick books in his business. Christine asked if there was anyone else who was interested in running for the open position. No one else stepped forward. MaryJo Jones made a motion to nominate Bill Roeber for the open position and Dale Marciniak seconded the motion. All were in favor and non were opposed. Christine said that after her term was up next year that she would not be seeking reelection. Bob Rice has two more years and he will also not be seeking reelection. Both are happy to help with transitions and encouraged people to start getting involved.

Bob Rice went over the resolutions and asked if there were any questions. Jon Voss made a motion to approve the minutes as presented and the motion was seconded by MaryJo Jones. All were in favor and none opposed. The spring meeting date was set for May 6th and the annual meeting will be September 9th 2023. Christine commented that there are state statues that lake districts fall under and that we should convert from our bylaws to the state statue. This would simplify things and do away with our bylaws. Kathy Aron and Jeff said that it would be a good idea. It was stated the bylaws cannot impose more than the statue so it would clean things up. An attorney would need to be consulted for this.

MaryAnn Buckley made a motion to adjourn the meeting. Motion was seconded by Jon Voss. Meeting was adjourned at 10:09 am

Respectfully submitted,

Bob Rice
Secretary