

Porters Lake Management District Annual Meeting

Saturday, June 24, 2017

Commissioner/Treasurer Skip Hansen started with announcements at 9:05 prior to calling the meeting order. 38 people were in attendance according to the sign-in.

Skip respectfully informed attendees of Chairperson, Don Dalton's passing this past week. A sympathy card is available for the residents to sign. There is a memorial service scheduled for July 14 at 7:00pm in Burlington, WI, at the high school football stadium, which was named after Don two years ago.

- Sealed and post marked letters from four district members were mailed to Don, but ended up in Skip's mail box. Skip indicated he was unwilling to open post marked mail addressed to some else and will return them to the addressees.
- Skip also informed attendees of Marcie Busse's passing earlier this year. She and her husband, Buzz, have been lake property owners since 1955.
- Greg Foster, appointed commissioner/town supervisor, clarified the procedure to follow as a district to fill Don's vacant position.

Two options:

- 1) A successor is appointed to serve the remainder of the unexpired term (2 years), subject to approval by the majority vote of the board **OR**
- 2) A special electors meeting is held with proper public notice to elect the position.

Greg recommends that the successor is appointed.

Skip requested that anyone that is interested in filling this position is to contact Kris Helms, commissioner/secretary. If there are multiple people interested, then a special electors meeting will be held.

There was an inquiry as to the role of the chairperson. Skip gave a brief explanation. Tom Burgermeister indicated that when Sandy was secretary, there were four board meetings per year. Due to Don's health in the past few years, board meetings were not as consistently held.

- I. Meeting called to order at 9:16 by commissioner/treasurer, Skip Hansen, who is facilitating the meeting.
- II. Introductions of attendees
- III. Veterans recognized for their service:
  - Floyd (Buzz) Busse (WWII veteran)
  - Dick Hansen
  - Ron Skinvik
  - David Studinski
  - Greg Danielson
  - Skip Hansen
- IV. Greg Foster, commissioner/town supervisor gave Town of Mt. Morris report.

Due to the many storms and downed trees, the town landfill is open for brush/vegetation drop-off this weekend only.

Mount Morris Independence Day parade is held on Saturday, July 1 at 11:00 starting at Big Horn Lane and ending at Mt. Morris Town Park. There will be raffle tickets for sale, proceeds to go to town park improvement. There was further discussion about additional brush pick-up. Deb Behringer clarified that the county asked for state reimbursement for the storm damage.

Greg took an informal vote (show of hands) asking if residents would be in favor of allowing ATVs to operate on town roads. Those in favor (13) exceeded those opposed (6). There was some discussion about damage that occurred on the newly paved Porters Lake Road.

- V. Minutes from the June 25, 2016 meeting were mailed and were posted on line. Greg Danielson made a motion to approve the minutes. Cathy Olkiewicz seconded. Motion approved.
- VI. Treasurer's Report: Skip Hansen reviewed the budget overview that was mailed out and posted with the agenda. As of June 20, there is a total of \$866.24 in checking account and \$20,876.44 in savings account. Total cash is \$21,742.68. All outstanding bills are paid. Dave Hansen made a motion to approve the treasurer's report. Tom Burgermeister seconded the motion. Motion approved.
- VII. Ground water update: Skip Hansen reported that PLMD is a member of Central Sands Water Action Coalition. Collectively there are 50,700 members, plus spouses and family members. The objective of the coalition is to get meaningful ground water legislation passed that will protect the ground water resource in the Central Sands area of WI. There have been ground water studies in this area for over 50 years. There has been an explosion in the growth of high capacity wells in this area. The pumping of these wells has materially affected the flow of water in streams and rivers and has caused a permanent draw down in some lakes and in a couple of instances, some small lakes have totally disappeared. The WI Constitution states all of the waters of the state are owned by the citizens of WI. By statute, the requirement to protect our waters for the benefit of all citizens has been transferred to the DNR. Because of some political decisions and certain groups that favor almost unlimited use of ground water, Skip feels the DNR is not doing enough to protect our ground water resources. As a result, Skip has become very involved in the coalition. He provided residents with 1) a consensus paper written by six hydrologists of what happens in the Central Sands when a high capacity well starts pumping, 2) a contour map of the Central Sands with Porters Lake highlighted and a map that shows nitrate contamination, 3) a map showing the location of high capacity wells in the state, >3000 in Central Sands area, including municipal wells, 4) 2016 WI Ground Water Coordinating Council-gives the state of the ground water in WI. Skip feels the greatest long-term threat, that we as a lake district faces, is a permanent draw down in our water. The shoreline around the lake include approximately 110 native plants including 3 native species of wild orchid. These shoreline plants will be in jeopardy if the lake level permanently drops. CSWAC cannot make the political donations to have an influence. Other organizations have invested about 50 million dollars to republicans and Governor Walker since 2011. The last ground water bill that passed and was signed into law recently, had the vote of every republican senator. Every democratic senator voted against it. All but one republican assemblypersons voted for it and no democrat assemblyperson voted for it. Legislators still respond to constituent contacts. If you would like to get involved in protecting our lake, contact your state assembly person, state senator or the governor via phone call, email or letter, voicing your concerns. Contact Skip Hansen if you have any questions.
- VIII. Election of Treasurer: Term of the current treasurer position ends on June 30, 2017 at 11:59pm. Skip gave a summary of the responsibilities/tasks the treasurer is responsible for. Nominees for treasurer were requested. Dave Hansen made a motion to nominate Skip Hansen. Greg Danielson seconded the motion. No other nominations were presented. Motion approved unanimously. Skip abstained from voting.
- IX. Lake Management Plan Update: Skip reported that the final plan approval occurred on March 2017 by the town board. An update was done this time because the county received a grant that was large enough to cover the full cost for 33 lake management plans. There was no expense to the lake district to have the plan updated. The format of our plan follows the format necessary to apply for DNR grants in the future. The plan is 160 pages in length and it will be posted on our website [www.porterslake.org](http://www.porterslake.org). Greg Foster added another benefit to having the plan updated and accepted, is that the county has looked at comprehensive land management plans that were adopted in 2010, and has determined that the lakes are a very vital part of our resources for the towns. Therefore, the county wants the lake plans as well as the land to be incorporated into the land use plans.
- X. Jarvis land acquisition proposal/discussion: Skip clarified a few items prior to discussion:

Today we are not voting on any proposal or offer, because there is none.  
No offer to purchase has ever been drafted.  
No offer to purchase has been presented to Jarvis'.  
No offer to purchase has been signed or accepted by them.  
No contracts have been offered to any organization.  
No contracts for anything related to the Jarvis property have been made by the district.  
No appraisals have been ordered or received.  
No monies have been paid out by the district for any land acquisition expenses.

The purpose of today's meeting is to share the most updated information on the Jarvis property acquisition. Last year the asking price for each of the three lots for possible acquisition was \$110,000 or \$333,000 for all three. Last year the members approved proceeding in pursuing the acquisition, but only if the Jarvis' agreed to a lower price. In November 2016, Jarvis' stated that they would accept a price between the assessed value (\$235,000) and the asking price (\$330,000). We did not proceed at that time because we would not have been able to get all of the necessary paperwork and approvals for the grant by February 1, 2017. In February 2017, Jarvis' indicated that they were still willing to agree to a price between the assessed value and the asking price. They also said the assessed value decreased to \$230,900. The DNR grant, if approved, will only accept an appraisal from their DNR approved appraiser, of which there are about 75 throughout Wisconsin. The appraisal needs to be dated no older than 6 months from the grant application date of February 1. Copy of the survey of the lots was mailed out with the meeting agenda. Reviewing the map, the lots are #1, #2, #3, off of Pine Lane, collectively ~ 600ft of frontage.

**Benefits to PLMD:**

Prevents land from ever being developed unless PLMD decides to do so  
No disruption of soil for driveway or building site  
No runoff of silt or soil into the lake or onto the lakeshore  
No removal of trees for driveway, building site, 30-foot vision corridor to lakeshore  
No septic or fertilizer runoff  
No lake bottom disturbance from pier or boat traffic

**How to Acquire:**

DNR land acquisition grant pays 75% of appraised value of lots (District could acquire property at \$0.25 on the dollar)  
DNR grant pays 75% of PLMD acquisition costs  
Jarvis' are willing to finance PLMD debt for up to 12 years

**Ongoing:**

PLMD pays no property taxes on the acquired property  
PLMD not required to develop or make any improvements on the acquired property  
Public cannot be excluded from the acquired property but only land access is via Pine Lane, an unmaintained town road

**Assumptions:**

\$230,900 purchase price as determined by approved DNR appraiser  
\$6,000 in acquisition costs to PLMD  
75% DNR land acquisition grant  
12 year note from Jarvis' for PLMD balance  
5% compounded annual interest rate on PLMD balance

**Calculation based on above assumptions:**

**\$236,900 total costs X 25%=PLMD debt after DNR grant**

**\$59,225.00 PLMD debt after grant**

**\$80,711.33 total of 12 annual payments**

**\$6,725.94 annual yearly payment on note**

**\$6,725.94/64 PLMD property owners = \$105.09 per property owner per year for 12 years**

There is no offer on the table to approve or disapprove today.

**DISCUSSION** followed: (This includes questions (?) and comments (\*) that members had, some are paraphrased and some are quotes. Skip Hansen tried to address the questions to the best of his knowledge and his responses are in *italics*.)

? What about liability insurance?

? Would there have to be contribution towards road maintenance?

? Would this proposal need to be in the form of a referendum so that all residents could vote? *If appraisals are within the PLMD guidelines and acceptable to the Jarvis', then there would be a special meeting called of PLMD as to proceed on the "deal" or not. If the "deal" is approved, then the town board would need to approve it. PLMD has to pay for the appraisals. Last year Skip received a verbal estimate for the appraisals and they were somewhere between \$750-\$1000 per lot (\$2200-\$3000).*

? Why do we want to acquire this land? It has been this way for 35 yrs. *Skip explained that this is a key area of the lake. It would primarily for preservation of this area of the lake. See above "benefits".*

- Those are not buildable lots. *Skip's response was that if someone is willing to spend enough money, someone could build on it. John Jarvis' family has owned that land for >100 yrs. His children are not interested in the farm. He states that someday he will have to sell the farm. There are additional lots on the lake side that probably would be developable.*

? If the land is undevelopable, wouldn't the appraisal reflect that? *Skip feels that it will as the appraisers actually have to walk the property.*

? Is this a financial decision? Is there a price point that members would be in agreement to pay to obtain the land?

- Jim Stafford gave his opinion, as a contractor, as to whether the lots would be buildable or not. He feels that there would need to be holding tanks, therefore there would be no septic runoff. With setback requirements and run off restrictions, the lots would not be buildable. The lake is all "muck" there. There are also springs on that hillside.

? Has this land has ever been listed for sale? *Skip addressed that the lots used to be zoned agricultural, but years ago the zoning was changed to residential and that is when Jarvis' listed the lots. The fourth lot is not for sale because when they sell the farm, they want the people that buy the farm house to have access to the lake.*

? Isn't there a 5 acre requirement for Mt. Morris lots? Discussion was about minimums for lake frontage vs acres.

? Is the DNR grant certain? *Skip explained that he feels the town board will approve the acquisition for the following reasons: Jarvis' have been in the area for a long time, 2 of 3 voting members are farmers and John Jarvis' nephew is one. Then the DNR lake manager for our area would have to approve it. That manager is very familiar with our lake as a limnologist and is aware of the unique life in and around our lake and what the district has done to try to preserve the quality of the lake. Skip feels that our DNR lake manager would give approval and feels that the DNR would also approve it.*

? If this is public property (once acquired) wouldn't there be a risk of the public entering and causing damage?

? Would it be possible to request to have the right of first refusal with the Jarvis' when/if they would get an offer? *Skip stated that he did not ask the Jarvis' about this. This would be difficult due to the timeframe that*

*is required to prepare all of the paperwork for the grant (~6 mo). They may not be willing to run that out for the time that we would need to get it done.*

- There are several properties already for sale on the lake and more properties that will probably be up for sale in the next 12 years. Who would be responsible for the ongoing fee related to the acquisition-the future buyer or the seller?
- The value of being on this lake is all the special species that are here and I want to protect the lake and prevent building on the lake. A \$100/year is almost a “no brainer for 12 years”. To me, it brings up the value of the property when I want to try to sell it.
- We recently built on a lake and there are so many precautions that construction has to take, so there will be protections to the lake, or else there are heavy fines. The cost to build on that property would be outrageous. It is so regulated to build, do not be concerned about damage to the lake. *Skip commented that several weeks ago, there was 6” of rain and he feels that any type of silt fence would not have been able to contain the run off if that happened.*
- I have been in the building business for 20 years, and it is amazing where they can build a house. This lake has always been proactive. Fifty some years ago, someone wanted to put a 10-acre lake behind Ptaschinski’s land and hook it up to our lake. He was going to put 20 homes there. Buzz Busse and Chuck Burdick put in a lot of their own time and money into it prevent it. We were one of the first lakes to do lake studies and people wondered why we had to do that. Now it is mandatory, we were ahead of the game. We are wiser for it; the lake is better for it. There would be 65 trailer homes between Shanahan Lane and Hwy 152 if someone would not have been wise enough and paid way too much money to purchase and restore that land. The lake has always been proactive and we try to solve problems ahead of time to avoid a bigger problem down the road. It may seem like a lot of money, but that is \$10/month; it seems worth it. Maybe we need to get it down to \$7/month, but I don’t see a problem with it.

*? Do we need to get to the point of “appraise or not appraise”? Skip stated that we had that approval at last year’s meeting already, but this meeting was to provide the most up to date information and take time for questions and ask members what they think we should do.*

*? What did we spend last year on the monitoring of the boat landing-just rough figures. Skip reported that we spent around \$3000. The way I justify it in my head, and not everyone was in favor of spending that money, but your request for an appraisal is approximately in the same ball park as those costs. If the DNR approved appraisal comes back with certain information, the Jarvis’ may realize they can’t market it as anything other than non-buildable lots, so why not sell it to the lake district. We might be looking at totally different numbers than what you have given us as an honest projection. Jarvis’ might entertain a much lower figure, which then drives down the annual assessment charge. So, why not start the appraisal and spend about the same type of money we spend on the public entrance, not voting on anything, but at least having more working information. Skip stated that by having that appraisal done by a public entity and paid for by the district, we then would have the fair market value of that property as a comparison to possibly help those of us that may want to challenge our own assessments.*

*? Wasn’t the money for the appraisal approved in the budget for last year? Skip stated that the members approved that we proceed if the Jarvis’ agreed to the price. There is not a line item in the budget for this. PLMD has ~ \$21,000 available.*

Skip asked for a show of hands as to how many are in favor of continuing the process and due diligence; it would not indicate being in favor of pursuing the grant. The show of hands indicated that 11 do not want to proceed with due diligence, 13 want to proceed with due diligence.

*? All property owners are not present. Do we need to get more input from more property owners? No, lake districts do not require a quorum, by statutes.*

- The letters to Don Dalton were supposed to be opened. *Skip states that he is not going to open mail addressed to Don.*

Skips suggests that we put out RFPs for firm pricing for the appraisals.

Joan Olson made a motion to send out RFPs to 3-5 DNR approved appraisers, with the appraisal charge not to exceed \$3000. She feels that we need to obtain more information to make an informed decision. She also stated that there may be other options as to how to pay the extra assessment, if the land is purchased. Perhaps, our \$100/year assessment could be lowered, but then include the assessment for the land. She stated that there are other options we can do, but if we don't have the information, how can we vote Yes or No. Annette Gelbach seconded the motion. Discussion included that the appraisal needs to take place within the allotted time frame in order to meet the deadline for the grant if we proceed. Motion approved.

XI. Proposed 2017-2018 budget: Skip reviewed the handout included with the agenda. Corrections include Grant #2, revenue is \$952.50, not \$1592.00. Estimated transfer from surplus is \$1678.50, not \$1039.00. Money for the possible appraisal will be adjusted afterwards. Insurance costs and breakdown was explained by Skip. Steve Hartjes questioned the liability concerns on the proposed property for acquisition. Skip and Joan addressed the concern. Dave Hansen made a motion to approve the budget as proposed. Jim Stafford seconded the motion. Motion approved.

XII. Other Business:

- Skip made a recommendation for everyone to have their well water tested and to keep the results. Dick Hansen had his tested for ~ 300 chemicals, cost ~ \$300. If we have a record, we can track the quality of the water of the lake.
- In the Southeast Bay, there is an infestation of an invasive plant-Narrow Leaf Cattail. In the native, Broad Leaf Cattail, the leaf is ~1- 2" wide and the brown flower stalk is ~ 6-8". In the Narrow Leaf Cattail, the leaf is ~ ½" wide and the brown flower stalk is ~ 4-5", then followed by a 2-3" green stalk and then another brown flower stalk. The only way to control the Narrow Leaf Cattail is to hand pull them or cut them off below the water line. If cut, it will then shoot up another stalk, and then it needs to be cut a second time and it will die. Should the district consider hiring someone to cut it? There is no herbicide to control it. There was a suggestion that Carlos Cavazos (property owner) should be hired to cut the plants. Skip will speak with him.
- Volunteer needed to do water sampling, 3-4x/year. Samples are sent to Stevens Point. Pontoon boat is needed. Jim Jagdfeld volunteered to do the testing. Pat Doyle (who has done this in the past) will meet with Jim to do some instruction and provide him with the supplies.
- Jim Stafford asked what is contained in the letters that are addressed to Don Dalton. He is concerned what is in them, for voting or different things? He states that we went through some stuff without knowing what is in them. Sandy Burgermeister brought forward a letter that was dropped off at her house and she stated the intention was that the letters were to be opened at the meeting so that the people that couldn't come to the meeting could voice their view point. Jim feels that it is important to find out what is in them. Skip states that he is not going to open the letters addressed to Don Dalton. The one Sandy brought forward was not sent through the US mail. Skip opened the letter from Tom Depka (no stamp and not addressed). "Proxy vote Tom Depka for purchase for Jarvis lots on Porters Lake June 24, 2017-no". Skip reminds people that we are not voting on the purchase of the land. There was a question as to how voting will be handled in the future. Will ballots be sent out so that everyone would have the right to vote? Many people are gone in the winter. There would need to be a special meeting scheduled. Skip is not certain if absentee ballots are allowed at a special meeting, but they are not allowed at an annual meeting. The statutes will be checked to see if absentee ballots are allowed at a special meeting.
- Anyone interested in completing Don Dalton's term, let Kris or Skip know.
- Dick Hansen reminded everyone that the DNR changed the fishing guidelines as of a year ago. Limitations include: Daily bag limit is reduced to 15 pan fish with no more than 5 of each species: i.e. 5 bluegill/sunfish, 5 crappie, 5 perch.
- Dick Hansen reminded everyone that the herbicide treatment of EWM (highly invasive plant) that was done several years ago has been very effective. Some random plants were found last fall and were hand pulled. As of a few weeks ago, Paul Skawinski, Citizen Lake Monitoring Network Educator at UW-Stevens

Point and a good friend of the lake and another professional colleague were unable to find any plants. We are unique in the success of the elimination of this invasive plant.

- Asked for volunteers to attend the WI Lakes Partnership Convention and Water Action Volunteers Symposium April 18-20, 2018, held in Steven Point. It is paid for by the district, for up to 2 couples and is an excellent educational opportunity. Any interested parties are to contact either Kris Helms or Skip Hansen. Check out the website at <https://www.uwsp.edu/cnrap/UWEXLakes/Pages/programs/convention/default.aspx>
- Greg Danielson wanted to make a comment that “anger creates hate” and that we should all be friendly when we see each other.

XIII. Adjournment: Jim Stafford made a motion to adjourn the meeting. Tom Burgermeister seconded. Meeting adjourned at 11:31 pm.

Respectfully submitted by Kris Helms-Doyle, PLMD Secretary

**NEXT ANNUAL MEETING SATURDAY, JUNE 23, 2018 AT 9:00 AT THE MOUNT MORRIS COMMUNITY CENTER. MARK YOUR CALENDARS**

**Porters Lake Management District Budget Overview**  
2016-2017 Approved Budget      2016-2017 Final      2017-2018 Proposed Budget

Item	<u>2016-2017 Approved Budget</u>	<u>2016-2017 Final</u>	<u>2017-2018 Proposed Budget</u>
<b>Income:</b>			
Assessment	\$6,400.00	\$6,300.00	\$6,400.00
Interest	\$12.00	\$9.82	\$12.00
Grant #1	\$0.00	\$0.00	\$0.00
Grant #2	\$1,600.00	\$952.50	\$1,600.00
Transfer from surplus	\$5,338.00	\$5.94	\$4,148.00
<b>Total Revenue</b>	<b>\$13,350.00</b>	<b>\$7,262.32</b>	<b>\$12,160.00</b>
<b>Expenses:</b>			
Lakes Conference	\$900.00	\$0.00	\$900.00
Lakes Council	\$160.00	\$210.00	\$160.00
Insurance	\$1,800.00	\$1,731.00	\$1,800.00
Web Site	\$400.00	\$334.43	\$400.00
Stamps/Mail	\$800.00	\$504.93	\$800.00
Meeting Gifts	incl	incl	incl
Meet Expenses	incl	incl	incl
Meet Notice	incl	incl	incl
Fish Fund	\$0.00	\$0.00	\$0.00
Loose Strife	\$250.00	\$400	\$250.00
Divers	\$300.00	\$173.40	\$300.00
Water Quality	\$0.00	\$0.00	\$0.00
Discretionary	\$1,000.00	\$0.00	\$1,000.00
<b>Land Invasives Control:</b>			
Garlic Mustard and Buckthorn	\$250.00	\$0.00	\$250.00
Boat Landing	\$3,300.00	\$2,961.53	\$3,300.00
Grant writing	\$0.00	\$0.00	\$0.00
Shore land restoration	\$0.00	\$0.00	\$0.00
Lake plan update	\$0.00	\$0.00	\$0.00
Grant #2	\$2,200.00	\$952.50	\$1,000.00
Legal	\$1,000.00	\$0.00	\$1,000.00
Donations/Law Enforce.	\$1,000.00	\$0.00	\$1,000.00
<b>Total expenses</b>	<b>\$13,350.00</b>	<b>\$7,268.26</b>	<b>\$12,160.00</b>
 (Deficit) Profit	 \$0.00	 \$0.00	 \$0.00
 <b>Cash on hand as of</b>			
Checking	\$2,514.84		\$830.78
Passbook	\$17,867.19		\$20,875.55
<b>Total Cash</b>	<b>\$20,383.03</b>		<b>\$21,706.33</b>