

**LITTLE ST. GERMAIN LAKE PROTECTION  
AND REHABILITATION DISTRICT  
SAINT GERMAIN, WI**

**Elected Commissioners**  
Ted Ritter, Chairman  
Erv Stiemke, Treasurer  
Lou Mirek, Secretary

**Appointed Commissioners**  
Todd Wiese, Town of Saint Germain  
Mary Platner, County of Vilas

**Public Hearing on Financial Report & Annual Meeting Minutes  
9-6-09**

9:00 am Hearing was called to order by Chairman Ted Ritter. He stated that State Statutes require a separate public annual financial hearing which will be presented first, followed by the Annual Meeting.

**Public Hearing on Financial Report**

Introduction of Board of Commissioners

Erv Stiemke presented the 2008 year end financial report. (Copies distributed)

Erv explained that the \$80,585.37 carry-over from 2008 is assigned to 2009 Long Term Aquatic Plant Management and Water Quality.

2009 Budget and Summary of Expenses were reviewed with a correction noted in footnote (a), the DNR exotic weed control grant figure should be \$50,000 instead of \$5000.

2010 Proposed Budget & 2009 Tax Levy was presented. Changes noted include Native Weed Control should be \$.00 levy because \$15,000 was not used in 2009, latest estimates on Exotic Weed Control will be \$91,000 with anticipated grant funding of \$45,500 and proposed levy portion \$45,500. Latest figures on the Boat Landing Improvement Project are estimated to be \$30,000 and the proposed levy portion of the Shoreland Restoration will be \$3500 to cover interest if a loan is necessary to cover costs until grant funding is received.

Ted explained that no action will be taken during the presentation of the financial report, however all items will be discussed in detail during the Annual Meeting.

Ted declared the public hearing on the financial report closed.

## Annual Meeting Minutes

9:20 am The Annual Meeting was called to order by Ted Ritter. All five commissioners were noted as present.

Ted Ritter noted that all information to be covered was placed on the website for review.

Motion to Approve Agenda in any order by Barb Steinhilber, seconded by Dick Kenney,  
Motion approved.

Motion to approve 2008 meeting minutes by Ted Nelson, seconded by Greg Loesche and approved.

### Status reports:

#### 1. Potential Shoreline Restoration Project – Mike Meyer, DNR

\$100,000 grant awarded to enhance habitat quality addressing natural vegetation and assess runoff & wave action affects. They are seeking individual property owners to partner with DNR to include ¼ - ½ mile of shoreline restoration. County zoning law allows 30' viewing corridor for lake property owners, remainder would be considered for restoration. An informational meeting will be held in October to focus on details of the project. This will have little or no cost impact to the Lake District. Grant covers 75% with the lake district responsible for 25% match in the form of labor contributed by property owners affected. Only exposure to Lake District would be interest on a loan if necessary to cover project costs until grant money received. Mr. Meyer offered a tour of the current restoration projects on Found, Alma, and Moon Lakes to interested parties. Contact him at the Rhinelander office 715-365-8858 or email: [michael.meyer@wisconsin.gov](mailto:michael.meyer@wisconsin.gov)

#### 2. Potential Alum Treatment Project – Ted Ritter & Tom Jerow, DNR

Recent data concludes that Barr's concern about the phosphorous release coming from the lake sediment where dissolved oxygen levels had not been monitored is correct. There is a continuing phosphorus release coming through Muskellunge Creek that cannot be eliminated. Barr says treatment will bind up phosphorus release for a period of time to some degree. Treatment opportunity for 2009 has expired and permit was not approved. Tom Jerow said DNR is uncertain about the regulatory process but will likely use aquatic plant management permit under rule NR 109. There are a number of things that need to be addressed prior to the approval.

1. Get the updated lake management plan finalized
2. Look at toxicity issues
3. Plan for monitoring during & after the treatment
4. Measure improvements
5. Performance bond or contingency plan
6. Look at alternatives
7. Hold a public information meeting next year if decision is made to move forward

Once everything is addressed, permit process is relatively easy. Tom stated a provision of the approval of the permit does not represent endorsement of the permitted activity, but that the applicant has complied with the necessary requirements.

Ted noted the lake management plan is well underway and delays are a concern, with so much invested already, hoping to have approval by spring. Ted asked if there were specific things required on the toxicity issue. Tom said a list will be provided in writing about alum concentrations, PH level requirements, etc.

Don Herbert expressed concern that this proposal was carried with just 14 votes and that there's no provision for a written vote or proxy vote to get input from more property owners. Ted stated that State Statutes require voters to be present at the meetings. Steve Gilbert said it does not prevent an opinion poll or survey from being conducted. Ted also said that a public hearing for informational purposes is required prior to the vote for public input. Robert Nussbaum said by-laws can be amended, however Ted stated that the Lake District is governed by State Statutes not by-laws.

Steve Gilbert asked if anyone had read the Barr report and understands the content. Ted said there are risks involved in this project and people need to be informed. Barr's proposal is posted on the district website.

Property owners expressed concerns about repeated applications over time, amount of solution being used according to Barr report, effect on wildlife, pets, and humans, would treatment reduce risk of blue/green algae, extent of water clarity, potential for fish kill, and effect on spawning. Ted said not all algae is blue/green algae and not all algae have the same health concerns. Tom said the DNR partners with the Department of Public Health and there is more monitoring being done. Tom said all of these things should be addressed in "other alternatives" section of the application.

Ted reminded everyone that the first annual payment on a proposed eight year loan was levied last year and will be held until the project is approved. There is nothing in the proposed 2009 tax levy for alum treatments.

### **3. Fish Stocking & Fishery Status – Lou Mirek & Steve Gilbert**

The stocking requirements are that we stock Northern or Upper Wisconsin River strain of Walleye. Researched 5 vendors, contracted with Central Wisconsin Fish Farms in Stevens Point. Will be stocking 5000 walleye between 5-7 inches in mid October at cost of \$10,000, DNR monitors the stocking process and we're waiting for permit. Last fish census taken in 2006-2007 on walleye & musky population. Lower population of stocked fish vs natural growth. Stocking occurring this year with money levied last year. Need to decide if stocking needs to be done in 2010 in order to include money on tax levy for 2009. Steve Gilbert said typically the DNR stocks Musky one year, Lake District stocked Walleye the next year. Expected survival rate of stocked fish is 25% - 35% during first winter which is the most critical.

Regarding the Musky Population Survey, the Sunset Clause comes up in 2011 allowing 45 inch minimum size and limit of 1. Would need to be re-submitted this year to make it permanent. Will be voted on state-wide in April. Steve's stocking recommendation is to alternate with the DNR's musky stocking this year and skip a year for walleye. The Lake District plan for stocking does not affect the DNR long range plan for stocking.

#### **4. Potential District Boundary Revision – Ted Ritter**

The Lake District boundaries were defined in 1980 by Vilas County Board and included many off-water properties. There have been occasional petitions over the year requesting detachment from the Lake District. Those petitions have been denied justified by the fact that shoreland zoning laws regarding anything within 1000' of the shoreline has impact on the lake. Ten property owners near Golden Pines have recently applied for detachment. A State Supreme Court decision in 2004 in another area ruled in favor of the property owners so it is necessary to take a good look at how to proceed with the petitions. Another issue at hand is that of the 172 off-water properties in the Lake District, 66 of them are currently not being taxed due to tax coding errors on Vilas County tax records.

The Board is considering the impact of excluding all off-water properties from Lake District boundaries. It appears that it would mean an additional \$.03 mil rate increase on a \$75,000 levy to lakefront property owners remaining in the district. Could consider revising the boundaries and include all parcels with easements and properties benefitting from riparian rights. Chapter 33 of State Statutes does not define what constitutes a Lake District boundary description, it simply states the territory of the District must be defined.

Ted called on Colin Pietz, an attorney for a firm in Wausau and property owner on East Bay to address the issue of responsibility of tax code maintenance on county tax records. Under State Statutes the County can have a lister to maintain the school district and special purpose district codes which includes the Lake District. Also provide computer services relating to assessment and taxation for the assessors, clerks, and treasurers in the County. It is clearly the lister's responsibility to enter tax codes.

He feels that the district should challenge the county on its contention that tax code maintenance is a district responsibility and petition the county board to revise the district boundary description to include riparian properties and properties with riparian rights. Regarding detachments, Colin commented that individual petitions must be submitted. Randy Hemauer applied in 2005 and asked if he needed to re-apply. If boundaries are re-established to exclude his property, he would not need to re-apply. Ted said they are working to get this resolved by the time the 2009 tax bills are done. Colin said it is the County who includes people in the Lake District, it's the District who allows them out.

Mr. Pietz's firm is willing to approach the County on the Lake District's behalf, pro bono, as long as it does not involve litigation.

#### **5. Invasive Plant Control Status – John Manki**

Progress is being made to control Curly-leaf pondweed. There has been a reduction in acreage and elimination of four treatment sites with density down. The consultant's report is forthcoming.

The Lake District is taking a more aggressive stance on Eurasian Water Milfoil and detection methods are improving. Last year 24 acres were included in the proposed treatment areas and this year 40 acres are included. This work will need to continue for years to come. John handed out treatment maps and added that they are available on the website. Underwater cameras are being used during times of poor water clarity to detect the affected areas.

The previous grant ended in 2008. The 2010-2012 AIS Grant application has been submitted seeking 50% funding due to the tremendous competition for grant funding. Estimated cost for this year would be \$91,000 and we determined the best chance for grant approval is to submit a 3 year plan and ask for 50%. Ted said additional points are given to applicants who are willing to reduce the State's portion of the project and have local partners contributing 10% of our 50%. The Town Board has agreed to support the program. We

will not know about the grant approval for 6 more weeks. Ted suggested we base the levy on the projected cost for 2010 with the assumption that the grant is not available.

## **6. Boat Landing Improvement – John Manki**

Wisconsin Valley Improvement Corporation is offering 50% funding for the proposed improvements. Proposed changes will address congestion in the water and on the landing, the angle of the landing, only one dock available, road configuration, dredging, and allow more room for boat landing inspections. There are no issues with Vilas County Zoning and quotes are in the range of \$30,000 including dredging work of which \$15,000 is included in the levy.

This will not affect the work done by the DNR last year. Dredging permit will cost \$500. WVIC is very supportive, in fact the time frame for funding has expired, however they are allowing more time for the District approval to take place. Todd Wiese added that the Town Board has received complaints about the poor condition of the landing.

### **Action Items:**

#### **1. Approve/amend Proposed 2009 Tax Levy as presented in budget hearing:**

The proposed base line levy prior to additional project to be voted on individually was \$75,500, however Erv concluded that \$91,000 be reflected for the exotic weed control assuming the grant is not approved setting the proposed levy at \$121,000. Grant approval should be known before the tax levy is set and can adjust the amount accordingly. Tom Schwartz made a motion to approve the base line 2009 tax levy at \$121,000 for 2010 budget, seconded by Lee Holthaus.

Discussion followed to clarify which of the weed control management items & stocking plans are included in the proposed levy. Ted reiterated that all of the weed control items were included and the \$10,000 walleye stocking plan in 2010 would be included if the vote is YES on this motion. The vote on the motion passed with the majority in favor of the \$121,000 levy, 2 opposed.

#### **2. Approve or deny 2010 additional expenses and levy for following items:**

A. The long term plant management and water quality- Funds were hit hard for the alum project which is not quite done and typically about \$20,000 a year is added into that fund. Joan Scheffler made a motion to add \$20,000 for this fund, second by Dick Kenney. Currently \$65,000 in that fund. Vote taken, motion passed with 3 opposed.

B. Boat Landing Improvement Project- Motion made by Colin Pietz to proceed adding \$15000 to the levy Second by Lee Holthaus, motion carried.

C. Shoreline Restoration- Erv said bills can be handled from existing funds, not necessary to add additional money to cover interest. Motion to add nothing for this item by Robert Nussbaum, second by Randy Hemauer, motion carried.

E. District Boundary Revision- Difficult to plan for expenditures at this time. Motion by Robert Nussbaum to include nothing in the budget for this item, second by Don Herbert, motion carried.

#### **3. Approve final 2009 tax levy for 2010 expenses:**

Ted stated that brings the total levy to \$156,000 and hopefully the funding of \$45,500 will be approved. Motion was made by Robert Nussbaum to approve the \$156,000 levy and direct the board to apply the \$45,500 if grant is awarded to reduce the levy by that same amount, second by Lee Holthaus, motion carried.

#### **4. Elections:**

Lou Mirek's Commissioner position is up at this time. Ted asked Lou is he is interested in continuing to serve, Lou agreed to run again. Nominations were opened. Colin Pietz nominated Lou Mirek, second by Mary Herbert, with no other nominations from the floor, unanimous vote was cast for acceptance of Lou.

Next Meeting: Motion by Dick Kenney to set next annual meeting date for the Sunday of Labor Day Weekend, 2<sup>nd</sup> by Barb Steinhilber, motion carried.

Motion to adjourn by Robert Nussbaum. Meeting adjourned at 11:50 am.

Respectfully Submitted,

Lois Ruediger