

LAKE PROTECTION AND REHABILITATION DISTRICT
ANNUAL MEETING & BUDGET HEARING
JULY 17, 2004 @ 9:00 A.M.
LAKEWOOD ELEMENTARY SCHOOL
1218 WILMOT AVENUE

Full transcription of this meeting available for review at the Village Hall. These minutes list motions only.

Call to order. Pledge of Allegiance. Roll Call: Jeff Gresenz, Liaison to the Twin Lakes Protection and Rehabilitation District; Rod Carter, Village Attorney, David E. Cox, Village Administrator; Bob Livingston, Chairman of the Lake District Steering Council. Cathy Zamazal, Village President sick. Also signed in were Trustees Connolly, Griffin, Moran Stoen and Clerk/Treasurer Dorothy Sandona.

AGENDA ITEMS

3. Approval of 2003 Annual Meeting Minutes

MOTION BY GRESENZ, SECONDED, CARRIED FROM THE FLOOR, TO APPROVE LAST YEARS ANNUAL MEETING MINUTES DATED August 23, 2004 (14 Opposed) Gresenz stated motion carried by majority.

4. Financial Report - attached.

5. Brief Comments from Jeff Thornton, Southeastern Wisconsin Regional Planning Commission (SEWRPC)

6. Committee Reports

7. Consideration of a motion to extend the temporary suspension of Article VII of the District Bylaws through the 2005 annual meeting with the same terms and conditions.

MOTION BY BRIAN NEAL, 142 WEST PARK DRIVE SECONDED FROM THE AUDIENCE TO EXTEND THE TEMPORARY SUSPENSIONS OF ARTICLE VII OF THE DISTRICT BYLAWS THROUGH THE 2005 ANNUAL MEETING WITH THE SAME TERMS AND CONDITIONS. 240 IN FAVOR; 1 OPPOSED. MOTION PASSED.

8. Consideration of a motion to confirm the Twin Lakes Lake Protection and Rehabilitation District Committee structure policy as approved August 23, 2003 annual meeting.

MOTION BY RON NEAL, SECONDED FROM THE FLOOR TO MOVE FORWARD WITH THE STRUCTURE POLICY FOR THE SIX COMMITTEES AS APPROVED AT THE AUGUST 23, 2003 ANNUAL MEETING . 224 IN FAVOR; 4 OPPOSED. MOTION PASSED.

9. Consideration of a Motion to Direct That the Following Motion Be Placed Before the Electors as part of the 2005 Annual Meeting: Move to Repeal Article VII of the District Bylaws in its Entirety and to Replace it with the Following: ARTICLE VII - COMMITTEES.

Section 1 - Committee Structure: Standing committees shall operate under the requirements of State Law and shall be those identified in a policy regarding Committee Structure which shall be adopted by majority vote of the annual meeting and which may be amended from time to time by a majority vote of an annual meeting.

Section 2 - Other Committees - The chairman, with approval of the Board, may appoint other committees as are deemed necessary to further the interests of the District.

Section 3 - Reporting: All committees shall report to the chairman or the Board upon request and to the annual meeting.

Section 4 - Compensation: Committee members shall receive no remuneration for service to the District. With prior approval from the Board, committee members may submit vouchers for actual and necessary expenses incurred while conducting the business of the District.

Section 5 - Terms of Members: All committee appointments shall be subject to review and approval of the electors at the annual meeting. Interim vacancies shall be filled by the chairman of the district with approval of the board.

(Original) MOTION FROM THE FLOOR TO APPROVE THE REPEAL OF ARTICLE VII OF THE DISTRICT BYLAWS IN ITS ENTIRETY AND TO REPLACE IT WITH THE ABOVE ARTICLE VII - COMMITTEES:

(Amendment 1) MOTION BY JIM BAXA, 119 HICKORY LANE, SECONDED FROM THE FLOOR TO AMEND SECTION 1 AND SECTION 2 OF THE ARTICLE VII COMMITTEES AS FOLLOWS:

SECTION 1 – STANDING COMMITTEES: THERE SHALL BE SIX STANDING COMMITTEES AS FOLLOWS: A. AQUATIC PLANTS, NATURAL AND EVASIVE SPECIES; B. BOATING SAFETY AND USER CONFLICTS; C. COMMUNICATION, EDUCATION AND YOUTH; D. SHORELINE PROTECTION; E. STORM WATER, NON-POINT POLLUTION, (ADD SHORELINE PROTECTION AND REHABILITATION TO ITEM 3); F. WATER QUALITY AND FISHING. EACH STANDING COMMITTEE SHALL CONSIST OF NO LESS THAN FOUR MEMBERS. MEMBERS OF THE STANDING COMMITTEES SHALL BE ELECTED BY A MAJORITY VOTE OF THE ELECTORS PRESENT AT THE ANNUAL MEETING. THE BOARD SHALL APPOINT A COMMISSIONER TO BE NONVOTING LIAISON TO EACH STANDING COMMITTEE. EACH STANDING COMMITTEE SHALL SELECT A CHAIRPERSON BY A MAJORITY VOTE OF THE COMMITTEE MEMBERS.

SECTION 2 - LAKE STEERING COUNCIL: A COMMITTEE KNOWN AS “LAKE STEERING COUNCIL” SHALL CONSIST OF SEVEN MEMBERS, SIX OF WHOM WILL BE THE CHAIRPERSONS OF THE SIX STANDING COMMITTEES SET FORTH IN ARTICLE VII, SECTION 1 ABOVE, PLUS ONE MEMBER TO SERVE AS A CHAIRPERSON WHO SHALL BE SELECTED BY A MAJORITY VOTE OF THE MEMBERS OF THE SIX STANDING COMMITTEES AND THE LAKE DISTRICT BOARD OF COMMISSIONERS. *(Section 1 will be replaced. Section 2 through 5 will be re-number to be behind the Section 1 and 2 read by Baxa)*

THOSE IN FAVOR OF THE AMENDMENT 149; THOSE OPPOSED TO THE AMENDMENT 84; THE MOTION PASSED AS PUT FORTH BY BAXA.

(Amendment 2) MOTION BY TINA HERPE, 510 INDIAN POINT SECONDED FROM THE FLOOR TO APPROVE AN AMENDMENT TO SECTION 5 TO PROVIDE FOR A THREE YEAR TERM LIMIT FOR THOSE ELECTED TO THE COMMITTEES WITH REQUIREMENT OF ONE YEAR ROTATION OFF, AND THEN THOSE PEOPLE COULD BE PUT BACK ON; THOSE IN FAVOR OF THE AMENDMENT 19; THOSE OPPOSED TO THE AMENDMENT 192. THE MOTION FOR TERMS LIMITS FAILS.

(Original Motion Vote) GRESENZ CALLED FOR THE MOTION AS ORIGINALLY READ PLUS THE AMENDMENT . THOSE IN FAVOR OF ORIGINAL MOTION PLUS AMENDMENT 185; THOSE OPPOSED TO THE ORIGINAL MOTION PLUS AMENDMENT 5. MOTION CARRIED.

10. Nominations and Election of members of the various committees.

MOTION TO TAKE NOMINATIONS FROM THE FLOOR, KIMMEL HAS TO BE ADDED TO THE LIST OF “SHORELINE PROTECTION”. RETA NAGLE FOR AQUATIC PLANTS INSTEAD OF NO PREFERENCE. ARE THERE ANY OTHER NOMINATIONS FROM THE FLOOR OR ADDITIONS TO THE SHEET AS PUT IN FRONT OF YOU? HEARING THAT THERE ARE NO OTHER NOMINATIONS OR QUESTIONS AS FAR AS THE LIST PUT IN FRONT OF YOU WITH THE ADDITIONS AS NOTED. THOSE IN FAVOR OF APPROVING THE NOMINATIONS AS LISTED 176; THOSE OPPOSED 0. MOTION CARRIED.(nomination names attached).

11. Appoint and Approve proxy representative to the annual Wisconsin Association of Lake (WAL) meeting.

MOTION AND SECOND, TO ELECT BOB LIVINGSTON AS THE PROXY REPRESENTATIVE TO THE ANNUAL WISCONSIN ASSOCIATION OF THE LAKE MEETING (WAL). THOSE IN FAVOR OF BOB LIVINGSTON 214; THOSE OPPOSED TO BOB LIVINGSTON 0. MOTION CARRIED.

12. Public Hearing on District Budget.

UNANIMOUS CONSENT TO GO INTO THE PUBLIC HEARING ON THE LAKE DISTRICT BUDGET. VOTE TO CLOSE THE PUBLIC HEARING ON THE BUDGET. NOBODY OPPOSED. CLOSE PUBLIC HEARING.

13. Motion to approve specific large projects

- A. Consideration of a Motion to Approve the Shoreline, Storm Water, and Other Improvements Project at Lance Park. MOTION TO IMPROVE THE PROJECT FOR LANCE PARK. THOSE IN FAVOR OF THE PROJECT 141; THOSE OPPOSED TO THE PROJECT 19. MOTION CARRIED.
- B. Consideration of a Motion to Approve the Proposed Storm Water Management Project for the Southwest Area of the Village. MOTION AND SECOND FROM THE FLOOR AS ORIGINALLY WAS STATED FOR THE CONSIDERATION OF A MOTION TO APPROVE THE PROPOSED STORM WATER MANAGEMENT PROJECT, BUT WITH THE AMENDMENT OF NOT STATING IT AS SPECIFIC AS WAS HANDED OUT IN THE FLYER, SECONDED. THOSE IN FAVOR OF THE PROJECT 145; THOSE OPPOSED OF THE PROJECT 6. MOTION CARRIED.
- C. Consideration of a Motion to Approve the Aquatic Plant Study. MOTION AND SECOND FROM THE FLOOR TO IMPROVE THE AQUATIC PLANT STUDY. ALL IN FAVOR OF THE STUDY 160; ALL OPPOSED TO THE STUDY 0. MOTION CARRIED.
- D. Consideration of a Motion to Approve the Aquatic Plant Treatment. MOTION AND SECOND FROM THE FLOOR TO APPROVE THE AQUATIC PLANT TREATMENT. THOSE IN FAVOR OF THE TREATMENT 145; THOSE OPPOSED TO THE TREATMENT 2. MOTION CARRIED.
- E. Consideration of a Motion to Approve the Proposed Dam Modification Project MOTION AND SECOND TO APPROVE THE PROPOSED DAM MODIFICATION PROJECT. THOSE IN FAVOR OF THE DAM MODIFICATION 152; THOSE OPPOSED TO THE DAM MODIFICATION 0. MOTION CARRIED.
- F. Consideration of a Motion to Approve the Proposed Purchase of a Replacement Boat. MOTION AND SECOND FROM THE FLOOR TO APPROVE THE PROPOSED PURCHASE OF A REPLACEMENT BOAT. ALL IN FAVOR OF THE PURCHASE OF THE BUOY BOAT 142; ALL OPPOSED TO THE PURCHASE OF THE BUOY BOAT 8. MOTION CARRIED.
- G. Consideration of a Motion to Approve the Proposed Grant Writer. MOTION AND SECOND FROM THE FLOOR TO APPROVE THE PROPOSED GRANT WRITER. ALL THOSE IN FAVOR OF THE GRANT WRITER 149; ALL THOSE OPPOSED TO THE GRANT WRITER 2. MOTION CARRIES.

14. Motion to approve Budget

MOTION AND SECOND FROM THE FLOOR TO APPROVE THE BUDGET AS PRESENTED BY LIVINGSTON (attached). BUDGET FIGURE \$1,160,000.00. ALL THOSE IN FAVOR OF APPROVING THE BUDGET AS PRESENTED 144; ALL THOSE OPPOSED OF APPROVING THE BUDGET AS PRESENTED 3. MOTION CARRIED.

15. Motion to approve Tax Levy

MOTION AND SECOND FROM THE FLOOR TO APPROVE THE TAX LEVY AS PRESENTED BY LIVINGSTON. LEVY FIGURE \$98,000.00. ALL THOSE IN FAVOR 132. ALL THOSE OPPOSED 2. MOTION CARRIED.

16. Establish 2005 Annual Meeting Date

MOTION AND SECOND, CARRIED TO HOLD THE 2005 ANNUAL MEETING THE 4TH SATURDAY OF JULY (JULY 23, 2005). (6 Opposed)

17. Other Business

Tom Pabst, 2907 East Lakeshore Drive called for a vote on changing the wake rules back to the way they were and moved that the commissioners immediately restore the no-wake hours to sunset to 9:00 a.m. rather than 8:00 a.m. to 9:00 p.m., and implement the recommendation to the Steering Council regarding any water level issues. Motion seconded from the Floor.

Kit Kamholz, 551 Storms Drive moved that this organization, at its first opportunity, whether it is calling a special meeting, address this particular issue to a vote of this group. MOTION ON THE FLOOR, FAVOR OF RESCINDING THE NO-WAKE AND PUTTING IT BACK TO SUNSET. ALL THOSE IN FAVOR 85, ALL THOSE OPPOSED 28.

Gresenz advised that those numbers will be taken as advisory.

ED VARDON, 910 SHORE DRIVE MOTIONED THAT THE BOARD BE SUPPORTIVE, MORE ACCEPTING AND MORE IMPLEMENTING FOR THE RECOMMENDATION THAT ALL OF THE COMMITTEES SENT TO THE COMMISSION. SECONDED FROM THE FLOOR. MOTION AND SECOND FOR THE VILLAGE BOARD CALLING ATTENTION TO THE COMMITTEES. ALL IN FAVOR 54; ALL OPPOSED 5. MOTION CARRIED.

ROBERT KLASEK, 2424 ELM COURT STATED HE WAS MAKING A MOTION UNDER ARTICLE 5, SECTION 5, IN SECTION A, PARAGRAPH 6 THAT THE MAJORITY OF ELECTORS CAN MANDATE COMMISSIONERS TO IMPLEMENT THEIR DECISIONS AND MOVED THAT THE COMMISSIONERS IMPLEMENT A MORATORIUM ON THE SALE OF ANY PUBLIC LAND WITHIN 500 FEET OF EITHER LAKE UNTIL THEY GET APPROVAL FROM THE STEERING COUNCIL.

*****CARTER: ANY MOTIONS THAT ARE MADE NOW ARE GOING TO BE ADVISORY TO THE COMMISSION, GIVEN WE HAVEN'T NOTICED THESE MATTERS.*****

Comments:

Jim Baxa, 119 Evergreen - would like to have a back-up liaison for their Boating Safety User Conflict Committee.

MOTION AND SECOND FOR ADJOURNMENT, CARRIED AT 12:30 P.M.

SIGNED COPY AVAILABLE AT VILLAGE HALL

Dorothy E. Sandona
Clerk/Treasurer

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