

BUFFALO LAKE P & R DISTRICT
ANNUAL MEETING MINUTES
OCTOBER 8, 2022, 9:00AM
MARQUETTE COUNTY SERVICE CENTER

- 1) **Roll Call:** Meeting called to order 9:00AM - Ro Klecz, Judi Nigbor, Town of Packwaukee Representative, Al Rosenthal, and Larry Haygood. Absent Vikki Trimble and Jon Vote Marquette County Representative
- 2) **Approval of the 10-9-2021 Annual Meeting Minutes:** *Motion made by Joe Dion to accept the 10-9-21 minutes as presented on the website, Seconded by L Leech, Discussion none, None opposed, Approved – Absent Marquette County Representative, Jon Vote and Vikki Trimble*
- 3) **Treasurer’s Report:** Larry stated that there was \$16,177.57 in the general checking account, \$66,411.20 in the operating fund, \$142,054.49 in the equipment fund for a total of \$224,643.26. Joe asked what the carry-over was for the month of September, Larry stated that it was approximately \$60,000. Darrel asked why the numbers don’t reflect the current expenditures and income. Darrel stated that the reason the annual meeting was moved to October was to have more accurate numbers and the current report only shows numbers to the end of July. Larry stated that he thought it was because we had to get the newsletter to the printer and mailed out.
- 4) **Presentation of Audit:** Carol Deer Conduct the financial audit for the district. Carol was not present at the meeting but did send statement stating “I have reviewed the financial 2021 records for the Buffalo Lake P & R District. I did not find any errors or discrepancies. All was in good order, signed Carol Deer 9/26/22”
There was a question as to why the District doesn’t have a company audit/review the books. *Motion was made by Gary Kershaw to have the books have reviewed by a CPA and the findings to be presented at next year’s annual meeting and then the books need to be reviewed at least every 10 years going forward, Seconded by Darrel, Discussion: it was explained by Judy and Roger the difference between a review and audit. Bids will have to go out to the CPA or CPA Firm before securing the person or firm that will conduct the review or audit depending on what the new Board wants to do, I opposed, Approved – Absent Marquette County Representative, Jon Vote and Vikki Trimble.*
Larry stated that he felt that an audit, not a review, should be conducted. Bernie mentioned that we would be adding an expense to the budget that is not in the budget.
- 5) **Review quotes from firms for information requested from DNR for the petition submitted by BLPRD to modify for Water Level Order 3-WR-1823 dated November 17, 1976:** Al explained the response from DNR that the district made, regarding raising the water level and changing the dates in the spring to increase the water level and in fall, extending the high-water level for a few weeks. You can view the letter from the DNR regarding this matter on the Buffalo Lake Website. There was a meeting with DNR, Senator Ballweg, DNR, District’s Attorney, a Representatives from Pittman’s and Dallman’s offices, Also, in attendance was Al, Bernie, Paul and Larry in hopes that DNR would back down and work with the District. That didn’t happen. If the District spends the money on the studies, it will not guarantee that DNR would approve the lake level request. Al sent out 8 proposals to different engineering firms.

Not one firm responded. Al reached out to 4 of the firms that stated they couldn't assist with the required DNR studies. Al spoke with Onterra who in a nutshell stated that the study DNR is requesting could cost hundreds of thousand dollars.

***Motion** made by Jim Felts to obtain quotes to pursue legal action against DNR. The Board needs to find out what the cost would be, and the new Board of Directors could decide to have a special meeting if needed. Seconded by Kelly Cosgriff, **Discussion:** Joe Dion stated that if we were to raise the level of the lake, how would it be held back? The dam was reconstructed to hold 8.5 feet. This summer the lake level was at 8.48 feet. The gates were closed most of the summer. The spillway is at 7.7 feet. The Fish ladder is another 6 inches below the spillway. What is the purpose of spending money if the dam can't hold the water back? Lynn Dion stated that we don't know what it is going to cost to bring a lawsuit against DNR. Bernie stated that the district couldn't pursue legal action/aw-suit and conduct the DNR study at the same time, it would be too costly. None opposed, Approved – Absent Marquette County Representative, Jon Vote and Vikki Trimble*

- 6) **Giving the Board authority to seek approval from Town of Packwaukee, Town of Montello and City of Montello and DNR to determine and enforce boating regulations on Buffalo Lake.** *Motion made by L. Leech to seek authority from the 3 municipalities, Town of Packwaukee, Town of Montello and City of Montello so that the Lake District would be able to place additional buoys in the lake, in those jurisdictions. Seconded by John H, **Discussion:** this motion is just to get authority from the municipalities to be able to place additional buoys in Buffalo Lake, this has nothing to do with policing the lake. Joe stated that the district obtained the permit for the channel markers from DNR. That permit can be amended to add more or move the channel markers within the lake. None opposed, Approved – Absent Marquette County Representative, Jon Vote and Vikki Trimble*
- 7) **Buoy Placement, purchase of additional buoys and/or signs dealing with no wake and/or water safety:** The District will purchase additional buoys as needed.
- 8) **Development of water safety patrol:** Al asked if anyone was interested in creating a water safety patrol. Al asked for a motion. No one motioned. Nothing further.
- 9) **Approval to purchase a new harvester/trailer and conveyor and apply for grant.** The Board had given Bob the authority to apply for the grant from DNR for a new harvester/trailer and conveyor. Bob did apply and there will be a grant meeting on November 2, 2022. Bob stated that a Board member should attend that meeting either in person or via Zoom. The grant will cover half the cost of a new harvester/trailer and conveyor. If we were to order the new machine, the district wouldn't take possession until 2024. We should know something in November if the grant is approved. Aquarius and Inland are the two companies that were contacted. Aquarius was approximately \$ 378,000.00, Inland was approximately \$303,000.00. There is concern that the #4 machine with the steel haul may not be operational too much longer. It was mentioned that maybe there are other grants out there that can help with more of the costs. ***Motion:** made by Joe Dion to approve the purchase of a new cutter, conveyor and trailer from Inland with the following conditions:
That the District gets the DNR grant approval
The equipment is not purchased until 2023*
*Seconded by Bernie, **Discussion:** there was talk about finding a used machine then switching the parts off the used machine and a question was asked if there was a plan for equipment replacement. The 5-year plan is on the website. Joe amended his motion to limit the purchase to \$310,000.00, Seconded by Bernie, None opposed, Approved – Absent Marquette County Representative, Jon Vote and Vikki Trimble.*

- 10) **Budget Hearing:** Larry opened the budget hearing and stated that the after meeting with the attorney, the carry must be shown in the budget which it hasn't in the past. The State says that you must show a balanced budget. If at the annual meeting the membership decides to do something big and you increase that budget to \$300,000 and it is approved at the annual meeting, the dues will automatically go up. There is no separate vote on the dues. If membership were to approve today's budget which is at \$200,444.00, and not make any changes, the dues will stay the same and not be increased. Hypothetically, if membership wanted to spend 10 million dollars on dredging and it was approved at the annual meeting in the budget, dues would be increase automatically. Bill stated that he thought that there had to be a separate annual meeting presentation for dues increase. Larry stated that it is illegal to ask membership for a 10% dues increase so that the District can prepare for things in the future. Larry stated again that the dues increase must be part of the budget, it can't be a separate item. There was a discussion about using a chemical treatment plan. Darrel stated that he would contact Wisconsin Lakes & Ponds and that there was information that was sent out in an email blast. The information will be placed on the website. *Motion made by (don't know who made the motion) to increase the special charges 20% and that the money will be used for weed/chemical control, Seconded, by Lynn Dion, Discussion: This fee wouldn't go into effect until 2024 because of the work it takes by the assessor's office by having to input those numbers into the computer. Karyn stated that she felt that the money is needed in 2023 and is willing to help make that happen. Judy asked that the proper channels be gone through to make sure DNR permits are obtained and that the Harvesting Committee just make the determination to use chemical application on their own. Al stated that this would have to come back to the Board for approval to use a chemical application. I opposed, Motion Passed – Absent Marquette County Representative, Jon Vote and Vikki Trimble Budget Hearing Adjourned.*
- 11) **Budget Approval and special charges for 2023 to finance budget:** *Motion made by Paul Cotter to approve the budget as amended, Seconded by Larry Putnum, Discussion None, I opposed, Motion Passed -Absent Marquette County Representative, Jon Vote and Vikki Trimble Budget Hearing Adjourned.*
- 12) **Election of two commissioners:** Al called out for new nominations three times. No one responded. *Motion made by Darrel and Seconded by Kelly to accept the slate as presented. Discussion None, None opposed, Motion Passed -Absent Marquette County Representative, Jon Vote and Vikki Trimble Budget. Dwight Fenderson and Bernie Sosinsky are the new board members. The two positions that were filled were Al's and Joe's position. The Board will need to fill Ro's position as she has resigned.*
- 13) **Yearly donation towards AIS needs in the County:** *Motion made by Joe Dion to contribute \$500.00 to AIS Fund, Seconded by Karyn, Discussion: someone asked with inflation why isn't the contribution more. Al stated that it can be increased if someone wants to amend the motion. None opposed, Motion Passed -Absent Marquette County Representative, Jon Vote and Vikki Trimble.*
- 14) **Committee Reports:**
- a. **Harvesting:** Gary gave an update on the work that had been done on the equipment and at the district's property. Gary mentioned that a water well is needed at the site next year. Gary thanked Bob and the entire Harvesting Crew for their hard work and good job this season. Most of the harvesting crew will be returning. Darrel mentioned that the truck drivers are required to have a class D CDL. Darrel also mentioned that he feels that this license restriction may be an issue in the future. Darrel stated that the district may think about offering to pay for the CDL. Joe mentioned that the final payment for conveyer grant has been completed.
 - b. **Lake Level Report:** No Report

- c. **Communications:** Judy Rogala thanked Joe and Ro for the past couple of years by getting her what she needed to keep the website current and hopes that the next Chairperson does the same.
- d. **Lake Plan:** No Report
- e. **Ecology:** No Report
- f. **Fish Committee:** Paul thanked the sponsors and everyone who has helped this year. He encouraged everyone to support the local businesses who donated to the fish fund this year. Paul asked for volunteers to keep the Fish Committee going. Paul's entire report will be on the website.

15) **Marquette County Lakes Association, Marquette County and Town of Packwaukee reports:** Al stated he and Ron will be retiring from the Marquette County Lakes Association (MCLA) and that it is a good time to recruit new people and that came bring some fresh ideas to the MCLA . The Causeway construction will start June 15, 2023. The Lake level will not be affected by the construction. Judy mentioned that the Freedom Boat Landing was redone with 2 grants, Hollenbach Boat Landing received ARPA funds to redo the landing and the parking lot. Packwaukee Township is hoping to obtain additional monies for Hollenbach. ARPA funds were also given to the Fish Committee in the amount of \$5000.00.

16) **Determine next year's annual meeting date and time.** *Motion made by Larry, to set next year's annual meeting date to October 14, 2023, 9:00am, Location to be determined, Seconded by Ro, Discussion None, None opposed, Motion Passed -Absent Marquette County Representative, Jon Vote and Vikki Trimble.*

17) **Closed meeting for commissioners, if necessary, to discuss outcome of election per Wisconsin 19.85(1)(C)(f):** Did not go into closed session.

18) **Reconvene to open session to approve action related to closed session.** Did not go into closed session.

19) **Audience Comments:** Gary mentioned that it is important that a Board member show up to the grant meeting for the harvester, conveyor, and trailer on November 2, 2022. A question was asked if there was going to be an informational meeting pertaining to the Causeway. Al stated yes that the County would have one either early winter or early spring. The causeway will be closed for 3-4 months. Karen mentioned that at the Freedom Boat Launch, volunteers are installing a native plant garden. She also stated that residents can apply for Healthy Lakes Grants. You can be reimbursed up to \$1000.00 depending on what you spent on putting in the garden or installing an approved project. For more information on Health Lakes Grants, contact Pat Kilbey. Lastly, we need volunteers to help raise beetles that eat the purple loosestrife which is an invasive species. These beetles only eat the purple loosestrife and then they die off. Karyn will send an email with all this information.

20) **Adjournment:** Larry made a motion to adjourn the meeting at 11:14AM.