

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, AUGUST 11, 2008
Unofficial until approved by the Village Board
Approved as written (✓) or with corrections () on 9-8-8

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, August 11, 2008, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media had been met. Following is the attendance list:

Mr. Styza / President – present

Mr. Foote, Ms. Villavicencio, Ms. Seidel, Ms. Wilkey, Mr. Gehl, Dr. Tyre / Trustees – present

Attorney David Krutz / Village Attorney – present

Mr. Douglas / Administrator -Police Chief – absent

Mr. David Reid/ Police Captain - present

Ms. Zimdars / Clerk-Treasurer – present

Attendance

Don Gallo, Environmental Attorney

Public Comment Period

None.

Approve minutes of the July 14th, 2008 Board Meeting.

Motion (Villavicencio, Gehl) to approve the minutes of the July 14th Village Board Meeting, *Carried Unanimously*.

Trustee Seidel noted the spelling of “Hanson” should be corrected to “Hansen”.

Clerk/Treasurer

Present invoices for approval

Motion (Wilkey, Villavicencio) to approve the July 2008 bills, *Carried Unanimously*.

Trustee Foote questioned why Marine Biochemists were being paid a sum of \$4,550, when no weed spraying on the lake had occurred. Clerk Zimdars said she would check with Forester Kante and send an answer via e-mail to all the trustees the following day.

Report on investment activity

Investment activity was reviewed and no action was required.

Discussion and consider action regarding North Lake Public access.

Attorney Don Gallo addressed Board members, saying the Department of Natural Resources (DNR) had evaluated two different sites for a public launch –one on the northwest side of the lake (the Kraus property) and the other in the northeast corner of the lake where the river comes in (the Kuchler property). He went on to say the concern with the Kraus property is that it is predominantly wetlands, but the DNR has not yet identified it as such. The DNR has used a formula to determine the minimum number of parking spaces on that property and determined that number would be 16, with 32 or 33 being the maximum allowed; and he went on to say the DNR can start with 16 spaces, but then can expand. He said there is also concern with storm water runoff. There are a group of investors that own the Kuchler property, and Attorney Gallo’s objective is to consolidate the lake’s interests into one representation group so they can go to the DNR to discuss what he sees as a winning proposal to use both the Kraus and Kuchler properties for lake access to take the best advantages of both properties. Attorney Gallo said the Kuchler property is ideally situated for access because it’s on Hwy 83 right in the North Lake commercial area, and really is limited to 16 spaces. He said the proposal is to take the Kraus property which has some

very sensitive and significant environmental features, and to put a conservation easement on that property and limit the use and access to that property to handicap access, and access that is limited to pedestrian walkways; but no cars or boat trailers would be allowed, thereby preserving Kraus's environmental features. The concern with the Kuchler property is with the river that runs through that area -the ice is not thick enough for ice fishing on that property so that could be done at the Kraus property. Attorney Gallo proposed to keep the Kraus property under DNR ownership, but under a conservation easement; and to develop the Kuchler property for the active boat launch but limit it to 16 parking spaces.

Another of the concerns is there has been a considerable amount of silt on the Kuchler property which causes some degree of degradation of water quality. Attorney Gallo said they would be looking at dredging for a number of reasons, including to improve access for boat launching activities and to improve the silting into the lake in that area.

He said the group he represents is seeking a recommendation of support from the Village of Chenequa. Trustee Tyre said that historically the Village Board had approved the Kuchler site. He said this is really a request of the Village Board to restate their support. President Styza asked if North Lake Management had signed this request, and Attorney Gallo said they would be the last to sign on because they represent all the interests around the lake. Trustee Tyre said this appears to be a very thoughtful compromise with the DNR, who has a significant investment in this project. President Styza said that previously the Board had supported the east side location. Trustee Villavicencio said she would be in favor of the proposal, saying she felt it was ecologically well thought-out. Trustees Foote and Gehl agreed. Trustee Seidel expressed concern with Evergreen Condominiums. Attorney Gallo said they would ask that the Lake Management District take charge of the boat launch. Trustee Gehl questioned if the Kuchler property would be donated, or if it would be sold to the DNR. Attorney Gallo said they would sell the property to the DNR for the price of \$325,000 – the same price as was paid for it at the most recent acquisition. President Styza asked Attorney Gallo to draft a resolution and give that to Attorney Krutz for review, which the Village Board would consider at the September meeting.

Final – review and consider plans for an addition/remodel at the Chenequa Country Club located at 6250 N Hwy 83.

President Styza said the Chenequa Country Club did not come forward with the required landscape and lighting plans so the Plan Commission was unable to act on this request. It was noted that Trustee Wilkey is co-chair of the Chenequa Country Club Building Committee, and it was decided that she would be allowed to recuse herself from the vote on this issue when that time comes.

Consider land division for Wolfgang Dorner. Property located at 5166 N Hwy 83.

President Styza

President Styza said no action was taken on this request.

Discussion regarding slow no wake final adopted ordinance.

President Styza asked for clarification on msl, and Attorney Krutz told him it was an abbreviation for *mean sea level*. Trustee Tyre noted that all letters should be capitalized.

Update from Trustee Gehl regarding Beaver Lake slow no wake joint ordinance with the Town of Merton.

Trustee Gehl said that readings have been kept on both Pine and Beaver Lakes, but in looking over the data he was presented with today from Forester Kante, it was clear more readings had been taken on Pine Lake. In 2006-2007 readings were insignificant. He then directed attention to the May 1, 2008 reading on Pine Lake at 903.3, saying that would have qualified the lake for a slow no-wake restriction. At the same time on Beaver Lake, the reading was at 910.3. There are a few times, historically, that when the reading is at 903.3 on Pine Lake, the reading on Beaver Lake is at 910.3. Trustee Gehl said he would recommend either 910.2 or 910.3 as the threshold for Beaver Lake. He went on to say he would like to speak with the Beaver Lake Yacht Club, and the Friends of Beaver Lake. President Styza said he would like to see this brought up again on the September meeting.

Hwy 83 status update.

Trustee Villavicencio reminded Board members that a letter had been sent based on a recommendation from the July Board meeting. She and Administrator Douglas attended a meeting with representatives from Washington County on August 5 at 7:30 a.m. At that meeting they were on the agenda and requested the County to join in the resolution. Washington County representatives said they had not yet been in contact with surrounding communities so were unwilling to make a decision at that time. President Styza said he met with Merton and they were sympathetic. He said that overall, we haven't really run into any serious negatives, but everyone wants to think about it, and not make a decision yet. He said the Village would need support from several others... Dodge County, Washington County, Hartford, (noting the Mayor of Delafield expressed positive reaction), SEWRPC Executive Director Ken Yunker, and County Executive Dan Vrakas. President Styza said if the state gives up Hwy 83, then it would become a Village road and Chenequa would have to maintain it. He went on to say that Hwy K would be turned over to the county by the state, so then Hwy K may have to be maintained the same as state standards. There would have to be a standard written, and then the state would have to turn it over to that standard. Trustee Gehl clarified that Hwy K is a county road, and Hwy 83 north of Beaver Lake would also be considered a county road. Trustee Foote asked where the Village would take up responsibility. Trustee Villavicencio asked if there could be a joint cost. Trustee Wilkey said that every suggestion of a way to compromise has previously been met with disdain and she noted that repeatedly the Hwy 83 Committee had asked the Dept. of Transportation for a round about.

Review ordinance #3.12(4) Phosphorus Fertilizer ban. (Consider changes)

Trustee Foote said this came about as a consequence of a phone call he had to Administrator Douglas, adding the big art center in Oconomowoc would be using a winter fertilizer treatment with organic phosphorus. Trustee Foote then spoke with Jim Shaw at CCC who referred to §94.641(e). His interpretation was phosphorus in fertilizer was not regulated by the state of Wisconsin. Attorney Krutz agreed that it was not regulated. Trustee Foote said he felt organic phosphorus should be permitted, since it is a naturally occurring substance.

Personnel Committee appointment.

President Styza said the Personnel Committee needed one more member, and current committee members, Frederick Luedke and Bronson Haase asked to have Tim Fredman appointed.

Motion (Styza, Foote) to approve Tim Fredman for appointment to the Chenequa Personnel Committee, Carried Unanimously.

Launch and lake activities during nighttime hours. Restricted lighting and noise after 10:00 p.m.

Captain Reid addressed the Village Board saying he would like to encourage that the gates for the Pine Lake boat launch remain open. He said there had been three or four contacts made and activity was very minor. Mr. Dixon Benz saw suspicious lights and the police department explained what was happening (carp spearing). He noted that Chief Douglas gave direction to have activity monitored before he left this week. Captain Reid said after 10 pm there may be up to six boaters on the lake, but the average was about two. He said there had been no noise complaints. He concluded by asking for consideration not to close the gate, but to allow the police department to continue to monitor the situation. Trustee Seidel said her sister and Mary Rolfs had both experienced bright lights shining at their homes. It was then suggested that a notice be placed in the next newsletter alerting residents to this nighttime activity. Captain Reid said his department would continue monitoring and checking activity on the lake. He added that the activity of carp spearing is good for the lake. Trustee Foote brought up his concerns with hours allowed for water skiing on Pine Lake.

Committee Reports

Public Safety – No report

Operations – Will be meeting August 26th.

Plan Commission – Met earlier

Open Space – No report

Board of Appeals – No report
Personnel Committee – No report
Hwy 83 Task Force – Discussed earlier
Emergency Government Committee – No report
Lake Management Ad Hoc Committee – Committee moving slowly forward.
Police Commission – No report

Report of Village Administrator.

No report.

Report of Village President.

No report.

Report of Village Attorney.

Attorney Krutz told Board members that there is a lawsuit taking place between the Eschweilers, and the Village had received subpoenas in connection with that lawsuit. He said that Building Inspector Tising and Administrator/Police Chief Douglas were asked for a deposition. He said they could depose, but would not be offering any opinions.

Agenda items to be considered for future meeting of the Village Board.

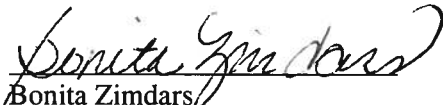
None.

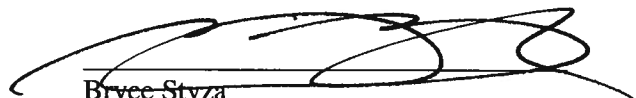
Adjournment.

Motion (Wilkey, Seidel) to adjourn the August meeting of the Village Board at 8:15 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:


Bonita Zimdars
Clerk/Treasurer


Bryce Styza
Chenequa Village President