

Many topics at lake district meeting

By Jason Francis
Reporter Staff

| Budget Summary | | Proposed Total Budget 2011 | |
|----------------------------|----------|----------------------------|-----------|
| Income | | \$200,000 | \$200,000 |
| Program Fees (4000 * \$50) | | | |
| Expense | | \$200,000 | \$200,000 |
| Office Expense | \$5,000 | | |
| Rent and Utilities | \$2,000 | | |
| Wages | \$0 | | |
| Insurance | \$5,000 | | |
| Printing | \$2,300 | | |
| Professional Fees | | | |
| Accounting | \$600 | | |
| Consulting | \$15,000 | | |
| Legal | \$10,000 | | |
| Public Information | \$7,000 | | |
| Indianford Maintenance | \$10,000 | | |
| Engineering | \$87,000 | | |
| Water Level Procedures | \$35,000 | | |
| Other | \$700 | | |
| Dues and Fees | \$100 | | |

July 24, 2010

In front of an enormous overhead screen showcasing the business of the day, Rock Koshkonong Lake District commissioners and other officials address the crowd Saturday at Fort Atkinson High School during the lake district's annual meeting.

Dredging, litigation, the 2011 budget, and the presentation of the first ever "Friend of Lake Koshkonong Award" were a few of the main topics of conversation during the Rock-Koshkonong Lake District's annual meeting Saturday in Fort Atkinson.

A large majority of the lake district property owners who attended voted to approve the budget as presented by the district's board of commissioners, meaning the annual special charge taxed on properties within the district will increase to \$50 per parcel, \$15 more than the \$35 per parcel charged in 2010.

The assessment hike was prompted by the lake dredging/island creation projects being explored by the district. The additional funds will be used to cover possible engineering cost overages during the project's planning stages and to help build a lake improvement savings account to aid dredging and island creation in future years, Brian Christianson, chairman of the lake district, told the crowd Saturday.

Boosting the savings account is important because the lake district wants to be in good financial shape when dredging opportunities present themselves, Christianson said.

"We've got a lot of exciting things going on," he said. "We want to make sure that if that time comes where we are able to receive permitting from the DNR to do some dredging and possibly build some island projects in

Koshkonong that we are able to afford it and we don't need to see the drastic (tax) increases that we've seen in the past when we raised the special charge from \$35 to \$100 per parcel."

The lake district is working with the U.S. Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (DNR) to create a lake management plan likely to involve recommendations regarding dredging and island creation. The district has been awarded a \$100,000 grant from USACE through its Planning Assistance to States (PAS) program and another \$100,000 in funding from the state to use as matching funds for the USACE grant. The PAS program aids states, local governments, and other entities in preparing comprehensive plans for the development, utilization and conservation of water and related land resources.

The DNR has also pledged to the lake district about \$80,000 worth of in-kind services from its engineers and the USACE has agreed to match that total with another \$80,000, Christianson said.

Though about \$360,000 in grants and in-kind donations have been received or pledged, the DNR estimates the lake district may have to cover as much as \$40,000 to \$90,000 in overages for engineering costs, Christianson said.

"That's another reason why we've worked this \$15 increase into the special charge," he said, adding that any unspent funds set aside to cover over-

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Lake district

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ages will be rolled into the lake improvement fund.

Goals of the comprehensive plan for the lake, as outlined during Saturday's meeting, include: (1) improved navigation; (2) improved aquatic habitat, water quality, and shoreline wetlands; (3) the preservation and increase of property values and lake-related economic activity; and (4) the transformation of the lake area into a top Wisconsin recreational destination.

"How can we address all of the wants and needs of all the different user groups on Lake Koshkonong — improve recreation, navigation, safety, improve the ecology of the lake — that's our ultimate goal here," Christianson said.

Budget criticized

Among the few vocal critics of the proposed 2011 budget in attendance Saturday was lake district resident Richard Plywacz of Fulton Township, who hinted that the lake district may be undertaking too many costly endeavors to dress up a lake he said is nothing more than "a wide spot" in the Rock River.

"That's all it is. We cannot make it a Lake Waubesa, Kegonsa or Lake Mendota," Plywacz said. "What we got is what we got" and any attempts to alter and improve the lake will be undone by the passing of time, he said, "so why don't we leave well enough alone."

With the government broke and taxpayers under financial stress, planning for an expensive dredging project that may not get "off the ground" is not advisable, Plywacz said.

"The way the economy is, this is no time to be asking for more money from us. Make do with what we have," he said, prompting some cheers from the crowd.

Christianson countered that if the lake district ceases its lake improvement projects, lake quality will not simply remain the status quo, but deteriorate. The district's charge is to use its funds wisely and find options that are affordable, he said.

Two public workshops have been held in recent months that provided lake district residents the chance to learn more about the dredging/island creation possibilities and offer up input. A third forum will be held, but has not yet been scheduled. The event will probably be held after Labor Day, Christianson said.

Following the last workshop, a lake improvement plan will be completed to guide future decisions on altering the lake. The lake district board will then make recommendations regarding the plan and district

electors will vote on the proposals. A vote may take place during next year's annual lake district meeting. In the meantime, an experimental dredging project on the lake may be undertaken later this year.

Considerable lake dredging activities would carry price tags in the millions of dollars. Options offered up at a July 18 workshop in Newville ranged from \$300 million to dredge the entire lake a depth of two feet to \$2 million to \$3 million to create a protected and dredged common harbor with 100 boat slips.

More budget details

The per parcel assessment increase is the first since 2006, when the charge stood at the \$100. The \$100 was double what was charged in 2005. In 2007, the assessment dropped to \$45. The charge continued to drop in 2008 (to \$41) and 2009 (to \$35). As recently as 2003, the charge was only \$25.

The lake district's 2011 budget totals \$200,000 in revenues and expenditures. Consulting fees increase \$10,000 over 2010, going from \$5,000 to \$15,000. The other major increase in the budget is engineering costs, which will increase \$50,000, going from \$37,000 to \$87,000.

All other budget categories will remain unchanged from the 2010 budget.

Saturday's vote on the budget was done by a show of hands holding up ballots, so no exact vote totals are available to the Reporter.

Update on legal battle

One ongoing issue touched on Saturday is the district's legal battle against the DNR over the state agency's water level orders for the lake. Mary Beth Peranteau of Wheeler, Van Sickle & Anderson

Law Firm provided an update on the litigation.

"Regrettably, I can't tell you that anything has happened with the water level proceeding before the court of appeals," Peranteau said. "The briefing in that case... was complete in October of 2008 and we haven't heard a thing since then."

Her law firm did recently file what she called a "notice of supplemental authority" regarding the case in an attempt to both expedite a ruling and to draw the court's attention to a DNR ruling issued in March for a lake in Waukesha County to allow lake levels there to be increased. The Waukesha County lake is comparable to Lake Koshkonong, Peranteau said.

It's very strange the appellate court has not ruled on the lake district's case yet, Christianson said. He believes if the lake district prevails, it is highly likely the DNR will take the case to the Wisconsin Supreme Court and vice-versa. Costs to take the case to the Supreme Court will be much less than the costs the lake district has incurred to move the case through the lower courts, he added.

In May 2008, Rock County Circuit Court Judge Daniel T. Dillon ruled to uphold the DNR's denial of the lake district's request to have summer water levels raised by 7.2 inches and have the winter drawdown of the lake eliminated.

The lake district's board of commissioners proceeded to appeal that ruling to the court of appeals.

The district's request has now been denied three times, once in April 2005 by the DNR and again in December 2006, following an appeal, by a hearing examiner with the Wisconsin Department of Administration's Division of Hearings and Appeals.

Lake district officials contend that

the DNR's ruling is flawed and the amended lake levels would prove safety, navigation, fishing wetland restoration of the lake the Rock River.

"Friends" of lake named

Saturday's annual meeting tured the first ever presentation of "Friend of Lake Koshkonong (FOLK) Award," which was cre this year in honor of former lake trict chairman Jim Folk, who died expectedly in April.

A moment of silence for Folk observed at the beginning of meeting "in remembrance of Jim everything that he has accompli for the lake district, for Koshkonong and the Rock River," said Christi

Folk was a key figure in founding of the lake district and s five years as chairman of the gro

"Jim's intelligence and his s smarts made for a powerful co nation that we deeply admiri states a memorial to Folk publi in the lake district's July newsl "He never shot from the hip; h ways knew the science and the hi better than anyone else in the roc

The first recipients of the FO award are state representatives J Jorgensen and Mike Sheridan, aided the lake district's efforts t cure special funding from the sta pursue potential dredging and isl creation projects. Jorgensen atte Saturday's meeting and was sented his award by Christi

Sheridan was not in attendance. The lake district commended genson for his "commitment to moting the ecology, safety, recreation" for all the lake's use

The lake's health impacts r more than its users and the l nesses and residents that lin shores, Jorgensen said, noting lake's standing as a tourist des tion and the infusion of revenu area receives as a result.

"It's not just about this lake about our district. It's about a us," he said. "It's about our econ We're in rough times right now.

As a result, the decision to sup the lake district's request for funds was an easy one, Jorge added.

Lunder, Sandner re-elected

Also at Saturday's meeting, tors voted to re-elect Ray Lund Milton and Ed Sandner of Fort A son to the lake district board for three-year terms. There were no candidates for the positions.

The lake district was founde 1999. Saturday's event was the annual meeting of the group.



Brian Christianson (right), chairman of the Rock-Koshkonong Lake District Board of Commissioners, presents Rep. Andy Jorgensen (D-Fort Atkinson) with a "Friends of Lake Koshkonong (FOLK) Award" Saturday morning in Fort Atkinson. The newly-created award is named in honor of former lake district chairman Jim Folk, who died in April.