

**FRIENDSHIP LAKE DISTRICT**  
**COMMISSIONERS BOARD MEETING**  
**JUNE 5, 2018**  
**ADAMS COUNTY COMMUNITY CENTER**  
**569 N. CEDAR STREET**  
**ADAMS, WI 53910**

1. **Call Meeting to Order:** The meeting was called to order by Bob Berry at 5:35pm. In attendance were commissioners Tina Meinen, Karen Pokorny, Ron Johnson from the Town of Adams, Lee Parlow from the Village of Friendship, and newly appointed Adams County Representative, Rick Pease. There were approximately 20 district members present.
  
2. **Review and Approval of the Minutes from the May 1, 2018 Commissioners Board Meeting:** The Minutes from the meeting of May 1, 2018 were reviewed. A motion was made by Tina Meinen to approve the minutes and seconded by Lee Parlow. The motion carried unanimously.
  
3. **Review and Approval of the Treasurer's Report:** Tina Meinen presented the profit and loss report, dam mortgage report, line of credit report, and the balance sheet for the FLD with up to date financials. The Money Market balance is \$74,336.91, the Now Checking balance is \$1,766.93, the Grand Marsh CD balance is \$16,652.89, and the Fundraising account balance is \$5,597.44, totaling, \$98,354.17. Tina shared the profit/loss and income detail noting a donation in the amount of \$250 from Grand Marsh Bank for the Dam Party. \$5,231.00 is the balance to date from the sale of raffle tickets and monies raised at the Spring Fling event. Interest earned for the month of May from all accounts was \$12.65. Tina noted that in April the district paid a partial payment to Ayres Engineering in the amount of \$9800.00 from the district accounts. That same amount was reimbursed to the district from the line of credit available at Grand Marsh so not to deplete cash flow for our current budget.

The expenses paid for May included a one-time bank fee of \$237.50 to obtain the line of credit at Grand Marsh, State of Wisconsin Business annual fee of \$10.00, legal fees to Axley Brynelson of \$1262.00, annual insurance premium of \$3,015.00, the monthly dam payment of \$811.02, along with some miscellaneous office supplies, IT services, repairs and supplies for the dam. Tina noted an Entertainment cost for the month of May in the amount of \$1480.75 and clarified that was payments made for the Spring Fling event and came out of the Fundraising account. Total expenses for the month of May were \$6,935.60. The current balance on the loan for the payment of the dam is \$107,751.19. Tina shared that two payments have been drawn on the line of credit to Ayres Engineering totaling \$21,700.00. Karen Pokorny made a motion to approve the treasurer's report and was seconded by Ron Johnson. The motion carried unanimously.

4. **Friendship Lake Dam Update:** Bob Berry said at the advice of our attorney, Mike Hahn, along with discussion with Karen and Tina, the district needs to create a Dam Advisory Committee to oversee the IOM (Inspection, Operations, and Maintenance) of the Friendship Lake Dam. Property owners need to be on this committee along with a chair who will report to the board regularly. Karen shared that she is currently in the draft process of creating the EAP (Emergency Action Plan) for the dam. Once that is complete it will be the responsibility of that committee to review both the IOM and EAP annually, as well as follow the plan directives. A copy of the IOM created by Ayres Engineering for the dam was handed out for review. Karen said that IOM was approved by the DNR and includes required language that we have operators available for any emergency within 10 minutes of the dam, as well as 24-hour on call coverage and knowledge of the operations of the dam. Bob said that he would like to see the current operators he has in place on his team serve on this committee. A sign-up sheet was handed out for those interested. Bob would like Karen to follow with a general email to all property owners asking for volunteers.

Peter Haug at Ayres Engineering has projected that we should know the results of our dam grant application by July 1, 2018. Bob shared that he has had no luck finding local contractors willing to bid on repairs of the dam not included in the grant, such as electrical upgrade, roofing, fencing, and tuck pointing. Bob is recommending that once we have the results of the grant we should just use that same general contractor to perform all repairs.

Bob asked the members for their opinion with the current lake level. He and his team have been watching the lake closely. He does know that there is some small debris in front of the Tainter gate and is planning on addressing that in the next day or so. Bob is obtaining bids for the mowing of the dam property as well as the other two harvester properties for the season.

Karen said she had a recent conversation with our attorney Mike Hahn about insuring the dam. Mike said he contacted several underwriters regarding our difficulty obtaining liability coverage for the dam. Mike was told that everything is insurable, however it was their belief that the reason we have not been able to obtain coverage is that we do not yet have all the documents in place, such as the Official Permit to Operate the Dam, the IOM accepted into our district documents, the EPA completed and accepted into our documents, and the Harvesting Permit from the DNR. It was recommended by Mike that as soon as we have everything finished, including the grant, get that information to our current carrier to have underwriting again review our coverage. Bob explained that the DNR permit is still under review in Madison and it was explained that they are short staffed and one person is now in charge of all permits. A question was asked about the proposed weed ramp. Bob will look at obtaining a new permit and we will begin the bid process. Bob has a call into Mr. Zastrow who owns the property at the very east end of the main lake to see if we can use his lake access to haul the weeds away. Bob said he has spoken to Mr. Dostal and he is willing to let us dump the weeds at his mining land.

Karen had a question for Lee Parlow, Village of Friendship Representative and the status of the DNR request for an updated flood plain. Lee reported that they had a board meeting the night before and the Village Attorney, Mr. Flanagan has completed the requirements demanded by the DNR. This updated change requires a public posting and a public hearing in the next 30 days. Karen did share that the lake district will need to send a request in writing once that has been completed to have the DNR change the temporary high hazard rating of the dam to significant.

Chuck Spargo questioned if Adams County is also part of that directive. Lee stated to the best of his knowledge that the Village of Friendship was the municipality notified because the DNR and the State of Wisconsin have always argued that the Village of Friendship held the permit to operate. Karen did say that in her conversation with Jane Gervais at Adams County Emergency it was shared that Adams County is aware of this request.

5. **Friendship Lake Dam Party Update:** Tina reported a total of 441 raffle tickets sold and money collected of the 726 tickets signed out to lake district members. \$7,687.00 has been collected allowing the payment in full for the ATV and Kayaks.

Tina asked that members keep selling and can get money and ticket stubs to Karen Pokorny, or mail to the P. O. Box. On Saturday of the Memorial Day weekend, we had the ATV on display at the County Market, a total of \$640 was collected in ticket sales. Thank you to all who volunteered a few hours that day. The ATV is also on display at Property Works in town.

Tina is excited about the July 3<sup>rd</sup> Brat Fry fundraising event, as well as having the ATV in the 4<sup>th</sup> of July Parade. A question was asked of the exact value and payment costs for the ATV. Tina shared that we paid \$6,000.00 and that the dealer will include a \$500 gift certificate to Jay's Power, the value is \$7,000. The Kayaks and accessories are costing approximately \$1000.00. Tina continues to plan, needs volunteers for food, shuttle drivers, and will have mailings with sign-up mailed shortly. Rick Pease suggested that Tina contact the AF School district as the service groups are always looking for volunteer opportunities. Tina said that we did obtain event insurance for that day, as well as additional coverage on the ATV. Karen added that we are in the process of printing t-shirts. There will be three different options and as soon as those are available there will be an email and postings on the website. We have a range in sizes from youth small to 4X in all different colors and long and short sleeves. The cost will be \$10 for youth, \$12 for adult, and \$14 for the 2X – 4X. We obtained 1098 t-shirts at \$.065 and if we sell all the district has the potential to make about an \$11,000.00 profit.

6. **Report from the Friends of Friendship Lake:** Linda Graf reported that the Spring Fling at Cedar Shack was very successful thanks to Linda Moonan, the chair of this event and everyone who attended. Linda said the next big fundraiser is the Brat Fry scheduled on July 3, 2018 at County Market. The plan is to have our ATV on site selling raffle tickets, bake sale, t-shirt sale, and the selling of brats and hamburgers. She has had a great response from district members that have signed up to volunteer on average, two-hour shift's.  
Please contact Linda if you have any questions and if you are available to give a few hours that day. Linda said that we will need help for set up at around 8:00am and plan on working the entire day.
  
7. **Any Unfinished Business:** Bob said that the plan is to have a decorated trailer with the ATV and kayaks in the 4<sup>th</sup> of July parade. We need volunteers to decorate the trailer and walk in the parade. Steve Van Etten will be pulling the trailer in the parade. Linda Graf said that the Friends of Friendship can provide the candy. The Swedish Fish used last year received a great response, so Karen will get that candy ordered. We did run out half way through the parade, it was suggested that we order an additional amount.

Bob said that he has been in contact with Nadine Ashworth confirming that the fireworks will be on Wednesday July 4<sup>th</sup>. He shared that she is so excited to have our lake back and to have the entire community enjoy the annual display. Bob is excited to reactivate the annual boat parade. Please feel free to decorate your boats and meet up at his pier around 8:00pm. We will parade around the lake and then head to the water near the dam to watch the fireworks. Bob confirmed the annual donation of \$1000 towards the fireworks with Tina. Bob is also asking to have volunteers not in the boat parade, walk the beach and area that night selling raffle tickets.

8. **Any New Business:** Karen Pokorny and Linda Moonan met with Scott Provost at the DNR. Our weed harvesting five-year permit expired last year. Linda Moonan shared that the purpose was to obtain approval of the lake management plan developed by committee a few years ago. Scott basically approved the plan with only a few updates, including the change in ownership of the dam. The application was mailed to the DNR in Madison today along with the \$300 application fee. Linda said that Scott was very satisfied with our plan that includes the goals and actions for the lake harvesting, including the GPS mapping plan.

Scott understands that some of these goals will be extended because of the low lake levels for the past three years. Steve La Valle was the previous chair of this committee and can no longer serve. Linda said since this plan has been approved and will be permitted for five years, she would chair this group and would need two or three committee members. She would like this committee to meet two to three times per year. Scott advised that we postpone the aquatic plant lake survey for three or four years. He did think there will be some DNR grant money available to help us with those costs at that time. His main reason for postponing that survey is that the DNR and Adams County Land and Water are understaffed and unavailable to assist in that process. Linda asked to please contact her to let her know if you are available to serve on this group.

Members asked questions and were answered by Linda Moonan, Bob Berry, and others regarding harvesting plan specifics, hiring harvesters, maintaining property shoreline, and start up maintenance of the harvesters and tractor. Bob Berry and the entire board extended a huge thank you to Linda Moonan for coming forward as chair of the lake management committee.

Bob shared that a few weeks ago his friend and co-worker, also a carp hunter, took him on our lake after dark. Bob was amazed to see the large amount of fish, turtles, and aquatic life. He saw bass, northern pike, thousands of blue gill, perch and crappies. Bob was happy to see that we did not have a lot of carp, and the ones he did see were removed that night.

Bob shared that even though the past few years have been a frustrating time with low lake levels, that event has now increased the size of the aquatic life in our lake to amazing levels.

**Resolution 652018 Friendship Lake District Board Adopt Friendship Lake Dam IOM (Inspection, Operations, and Maintenance Plan):** Bob began with an explanation of the IOM and a copy was shared with the board and members present. Questions were asked and discussed by the board regarding the motion and voting of the resolution. Karen had a copy of the Friendship Lake District By-laws and information was shared and clarified for the board. Resolution 652018 reads as follows:

### **RESOLUTION 652018**

#### **RE: Adoption of Dam Inspection, Operation, and Maintenance Plan**

**WHEREAS,** Friendship Lake is located in Adams County, Wisconsin, and is created by the Friendship Lake Dam (the "Dam") situated on the Little Roche-a-Cri Creek; and

**WHEREAS,** the Friendship Lake District (the "District") acquired the Dam via condemnation on January 31, 2018; and

**WHEREAS,** the adequate maintenance and control of the Dam is necessary to maintain appropriate lake levels, and for the protection of lake habitats for the use and enjoyment of the members of the District and the general public.

#### **NOW, THEREFORE, BE IT RESOLVED:**

1. That, in order to safely and correctly operate the Dam, the District Board of Commissioners (the "Board") shall implement and comply with the Inspection, Operation, and Maintenance Plan (the "Plan") dated April 2018 and prepared by Ayres Associates.

2. That a copy of the Plan is attached hereto and incorporated herein by reference.

3. That the Board is authorized to appoint individuals to assist in the implementation of the Plan as necessary from time to time.

Tina Meinen made a motion on this resolution to adopt the Friendship Lake Dam Inspection, Operations, and Maintenance Plan and was seconded by Ron Johnson. The motion carried unanimously.

**Resolution 662018 FLD Board Approve By-Law Changes to include IOM Plan.** Bob Berry presented this resolution along with an explanation that a 30-day notice will be sent to all property owners to be voted at the annual meeting, September 1, 2018: Resolution 662018 Reads as Follows:

**RESOLUTION 662018**

**RE: Amendment of Bylaws**

**WHEREAS**, Friendship Lake is located in Adams County, Wisconsin, and is created by the Friendship Lake Dam (the "Dam") situated on the Little Roche-a-Cri Creek; and

**WHEREAS**, the adequate maintenance and control of the Dam is necessary to maintain appropriate lake levels, and for the protection of lake habitats for the use and enjoyment of the members of the Friendship Lake District (the "District") and the general public; and

**WHEREAS**, the District has adopted the Inspection, Operation, and Maintenance Plan (the "Plan") dated April 2018 by Resolution dated June 5, 2018.

**NOW, THEREFORE, BE IT RESOLVED:**

- a. Section 8(7) of the District's Bylaws is created to read:

7. Inspecting, operating, and maintaining the Friendship Dam pursuant to the Inspection, Operation, and Maintenance Plan dated April 2018, and adopted by a Resolution of the Board dated June 5, 2018. The Board shall update the Inspection, Operation, and Maintenance Plan as needed from time to time, and shall appoint individuals to assist in the inspection, operation, and maintenance of the Friendship Dam as needed.

A motion was made by Ron Johnson to this resolution and seconded by Lee Parlow. Karen gave explanation to a question confirming that this resolution will be presented with 30-day written notice to the membership and will be on the agenda at the September 1, 2018 annual meeting for vote. The motion carried unanimously.

**Resolution 672018 FLD Board Approve By-Law Change in language to allow By-Laws to be changed by vote at not only an annual meeting, but also by majority vote at a special meeting called by the FLD Board:** Bob Berry presented this resolution and stated that a 30-day notice will be sent to all property owners to be voted at the annual meeting, September 1, 2018. Resolution 67218 reads as follows:

### **RESOLUTION 672018**

#### **RE: Amendment of By-laws**

**WHEREAS**, in order to further the purpose of the Friendship Lake District (the “District”), the District has adopted By-laws to define and regulate the activities of the District; and

**WHEREAS**, pursuant to Article VIII, Section 4 of the By-laws, the District Board of Commissioners may propose amendments to the By-laws for consideration at the Annual Meeting.

#### **NOW, THEREFORE, BE IT RESOLVED:**

- a. Article VIII, Section 4 of the District’s By-laws is amended to read (repealed language is shown with a strikethrough; other changes to the Code are underlined):

AMENDING BY-LAWS: By-law changes may be proposed by a majority of the commissioners, ~~or a majority vote of the previous an annual meeting, or a majority vote of a special meeting.~~ These By-laws may be amended at any annual or special meeting of the District ~~providing~~ provided the proposed change was included in the notice ~~as set forth in Section 2 of Article III of~~ required for the meeting by the By-laws. ~~A Notwithstanding any other provision, a~~ notice that includes proposed changes to the By-laws shall be sent out at least 30 days prior to the annual or special meeting.

Amendments proposed by an elector(s) shall be submitted to the board of commissioners for review and inclusion in notice at least 60 days prior to the annual meeting. Amendments shall require a two-thirds vote of the electors present and voting at the annual or special meeting. The By-laws shall become effective immediately upon passage.

Karen explained that the purpose of this language change is to allow the board to not only amend the by-laws at an annual meeting, but will also allow the board to call a special meeting of the membership with a 30-day written notice to make amendments to the by-laws as well. Larry Swaziek and Linda Moonan had a question about this resolution as they thought that about four or five years ago, when they were on the board, they had made a change in the by-law language noting same change. Karen read the current by-law language from 2014 and explained that our attorney Mike Hahn reviewed this section and it was at his recommendation that the language be changed as presented in Resolution 672018 noted above and presented today before the board. A motion was made by Tina Meinen to accept this resolution and seconded by Lee Parlow, the motion passed unanimously.

9. **Set the next Meeting Date:** Due to the 4<sup>th</sup> of July Holiday and Community Center availability, our next meeting date was scheduled for Tuesday July 10, 2018 at 5:30pm at the Community Center. After discussions today, that day will not work for Bob Berry or Tina Meinen as they will both be unavailable. Karen will contact the Community Center and check availability later that same week either July 11<sup>th</sup> or July 12<sup>th</sup>. Notice will be sent to all board members once confirmed.
  
10. **Adjournment:** A motion was made to adjourn by Karen Pokorny and seconded by Tina Meinen, the motion passed unanimously.

**Respectfully Submitted**

**Karen Pokorny**

**Commissioner Secretary**

**Friendship Lake District**

**June 28,2018**

