

**LILLY LAKE PROTECTION & REHABILITATION DISTRICT  
ANNUAL MEETING  
August 16, 2008**

The Annual Meeting of the Lilly Lake Protection & Rehabilitation District was held on August 16, 2008, 10:00 a.m. at the Wheatland Town Hall in New Munster.

The meeting was called to order by Chairman Butler and opened with the *Pledge of Allegiance*.

Meeting notices were posted and area newspapers notified. Notices which included the agenda, treasurer's report and the proposed budget as well as last year's annual meeting minutes were sent to all property owners in the district by First Class Mail.

Present for the meeting were: Commissioners Jeffrey Butler, Andrew Lois, and Robert Herda. Also present: Assistant Commissioners Don Puchalski and Ron Vollmer, Town Clerk Sheila Siegler, Ardie Monzel, Ray Giesler, Jerry Dressler, Tom Young, David Reed, Kelly Reed, Linda Gissell, Jennifer Reed, Mike Adam, Kelly Adam, Kathie Cashman, Bill Schuetz, Tom Kaczmarek, Pat Kaczmarek, Tom Kaczmarek, Jr., Christy Kaczmarek, John Lawler, Delia Lawler, Tom Gerner, Bob Kissner, Rita Kissner, Marilyn Magnuski, John Textor, Bill Constien, Jan Constien, James Zaloudek, Marc Skurski, Bunny Mullins, Jim Thielen, Helen Thielen, Jason Young, Sandy Byrne, and Bob Griffin.

Chairman Butler noted there were a number of pamphlets on the back table concerning Zebra Mussels, aquatic hitchhikers, and minnows as bait. Please take a copy.

Jennifer Reed, 33239 76<sup>th</sup> St. moved to accept the Minutes of the August 18, 2008 Annual Meeting as printed. Tom Young, 32926 77<sup>th</sup> St. seconded the motion. Motion carried.

**Financial Report -**

Jerry Dressler, 7815 334<sup>th</sup> Ave., questioned the \$1,443 for insurance. What is that for? It sounds expensive. Chairman Butler said it was for district liability.

Jennifer Reed moved and Marc Skurski, 7711 334<sup>th</sup> Ave. seconded a motion to accept the report as printed with income of \$4,285.13 and disbursements of \$2,644.95.

**Old Business –**

Chairman Butler reported that he, Tom Gerner, 33141 76<sup>th</sup> St. and Ron Vollmer, 7512 336<sup>th</sup> Ave. met with the DNR at the Sturtevant office. DNR staff said that Lilly Lake is one of the cleanest lakes. They also said there is not much chance the money will be available again for dredging. Chairman said the Town did apply for a grant for an aquatic plant management plan study of Lilly Lake.

Chairman Butler stated the weed control company used a granular application this year as DNR suggested. Tom Gerner said it wasn't done at the right time and it didn't work. The weeds are worse than other years.

Don Puchalski asked if we need the lake district to keep the weed control program. If we did get rid of this lake district and still wanted to treat the lake, who would pay for the weed control? Chairman said it would probably have to be the town.

Don asked if the DNR would help. Chairman said not much chance. But if you're talking about disbanding, it's not on the agenda. He's heard the rumors also.

Jim Zaloudek, 33135 76<sup>th</sup> St. said we spend \$2,500 to keep the district alive. If something unforeseen comes four years from now, we have an organization to address it. It seems to him to be good insurance, as a taxpayer, to spend the \$2,500 a year. It doesn't make sense to disband and not have the organization.

Mike Adam, 7126 327<sup>th</sup> Ave., asked the timeline for the plant management study. Chairman explained the plant collection is being done this summer. A report will be written and a public hearing held. DNR paid for part of the study with a grant for approximately \$4700 and the town picked up the rest, approximately \$1600.

Jim Thielen, 33325 76<sup>th</sup> St. asked why you are bringing up the disbanding of the lake district. Chairman said he is not promoting it, just repeating rumors he heard.

Tom Gerner said the DNR cautioned about cutting milfoil because any pieces left in the water will grow into new plants. It has to be controlled somehow. He favored a weed harvester. Chairman said the cost would be enormous. Gerner said we should charge boats to use the lake and pay for the harvester.

**Lake District activities –**

Chairman said only thing going on is the lake study. The town did purchase a new fishing pier. It is a flotation pier. Hopefully it should be less costly to remove it each year.

**Presentation of 2009 Budget –**

Chairman said last year's budget required a levy of 3.78¢ per thousand of assessed value. There is still \$4,500 in the budget in case it is needed for goose control.

Jerry Dressler, 7815 334<sup>th</sup> Ave., questioned the \$8,800 left in the bank. He said there is no reason to tax anyone at this time and he does not accept the proposed budget. Clerk said the \$8,800 included the \$4,500 set aside for the goose control, if needed.

Ray Giesler, 7833 334<sup>th</sup> Ave. said we should levy \$1 for the budget and use the money in the savings.

Jerry Dressler moved a motion to not adopt the proposed budget. Ray Giesler seconded the motion. The voice vote was inconclusive. Chairman asked for a show of hands. The count for those in favor of the motion to not adopt the proposed budget was 13. The count for those against the motion to not approve the budget was 15. Chairman declared the motion failed.

Jim Zaloudek moved to adopt the budget as presented. Jennifer Reed seconded. Motion carried with one against.

Jim Zaloudek moved to approve the levy. Jennifer Reed seconded. Motion carried. The hand vote was 17 in favor of the motion and 12 against the motion. Chairman said the motion carries. The levy is approved.

**Other meeting discussions -**

Tom Kaczmarek, Jr., 33105 76<sup>th</sup> St, said he is concerned about how things are approved at the lake. In Twin Lakes the lake has been closed the majority of the summer because of the Twin Lakes board.

There has been talk about closing Lilly Lake. The wrong data is being used. DNR told him the lake was closed incorrectly because the town clerk used the wrong data. Years ago Lily Lake Summerhaven Association did many things, picked up garbage, spearheaded the dredging, etc. Now it is parades, bake sales, rummage sales.

The town board held a meeting in the spring to close the lake because of high water. A group of lake front homeowners heard about it at the last minute, showed up, and the town board decided not to close the lake. In the past five years there has been a group that is influencing the board and it doesn't fairly represent the majority of the lakefront property owners.

There are 91 homes on the lake. The only asset to your investment is the lake. It has a major effect on the lake when you close it. Kaczmarek wants a commitment from the board that no decisions will be made at the lake without proper representation and notification to the lakefront property owners. Piers are an issue but no different than issues with roads. He takes a weekly inventory of the lake and everything floats to his side.

Shoreline problems should go to DNR. Wheatland township has no jurisdiction over shoreline control. It's not fair to close the lake to the rest of the people.

Chairman said we had a 50-50 mix of e-mails about the slo-no-wake. Board doesn't want to close the lake either. We did have a concern about piers and that was taken care of by the some of the property owners present at the meeting.

Kaczmarek objected to the Lily Lake Summerhaven Association notifying the district and the lakefront property owners. People on the lake and off the lake have differing interests.

Chairman said we tried to notify people quickly and as best as we could.

Jim Zaloudek said the Lily Lake Summerhaven Association has nothing to do with his rights to the lake. When the boat launch ramp was closed a few years ago, he, as a lakefront property owner should have been allowed to put the boat he brought out in the water. He can understand restricting access but lakefront property owners should at least put in their boats. He also objected to meetings called quickly in the middle of the week.

Jerry Dressler said some found out about the meeting by e-mail and some people were excluded by Lily Lake Summerhaven Association. Jennifer Reed said she is updating the e-mail

listing for the Lily Lake Summerhaven Association. No one will be excluded but she needs everyone's e-mail addresses.

Kaczmarek said you still two groups, those on the lake and those off the lake. Reed acknowledged that was true. But she has forwarded all comments, both for and against to the town office.

Kaczmarek said the lakefront property owners should be the ones who decide. Zaloudek said the issue is that lakefront property owners should be notified. The Lily Lake Summerhaven Association should not be the vehicle used to notify lakefront property owners about lake issues. They should be notified directly by the town.

Dressler motioned that the lake district compile e-mail lists of property owners so they can be notified. We won't have mailings and no one will be left out.

Bob Griffin asked why we don't eliminate these people entirely. Lakefront property owners association can form their own organization. They can have a vote. We can control and dictate to the town what will be done. We can tax the town for their property ownership and for what can be done with spraying. We on the lakefront have no rights. The town board has no right to even sit on the board.

Griffin - The town board can turn it over any time you want. And you haven't done it in 30 years. Dressler asked how it is the town board sits on the lake district board.

Clerk explained the lake protection district was set up under state statutes at the time and the statute calls for the elected town board members to be the officers of the lake district. A later statute provides for a lake protection district that includes district property owners. Griffin said the board can resign and let the lake owners run the district. There were questions on whether this district would have to be disbanded and a new one set up.

Don Puchalski asked if the lakefront property owners would have a separate district. Griffin said that it would be separate and they could create their own taxes.

Jim Zaloudek said it isn't that easy. If they are interested in doing that, they should go ahead. Maybe he'd be interested.

Out-of-state property owners can't vote for the board. The town board has a responsibility to consider the interests of the lakefront property owners who pay these huge taxes. The board must make the lakefront owners aware of any lake district issues that affect their interests. Further, meetings should not be called in the middle of the week when out-of-state residents are not available to attend and express their interests.

It was suggested that an e-mail list be maintained to notify lakefront property owners if any lake closing is contemplated.

Bunny Mullins, 33122 80<sup>th</sup> St. said you are only talking about lakefront property owners. I live on the lake but what about the rest of the people who also pay taxes? It's not fair to the rest of them. What kind of organization would that be?

Kaczmarek said Bob Griffin has a good idea. He has been talking to lakefront owners and he is forming an organization for lakefront property owners. He is interviewing attorneys to set up an organization of only lakefront property owners. It is time for us to make decisions for ourselves. We can be a liaison to the lake protection district. The Lily Lake Summerhaven Association doesn't provide the same representation it used to.

Chairman Butler said they should find out what they can or can't do.

Jim Zaloudek moved a motion that anything that is of great interest to the lakefront property owners and being considered by the town board that something be put in place so they can be notified in a timely manner and the meetings be held at a time they can attend. Tom Kaczmarek seconded. Motion carried.

Sandy Byrne, 7722 328<sup>th</sup> Ave. asked if this association of lakefront property owners is formed, can they limit the number of boats, wave runners, etc. Chairman said this is a public lake. DNR will not allow you to restrict the boats.

Tom Gerner – limit the boats by eliminating parking. If there is no space to park you can't launch and make them pay for a daily pass.

Jerry Dressler – those of us in the Lilly Lake Protection and Rehabilitation District are paying for weed and goose control. We are paying for a public beach that everyone in Wheatland can use and anyone else. Chairman explained the lake district pays for the public beach weed control. The town pays for all other public beach maintenance and improvements.

Dressler – the spraying doesn't work and they don't spray in front of his property. Why doesn't the town have to pay for the weed control?

Tom Kaczmarek – you can't limit the boats. You can limit the parking. It would help control people who live out of the area coming to Lilly Lake when other lakes are closed.

Chairman Butler - Recreation Plus does provide the Yamaha wave runner thru the Yamaha law/loan program. Water Patrol Officer Paul Falduto was out on Saturday and wrote four tickets.

Bill Constein, 7828 328<sup>th</sup> Ave., said limiting parking would help. Constein suggested a prepaid box to park and install "no parking" on the road around the lake or especially on Lilly Lake Rd. Chairman said he would look into it.

Jim Thielen, 33325 76<sup>th</sup> St. wants things put on the agenda so they can be acted on. Chairman said people have to let us know.

Jerry Dressler – have April special meeting to discuss issues for the summer. Set up an e-mail listing to notify people.

Bunny Mullins – Summerhaven Association should have a meeting and bring the gist of that to the lake district meeting. Lake owners can bring up their issues.

Sandy Byrne said we've wasted a year if we don't meet until August. We need a special meeting.

Griffin asked if someone wanted to have a meeting, would the town hall be available for them to meet. He was told it can be used, just need to call and have it placed on the calendar.

Jerry Dressler moved to set a Special Spring Meeting of the Lilly Lake Protection & Rehabilitation District for the second Saturday in May. Bob Kissner, 33011 76<sup>th</sup> St. seconded. Motion carried with the majority in favor and one nay.

Kaczmarek – Summerhaven represents both off and on lake. Not in the interest of property owners on the lake. They don't have the same concerns and responsibilities as the lake front owners.

Kelly Reed, 33005 76<sup>th</sup> St., to get it on the agenda for the special meeting, we should get it to you in April? Chairman said yes.

Bob Griffin asked for names and address of lakefront property owners. Clerk said it can be furnished. Chairman said it is public information.

Dressler suggested people put their e-mail address on the sign-in sheet before they leave.

Rita Kissner, 33011 76<sup>th</sup> St. - could you include a sentence with mailings and request e-mail addresses. Griffin said to also ask if you can give out the e-mail address. Chairman said we'd likely mail these out so no one is missed.

Jason Young, 7421 335<sup>th</sup> Ave. asked about the "Neighborhood Watch" organization. Chairman said that is done thru the Kenosha County Sheriff's Dept. Young said he has had vandalism at his property.

Jerry Dressler asked how the people like Don Puchalski and Ron Vollmer are replaced if they resign. Chairman said they are appointed by the board. Don Puchalski said they were appointed as advisors to the board at the time the lake was dredged to assist the board. He said he's in Florida most of the time and probably should resign. Tom Kaczmarek said he would be interested in filling Puchalski's spot.

Jim Zaloudek moved to adjourn. Bunny Mullins seconded the motion at 11:20 a.m. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk for  
Andrew J. Lois, Sec'y/Treasurer