

## Minutes

### Special Meeting of Van Vliet Lake Association Board of Directors August 3, 2012

A special meeting of the Board of Directors of the Van Vliet Lake Association was requested by Board Member Paul Specht to address his concerns regarding a survey of lake property owners on Van Vliet Lake regarding their interest in having the Van Vliet Lake Association develop an aquatic plant harvesting plan. The survey also included a question about possible financial commitments to such a plan. (That survey is attached).

The Special Meeting was called to order at 9:05 AM on August 3, 2012 at the Library in Presque Isle, Wisconsin by Chair, Ronie Jacobsen. Those present included Board Members Ed Brodsky, Jeff Burke, Mike Czarny, Ronie Jacobsen, Tom Olson and Paul Specht. Board members absent were Barbara Olson and Jill Wilm. Also present was association member Jim Sprester. It was determined that a quorum was present. Tom Olson was appointed recording secretary.

The Chair read a statement to the meeting as follows:

#### Meeting rules

1. No one is to speak unless recognized by the chair.
2. Speakers must stay on topic.
3. No one may interrupt the person speaking unless the chair intervenes because the speaker is off topic.
4. No use of inappropriate language or personal attacks will be tolerated.

Background – this meeting was set up to address Paul's concerns that the weeds committee violated the bylaws by sending out a survey without preapproval by the board.

1. A committee was approved at the 2012 annual meeting to explore weed issues following a presentation by Mike Czarny on the APMP and initiated by the membership. Jim Sprester volunteered to serve as a co-chairman of the committee with Mike Czarny. Jeff Burke and Ed Brodsky volunteered to serve on the committee.
2. There were no comments at the meeting in opposition to exploring options for weed control.
3. The committee met on July 12, kept minutes, and copied them to the President.
4. The committee met on July 20, kept minutes, and copied them to the President.
5. The group also communicated by email to all committee members and copied the President during the process of developing the request for information.
6. The group developed a request for information form that clearly indicates results will be presented to the VVLA board to determine next steps.

#### Bylaws review

1. Article V, Section 6 – Committee meetings
2. Article VIII – Committees

- a. Offer proposals to the Board
  - b. Section 4 would seem to define this committee
  - c. No wording states that a committee cannot survey the community
  - d. Other committees are also contacting the membership without prior approval of text of message –ie loon platform committee, APMP work
3. (Article V, Section 2 – a mailing to the Association may be called at any time by the President)

#### Content of survey

1. The President reviewed the survey before it was sent out and it is not inconsistent with notes presented at annual meeting.
2. The committee attempted to present only factual data and did not include items that were opinions.
3. Notes from DNR visit have been distributed to the membership since November via the website so opinions expressed therein have been presented to the community for the past eight months .
4. President called a person who responded no to the survey and asked about the interview. Positive feedback on the interview process and the unbiased approach to the questions.

#### Outcomes

1. No support or support but no money ends the process.
2. Positive response can result in board decision on how to proceed.

#### Wrap up

1. Thank the committee for the hours of effort they have invested in this work.

At this point, the meeting was opened for discussion.

Paul Specht read the following:

Based on the recorded minutes of the VVLA Annual Meeting held in July 2012 and provisions of the Organization's By-Laws, the Weed Committee established at that the annual meeting over stepped its level of authority by moving forward with a survey delivered to select property owners without Board approval and therefore I move that the results of said survey be discarded and that the survey be re-conducted after full review and approval by VVLA Board of the process and related survey materials to be used in said survey as well as the broader vegetation management plan proposal of which the survey is part of.

- It is clear in the minutes of the annual meeting that the group was established to look into the "theory" that there may be benefits associated with the removal of floaters
- No other direction or authority was afforded this committee during the meeting
- For the roughly 8-10 years I have been associated with the VVLA Board no survey or other information or mailings prepared by committees, directors or the Board have

been delivered to VVLA members and/or other lake property owners without Board approval suggesting a precedent for acceptable actions by committees

- The direction and limits set for the group at the meeting lead to my decision not to become a part of the committee at that time
- The By-Laws under Article VIII describes various committees and their duties—in each case the Committee is limited offering proposals to the Board for consideration unless otherwise delegated. The Aquatic Plant and Algae Control Committee description states that “The Committee shall offer proposals to the Board for a vegetation management plan and may be delegated responsibility to implement a plan.” This committee received no such delegation. Creating and conducting said survey was an early step in a broader vegetation management plan that was not presented to and approved by the Board. Without appropriate delegation the Committee was not authorized to proceed with said survey.
- Given the known sentiment on weed control issues of one Director(me) by key members of the Weed Committee the Committee should have felt compelled to return to the full Board for approval of the survey.

Paul Specht then made the following statement:

- based on the fact that the typical riparian owner on Van Vliet Lake as well as other stakeholders could be quite removed from a clear or even a reasonable understanding of the risks associated with weed cutting, AIS, our APMP, and the related efforts of VVLA,
- based on the fact that the information presented in the survey packet was incomplete and sometimes misleading and consequently could result in the respondent not having the information needed to make an informed response to the survey, and
- based on the fact that the survey packet was delivered by the Weed Committee to only select property owners on the lake ,

Motion by Paul Specht and seconded by Tom Olson

that the results of said survey be discarded and that the survey be re-conducted after full review and approval by VVLA Board of the process and related survey materials to be used in said re-conducted survey as well as the broader vegetation management plan proposal of which the survey is part of.

Paul Specht made the following points in support of the motion:

The survey “Details” sheet

- Did not include an adequate discussion of the risks of weed removal
- Did not fairly represent the DNR’s position on weed removal

- Did not adequately address the risks associated with weed cutting and the potential for invasives to root in areas cut or harvested—see APMP
- Did not provide information on the value of native weeds to the health of the lake, its fish and other wild life and as a nature preventative of invasive species
- Did not discuss the potential dollar costs of a AIS invasion in terms of manage costs or potential property value reductions
- Did not adequately address the potential harm that could be caused by nutrients being added to the water column as a result of weed cutting—reduced water clarity and potential increase in algae blooms to name two.
- Implied the survey was directed by the Board when in fact it was not
- Did not mention that our recently completed APMP recommends protecting our native aquatic plants and avoiding their removal
- Did not discuss that weed levels in our lake can be cyclical in nature and can be affected by the timing of ice on in the fall and ice out in the spring, water levels/drought issues, water temperature, hours of sunlight versus clouds, etc. suggesting maybe a “wait and see” monitoring of weeds for several years before deciding on any measures to be taken

The fact that the survey sheet was delivered to a select group of lake residents would most likely eliminate some healthy discussion between survey recipients before returning the survey.

The issues raised by Paul and raised in support of the motion were then discussed.

Mike Czarny indicated that the minutes of the annual meeting do not include the entire context of the discussion that led up to the formation of the subgroup working on the issues. His presentation included a more generalized discussion of the issues of aquatic plant management - not just "floaters".

Jeff Burke indicated that skimming of "floaters" doesn't work and that the subgroup considered it appropriate to consider the entire issue of management of aquatic plants in the context of the discussion at the annual meeting. He further indicated that all riparian owners on Van Vliet Lake have received the survey to the extent that they can be reached in one way or another.

Jim Sprester indicated that the survey does not preclude skimming as a management technique if that would be effective.

It was discussed that the subgroup may or may not be a duly appointed committee of the Association but that it had not acted in violation of the bylaws if it were such a committee. If it is merely a "subgroup" of volunteers, it is within its rights to survey lake property owners.

Paul Specht moved the previous question. The motion on the floor failed - 1 in favor (Paul); 4 opposed (Tom, Mike, Jeff and Ed).

Tom then moved the original motion made by Paul again. Paul seconded it.

This was done to allow for further discussion.

Paul indicated that he wasn't opposed to a survey but only the manner in which it was done and without referral to the Board before sending it out.

Mike, Jeff, Ed and Jim all commented on their efforts in developing the survey and in getting the survey distributed to property owners. They each indicated that they have delivered the survey materials but not engaged in extensive discussions of the survey - other than to explain the process intended to obtain information to report to the Board for further discussion of next steps.

The motion was voted upon and failed - 1 in favor (Paul) and 4 opposed (Tom, Mike, Jeff and Ed).

Paul then indicated that he intends to conduct a survey of lake property owners and handed out materials that he indicated supported his concerns about both the survey and the potential of an aquatic plant harvesting activity.

There was general discussion that the overall consideration by the Board will include an opportunity to look both at benefits and risks in the process of determining whether to seek approval by the Board, by the membership and by the DNR of any plan.

The Chair announced that the next meeting of the Board will be at the Presque Isle Library at 8:30 AM on August 21, 2012. Among other things, its agenda will include a discussion of the results of the survey currently being conducted by the subgroup.

The meeting adjourned at 10:05 AM.

Respectfully submitted,

Tom Olson, Recording Secretary

