

Cochran Lake Management District

Quarterly Meeting Minutes

November 20, 2024

Conference call

Attendees: Rick Dittberner, Warren Johnson, Maggie/Alan Jungwirth, Rick Schwai, Don Schmitz, Jon Radloff, Rich Halfpap, Scott Craven, Jeff Bauer

The meeting was called to order at 7:01 pm.

Old business - Rick D. made a motion to approve the minutes from the 8/24 quarterly meeting, Rick S. seconded. Minutes approved.

Board Reports -

Warren J. - Financial report as of 10/31.

Business account - \$5,393.73

Checking \$4,415.07

Checks -

CLMD liability insurance, \$1,758.00

Rick D. - Rick D. followed up on the insurance renewal. He received the invoice, followed up and the bill was paid by Warren J. The billing address was updated.

Maggie J. - Board members term starts were reported. Warren J. was elected to a second term in 2021. Rick D. was elected in 2020. Maggie J. was elected/appointed to fill in the term of Kathryn Frost in 2024 for one year. All three board positions will be available at the next annual meeting.

Agenda Item #1 - Submerged pier - Rick D.

Rick D. reported that the owners said they would remove it labor day weekend. Rick S. talked to DNR regarding the pier, the DNR looked at the pier and said it was "not a danger to navigation," so they would take no action. Rick D. contacted them again, no response. The consensus after discussion is that we will contact them again, and let them know if they are unable to remove it this spring, volunteers can remove it for them, and put it on the shore. Several people volunteered for the task. Rich H. added that a letter of intention should be sent for documentation.

Trailers on lake property were discussed. If they didn't have conditional use permits, they would be in violation. Rick S. contacted Evan Lund and was told that the two trailers did have current conditional use permits. They are not in violation.

Agenda Item #2 - Fifield property tax increase (non-lake district business)

Warren J. reported that the town has been remiss in maintaining funding, and needs to purchase road maintenance equipment. The town proposed a 26% increase to raise about \$350K in property tax revenues. For every \$100,000 of property value, taxes would increase \$120. The \$350K tax increase was voted down. A second vote to raise \$5,000, essentially keeping taxes as is, passed.

According to state statues, only full time residents were allowed to vote, which was upsetting to many residents. Rick S. followed up with town clerk Judy Reas, who shared the state statue excerpt, included with the minutes. Mismanagement of the town budget was discussed. Rick S. suggested going to the town with budget questions before they come back next year with an increase request. Warren met with the Price County Sheriff who recommended a five person board, instead of three. Two reps from east and west sections, and one neutral member. Rick S. said they need outside analysis rather than five supervisors. The town states they are audited every year.

(Update - Rick S. and Mark Luoma (Pike Lake) have plans to request town financial records in an effort to find any possible efficiencies. If you are interested in joining them in that effort, contact Rick S.)

Agenda Item #3 - Covenants enforcement

Don S. gave background on the decisions made when the district was set up. The original development company, Taylor Investments, created the covenants. Scott C. reviewed prior discussions about enforcement. He added there are a lot of grey areas around what if any enforcement rights are included in the district, versus with a government organization, and nothing could be settled on this call. Zoning restrictions and conditional use permits were discussed for trailers and RVs. Don S. said we need to determine the boundaries of the lake district relevant to enforcement. John R. questioned how covenants can be enforced, Don S. said they are enforceable thru county law suits. Scott Craven said our lots are part of the lake district, because things that could negatively impact the lake, i.e. runoff, etc, come from the property. It's part of watershed management. He laid out the hierarchy as first came the covenants/deed restriction we all signed upon purchase. Violations would be dealt with with civil action. Next level is county regulations, i.e. regarding short term rentals. The CLMD used county regulations to deter that in the past. The lake district comes next, enforcing quality of water. Enforcement of house colors and aesthetic items usually come from lake associations. Some organizations are lake management districts and associations simultaneously. (CLMD covenants do include building size, materials and colors under 'Type of material.") Covenants, then Price county, then lake management district is the order of hierarchy. Enforcement ownership could not be easily resolved, and there is no one answer.

Agenda Item #4 - Consideration of CLMD rezoning request

Our lots are zoned agricultural. The differences between agricultural and recreational zoning setbacks are agricultural setback from property line is 10 feet, recreational is 5 feet. A neighbor filed a complaint with the county about a neighbors shed being closer than the agricultural setback allows. The county rep, Evan Lund suggested rezoning the property with the infringement to recreational. The county approved the rezoning for that one property. The rezoning request cost \$400 for the neighbor with the violation. The county board stated at the meeting that the management district could request rezoning for the entire lake. Don S. said it may also be in violation of lakeshore setback from the covenants. Scott C. said that he had experiences touring lakes with zoning administrators that could see violations, but stated they were not worth enforcing.

Maggie J. suggested we consider the District rezoning at an annual meeting vote, with pros and cons evaluated. Discussion followed that there was not an advantage to pursuing it, and consensus was it would be undesirable to have the recreational zoning. Rick S. and others said it should be an individual decision, and a change is unnecessary. Don S. said 30 day rentals are written into the ag zoning, but not the recreational, so recreational zoning could have short term rentals. It was debated whether it should be brought to a vote without decision.

Update - Rick Schwai spoke with Evan Lund about rezoning. The cost would be \$400 for the district as a whole, the price of one application filing. The type of zoning has no impact on the length of rental allowed. Taxes would not be impacted. See attachment for more details.

New Business - None.

Motion to adjourn by Maggie J., seconded by Don S. Adjourned at 8:40pm.

Submitted by Maggie Jungwirth, 11/22/24

The following was an email response by the Town of Fifield Clerk on 11/21/24:

WI statute 60.14(1) lists that any qualified elector of the town may vote at a town meeting. I certainly understand the concern but we are mandated by state statute. 60.11 also references comparing voters to the poll list.

Judy Reas

Attached is the exact wording from the Wisconsin State Statutes.

WISCONSIN STATE STATUTES WHO MAY VOTE AT TOWN MEETINGS

6.02 Qualifications, general.

(1) Every U.S. citizen age 18 or older who has resided in an election district or ward for 28 consecutive days before any election where the citizen offers to vote is an eligible elector.

60.14 Procedure.

(1) Qualified voters. Any qualified elector of the town, as defined under ch. 6, may vote at a town meeting.