

Town of Rhine
Board of Supervisors Monthly Meeting Minutes
Tuesday, June 9, 2020

Remote from Elkhart Lake-Glenbeulah High School

201 N. Lincoln, Elkhart Lake, WI

Present: Board of Supervisors for Rhine and Plymouth, clerk for Plymouth,
Clerk/Treasurer for Rhine, and Deputy Clerk for Rhine

1. Call to Order and Compliance with Open Meeting law:
2. Pledge
3. Combined Meeting with Town of Plymouth Board of Supervisors to discuss and possibly act on boating regulations and other possible solutions for the high water situation at Crystal Lake.

Platz explained the reasons for deciding to hold this meeting as a virtual meeting at the high school. He explained that many emails were received regarding the issue at hand. They are now public record and can be accessed if someone desires. There was a time to pre-register for public comments. Those individuals were given an opportunity to voice their concerns and opinions.

Al Feld gave a brief report on the current water situation at Crystal Lake. He discussed a study of past water depths done by Hay and Associates. The county surveyor will be providing historical elevations at a boat house on the lake. He also explained that some of the data which has been made public by different entities is incorrect, and he is working to obtain correct and updated data.

Bill Jacob, chairman of the ordinance committee, gave a history of the committee's work regarding the high water situation at Crystal Lake. He then gave a detailed report which will be posted on the town's website within a few days. Results of the Kapur Survey can be obtained at Sanitary District 1's website. Both proposed ordinances as drafted by the town's attorney have been sent to DNR. The ordinance committee recommends adapting both proposed ordinances.

A. Public Comments: Many property owners voiced their opinions and concerns. Public comments ended at 8:29 pm. Questions that came in via chat were then reviewed.

B. Combined discussion with Town of Plymouth and Rhine Boards:

Dirkse gave some clarification on requirements for placements of buoys. A permitting process has to be completed.

Jon Rost noted that boats have changed so much and that these wake boats are too big for the lake.

There was discussion amongst members of both boards regarding the proposed ordinances and options.

Platz noted that there seems to be a consensus of personal responsibility among the emails and conversations he has had. Also, in the past, the town has treated all of the lakes the same. He wondered if all of the lakes be treated the same now and in the future, or if Crystal Lake should be singled out now for its own ordinances?

He noted the difficulty in explaining ordinary high water mark to property owners and to the board itself. That issue should be seriously considered. His background is in negotiations, and he thinks we should look at that now in order to find a long term solution. Perhaps a task force or committee should be set up to bring all parties together for finding a solution. CLAA is not a regulatory organization. He contemplated that perhaps there is grant money or something available for property owners to repair their seawalls, etc.

Rost commented on the equal treatment of all 3 lakes. LEL would not be bothered with big wake boats because it is too small to begin with. He has spoken with the Village of EL. They have not had problems with wake boats right now, but they also have 2 businesses which would be affected adversely if they passed a similar ordinance. So it may not be possible to have equal treatment of the lakes.

Elkhart Lake uses buoys to help control boat traffic, per Platz. Perhaps it should be looked at more heavily here. Also Crystal Lake is the only which is having a high water problem right now, so its situation is a bit different than the others.

Could a compromise be found, but also put a timeline on implementing it? Something should be done because there are people who just don't care about the high water situation, etc.

Eberle is concerned about enhanced boats creating large wakes. The high water mark will eventually solve itself. He noted that the high wakes could create safety issues and be dangerous or bad for fishermen on the lake.

Jacob expressed that the no artificial wake enhancement ordinance IS a compromise of sorts and enacting that would help eliminate a lot of the problems being caused by big

wake boats. Big wakes on small lakes are also safety issues for swimmers, kayakers, etc. The safety issues also need to be addressed.

Rost motioned to adapt the artificial enhanced wake ordinance as presented. 2nd by Eberle. Roll call vote: Feld – no. Rost – yes. Jacob – yes. Eberle – yes. Platz – no. Motion carried.

Ordinance #2 temp no wake boating: Jacob feels this could be amended, given the adaption of the artificial enhanced wake ordinance, and possibly ease the level at which it kicks in. Eberle suggested 6 inches. Rost originally would have accepted that, but feels it has to be higher now. *Motion by Rost to table voting on this. 2nd by Eberle.*

Discussion: Platz suggest that Bill Jacob lead an effort to bring a group together to work on this. Feld should be part of the committee as a member of the sanitary district as well. Rost should recues himself from that committee. Someone from the Plymouth Board should serve on it as well, per his suggestions

Roll call vote: Motion to table acting on this ordinance, with the understanding that Jacob will form an ad hoc committee to continue working on it. Roll call vote: Eberle - yes. Rost - yes. Jacob - yes. Feld - yes. Platz - yes.

Town of Rhine temporarily adjourned so the Plymouth board members could vote

Plymouth board members unanimously voted to deny the temporary enhancement ordinance. They also voted unanimously in agreement to table action on the temporary no wake high water ordinance until an ad hoc committee be formed and study it further.

4. Rhine Board of Supervisors were back in session at 10:04 pm, after the Plymouth supervisors left the meeting.
 - A. Public comments: none
 - B. Approve minutes of May 5, 2020: *Motion to approve by Eberle. 2nd by Feld. All in favor.*
 - C. Clerk/Treasurer's Report: Read into record.
 - D. Building permits for May: Read into record
 - E. Public comments of a general nature: None
5. Discuss and possibly act on:

- A. Jeff Rudnick: Rudnick suggested a 4 foot berm with trees instead of a fence to meet the terms of the proposed CUP. (See Dirkse's revised CUP about fencing or plants, dated 3-4-20.) Jeff reviewed his drawing of proposed landscaping. He will use as many bushes as necessary to cover up the area. He will go east and west with the trees to cover that side and to cover up the view of the garage. The trees are evergreens. Jacob would like to know what the trees will be and suggested that Rudnick be sure to plant deer resistant trees.

A motion to approve the CUP was made by Eberle. 2nd by Rost. Roll call vote: Eberle - yes, Jacob - yes, Rost - yes, Feld - yes, Platz - yes.

- B. *Meeusen rezone: Motion to approve by Feld. 2nd by Eberle. Roll call vote: Eberle - yes, Jacob - yes, Rost - yes, Feld - yes, Platz - yes.*
- C. Camp Anokijig fireworks permit July 1: *All in favor of approving this.*
- D. Payment for Green Bay Treasurers class for Clerk/Treasurer and Deputy Clerk: *Motion to approve by Feld. 2nd by Rost. Eberle - yes, Jacob - yes, Rost - yes, Feld - yes, Platz - yes.*
- E. Pay raise for Gerald Kuhlow to \$20 per hour and he uses his own equipment. Motion to approve by Feld. 2nd by Jacob. Roll call vote: *Eberle - yes, Jacob - yes, Rost - yes, Feld - yes, Platz - yes.*
- F. CLAA change fireworks permit to July 3: Motion to approve by Rost. 2nd by Jacob. Roll call vote: *Eberle - yes, Jacob - yes, Rost - yes, Feld - yes, Platz - yes.*
- G. Approve Keith Fischer as Planning Commission alternate and Grant committee member: No action taken.
- H. Approve liquor, beer, picnic, tobacco and operator licenses.

*Approve for the period of July 1, 2020 to June 30, 2021 a **Tobacco Products License** for Quit-Qui-Oc Golf Club, Inc: Motion to approve by Feld. 2nd by Eberle. All in favor.*

*Approve **Temporary Class B (picnic)** license for Camp Anokijig Laughter in the Woods event on September 26, 2020: Motion to approve by Eberle. 2nd by Feld. All in favor.*

*Approve **Temporary Class B (picnic)** license for Amazing Grace Equine Sanctuary for fundraiser event (Hope 4 Hooves) on August 15, 2020: Motion to approve by Feld. 2nd by Eberle. All in favor.*

Approve for the period of July 1, 2020 to June 30, 2021 a **Class “B” Fermented Malt Beverage License** for Hermitage Conservation Club: *Motion to approve by Feld. 2nd by Eberle. All in favor.*

Approve for the period of July 1, 2020 to June 30, 2021 a **Combination Class “B” Intoxicating Liquor License** for Quit-Qui-Oc Golf Club, Elkhart Lake's Road America (stand 14), Black Dog Saloon and Grill, Rumors, and Millhome Supper Club at Road America (stand 12). *Motion to approve for Quit-Qui-Oc Golf Club, Elkhart Lake's Road America (stand 14), and Millhome Supper Club at Road America (stand 12) by Eberle. 2nd by Feld. All in Favor. Black Dog Saloon and Grill and Rumors have not turned in their paperwork as of this meeting date.*

Approve **New Operator Licenses** for the period of July 1, 2020 to June 30, 2021 for:

Approve new operator licenses for Andrew K. Anderson and Michael S. Kertscher at Road America: *Motion to approve by Feld. 2nd by Eberle. All in favor.*

Approve new operator licenses for Gary L. Kober and Therese M. Wilk at Quit Qui Oc: *Motion to approve by Eberle. 2nd by Jacob. All in favor.*

Approve new operator license for Darin Holden at Camp Anokijig: *Motion to approve by Eberle. 2nd by Feld. All in favor.*

Approve new operator licenses for Heidi M. Tschudy, Michael A. Becker, and Anthony Thomas Wilkens at Hermitage Conservation Club: *Motion to approve by Feld. 2nd by Eberle. All in favor.*

Approve **Renewal Operator License** for the period of July 1, 2020 to June 30, 2021.

Approve renewal operator licenses for Alyssa N. Krahn, Jeremy S. Schmidt, Todd E. Montaba, Kaitlin J. Guse, Robert F. Scheible, Lawrence G. Knowles, Robert S. Davidson, Jr., John A. Emley, Rachel Montaba, Andrea K. Schmidt at Quit Qui Oc: *Motion to approve by Feld. 2nd by Eberle. All in favor.*

Approve renewal operator licenses for Madalyn J. Zorn, Joshua L. McDole, Keith A. Raquet, Jason C. Zorn, Danny L. Bettack, Heidi M. Kienbaum, and Robert Werdeo, Jr. at Hermitage Conservation Club: *Motion to approve by Eberle. 2nd by Feld. All in favor.*

6. Chairman’s info: Tonight's meeting went well with the use of bluejeans technology. We will probably use this setup for July as well. Board members will interview top 3 job applicants for office assistant asap.

7. Sub Committees:

Feld: Earthwise Recycling will be at the collection site this week to pick up TVs.

Snake Road: The county closed it after first heavy rain, and it is still closed. He has been consulting with Village of Elkhart Lake regarding the flooding/drainage coming from there. Also Snake Rd from EH to MM was resurfaced with 3 inches of blacktop. Shoulder work was done. Crack filling is being done on Garton Rd. and LEL Rd. The county will be doing some chip sealing on Garton beginning of July.

8. Approve Vouchers: Checks will be signed tomorrow after board members can review them.
9. Next meeting: July 7, 2020.
10. *Rost motioned to adjourn at 10:43 pm. 2nd by Feld. All in favor.*

Public comments were then taken.

4.