

TOWN OF RHINE
BOARD OF SUPERVISOR'S MONTHLY MEETING MINUTES

Tuesday, March 2, 2021 at 6:30 p.m.

Held virtually via Zoom

1. Call to order and verification of compliance with open meeting law:
2. Pledge:
3. Approve minutes from February 2, 2021: Motion to approve by Eberle. 2nd by Feld.
All in favor.
4. Clerk/Treasurer's report: Read into the record.
5. Building permits for February: Read into the record.
6. Elections report: 132 voted, 1696 registered voters
7. Public Comments of a General Nature:

Joanne Otte discussed broadband issues and the lack of adequate internet services in the town. She stated that this problem demands attention from the board. She emphasized the need for internet for students, teachers, those who work-at-home, etc. She questioned why there has been no progress on the internet problem in the Town of Rhine. She pleaded with the board to make securing fast and affordable internet a top priority.

Gust Lammers commented that he agrees with Joanne Otte's comments. Janet Lammers also agrees with Otte.
8. PUBLIC HEARING: The purpose of the hearing is to consider the following boating regulations concerning Crystal Lake, an inland lake within the Towns of Rhine and Plymouth, Sheboygan County, pursuant to Wis. Stats. s. 30.77(3)(a), (ac)2 and (aw):

An ordinance to prohibit artificial wake enhancement boating equipment and operation on Crystal Lake.

Public Comments:

Platz gave a brief history of the high water issues on Crystal Lake and what has been done to try to alleviate the problem. He emphasized that no action will be taken tonight. Possible action will be taken on April 13th TB.

Bill Jacob read an opening statement into the record. His review addressed the problem of removing excess high water on Crystal Lake. New DNR restrictions prohibit reopening an old drainage outlet. An ad hoc Crystal Lake High Water Committee has worked on finding solutions, starting with an engineering survey. The ordinance committee has continued to work on solutions. He reviewed the problem of high water, and enhanced wake problems were noted.

Other lakes with similar issues have implemented like ordinances to eliminate artificially enhanced wakes on their lakes. He reviewed the proposed ordinance and the needs for it and quoted several supporting records and articles. The belief of the ordinance committee is that Crystal Lake is simply too small to allow wake enhancements on this lake.

Platz then read the key points of the proposed ordinance into the record.

PUBLIC COMMENTS on this issue only: Comments limited to 3 minutes. No threats will be allowed.

Bert Sartori: He lives on Crystal Lake and is Pres. of CLAA. He stated that this issue has been going on for 3 years. At no point in time did CLAA present this as a solution for Crystal Lake. He said all of the reasons for this ordinance should also apply to Elkhart Lake and LEL. He stated that CLAA is not asking for this regulation and why does it not apply to the other 2 lakes.

Brian Voight referred to the data which Bill Jacob mentioned and that those issues apply to LEL and Elkhart Lake also. He states that in the past many residents spoke out against this ordinance. He feels that the data presented was cherry-picked and does not apply for all of the lakes. He commented that this will affect many children who want to learn to water ski. He is concerned about potential future impact of the ordinance.

Ann Marchek lives at the west end of the big island, and her family is not opposed to boating on the lake. It will cost her tens of thousands of dollars to repair her shoreline from the damage caused to it over the last 2 years from the artificial high waves. She addressed dangerous water conditions for fishers and swimmers. The damage is causing loss to the value of her property. CLAA does not speak for everyone.

Mike Burkart reviewed his family's history on the lake since the 1950's. The CLAA has done nothing to help other than to sandbag some of their friend's properties. He noted that the CLAA does not speak for everyone on the lake. Some people on the lake want to boat and create high wakes no matter what the end result is. He expressed gratitude to the ordinance committee to try to find a solution and alleviate some of the issues that have been caused by the high water and artificially enhanced wakes. He would like to see the lake preserved.

Ken and Carol Loest expressed thanks to the town for working on these problems. He has had to rebuild his walls for the last 3 years. The damage is also being done underneath the water due to the undercurrent. He feels something has to be done and done soon. He believes this is a good solution in the right direction, but there should be continued work on finding a solution to the high water. Thanked the board again for their work.

Jim Sartori also has some concerns that this ordinance is even more restrictive than previously suggested ones. He would like to see a sunset date put on the ordinance. He feels that restricted boating could also lower home values and lead to further governmental regulation.

Ben Payne highlighted some changes in the kind of boating on the lake over the years. Big wakes on the lake were not an issue in the past. But over the past several years there have been massive waves on the lake due to wake enhancements. They can be very dangerous to people on the shoreline and piers. It's time to do something about it. Crystal Lake can't take another 3 or 4 years of the damage being done to the shoreline. He has been snorkeling and scuba diving in the lake for years and has witnessed the deteriorating conditions of the lake.

Randy Rudolph noted that everyone cares about the lake, but he has questions about the process being conducted. Why is a group of 4 or 5 people making the decision for everyone on the lake? Why hasn't the town conducted a survey?

Myron Praeger suggested the board follow the recommendation from the joint high water committee with a 6-inch-high water trigger point. Also, it is amazing that this issue is only for Crystal Lake and not the others. Perhaps there could be a referendum to see what is the true will of the people.

Robert Gregorski said the High Water committee did come up with a 6-inch trigger mark. He gave his interpretation about the suggested ordinance and feels that matter is not just about high water. He claims the committee is ignoring the Town of Plymouth's vote from last year. This ordinance WILL get attacked. He says this does not affect just boating. He claims this will stop tubing, learning how to water ski, and that this is unconstitutional. All of the noted problems also should apply to LEL and Big Elkhart Lake. The town is wrong.

Dennis Halbrecht explained that he has been trying to maintain his shoreline naturally. The last few years' high water have injured his property. The waves coming in from the enhanced wake boats are washing away his land. He has lost over 10 to 20% of his land mass from this. We need to admit that there are 2 problems ... high water and advanced technology in boats. He agrees that artificial wakes should be stopped.

David Mann thanked the board for the opportunity to speak. He noted the change in boat activity over the last few years with the enhanced boats. These enhanced waves cause damage to property and to the lake. On most Fridays and Saturdays in the summer they can't be on their piers and back area due to the safety issues caused by the increased waves. Please protect and preserve the lake for now and future generations. Increased data has shown negative consequences to the ecology of the lake. Crystal Lake is simply too small to support wake enhanced boats. He and his family encourage the board to pass this ordinance.

Adam Schroeder feels like the ordinance committee has blatantly disregarded the recommendations of the Crystal Lake High Water Committee. He feels this ordinance is overstepping. He is extremely disappointed in this process.

Carrie Somersbeger asked the board to please listen to what the majority of the residents are asking. All of the lakes should be treated the same. This is only the beginning of what the board could be doing.

Paul Booher would be glad to see this ordinance apply to LEL as well. He would hate to see those boats come to LEL. The ordinance committee has put in much effort to address this issue and in researching it. This ordinance matches that of several other municipalities and states that have a need to control these enhanced wakes. This ordinance will not stop traditional boating. He noted that this is also an environmental issue. The lake belongs to all of the people in the state of Wisconsin. Just because you have a house there, does not mean you own the lake. The public also has rights to that lake.

Public comments ended. Platz thanked them for their thoughts and concerns. This item will be taken up for consideration by the town board at the April TB meeting.

9. Chairman's information report and correspondence:

The case with the woodburner will be in court this week.

The town has purchased IT hardware for the town hall so that we can hold more meetings there.

There is an election on April 6.

The Broadband committee has been working for over a year to get a company to come into small rural areas, and they continue to work on this matter.

10. Sub-committee reports:

Feld reported that the Recycling Center is working fine. The Roads Committee is considering what work and repairs needs to be done. Several culverts need replaced. He has talked with the Town of Herman about repairs on Willow Rd.

Rost reported that the Broadband committee attempted a meeting last Thursday with Bertram Communications. Their contact Mark Dodge, did not show up for the meeting. At one point Bertram was considering putting a tower on town hall property. They researched other higher locations. One proposed solution was to put a tower in a more densely populated location and then lay cable.

There will be a planning meeting on March 10. There are 2 rezone requests.

The Ordinance committee still has an outstanding request to work on dog licensing fees and finishing work on chapter 4.

Eberle would like to set up a properties meeting t

11. Approve vouchers: Motion to approve by Feld and 2nd by Jacob. All in favor.
12. Announce Next Meeting Date: April 13 (due to election)
13. Adjournment: Motion to adjourn by Feld. 2nd by Rost. 7:44

APPROVED