

# ROUND THE LAKE



Round Lake Property Owners Association, Inc.

Spring 2003

## PRESIDENT'S CORNER ...

*Bob Strachota*

Dear RLPOA Members and Big/Little Round Lake Owners,

Spring is here and many of you are returning from warmer climates to join the hardy souls who remain at beautiful Round Lake year round. Not much typically happens regarding Round Lake over the winter but this year the lake level has been a topic of much discussion. The Sawyer County Land and Water Conservation Department is monitoring the lake level. The county board has hired an engineer to evaluate the situation. This issue is far broader than just Round Lake. There are implications for the sources of water flowing into our lake as well as those waters receiving water flowing out of our lake. Your lake association will continue to monitor this matter and keep you advised.

The eight (8) committees headed by a RLPOA Director have laid out their concerns and objectives for the coming year in this newsletter. Please volunteer for the committee of your interest. We have approximately 575 property owners on the lake. Of these, only 350 are paid members who send \$20 a year into the association to support our activities. In an effort to communicate with all property owners, we have agreed to send the newsletter to all owners whether or not they are paid members of the association. However, we would like to encourage the non-paid property owners to join and invest in the lake. Be involved and if you do not have the time, at least send in your check and make a difference.

Three (3) new directors (Dave Andersen, Terry Kingston and Janna Siftar) were elected at the Fall Membership Meeting. Terry is co-chair of the General Water Quality Committee along with Wally Narr, Janna became Chair of the Communications Committee and

Dave along with Bill Whitlock have the Governmental Awareness Committee. The officer positions are as follows: Bob Strachota was elected President, Arvid Tveit was elected as Vice President and Dave Andersen was elected Secretary/Treasurer.

As president, my challenge to each Round Lake Property Owner is to join the association and get involved with one of the committees and/or donate financially to support the committee activities. We share one of the most beautiful lakes in all of Wisconsin; let's work together to keep it that way.

**Your President,**

**Bob Strachota**

**634-5748 or 612-333-6533 (Minneapolis Office)**

## ROUND LAKE PROPERTY OWNERS ASSOCIATION

*P.O. BOX 1070, HAYWARD, WI 54843*

### Officers

President	Bob Strachota	634-5748
Vice President	Arvid Tveit	462-9691
Secretary/Treasurer	Dave Andersen	462-9151

### Committees/Board of Directors

Communications	Janna Siftar	634-7071
Fish	Al Reinemann	462-4022
Governmental Awareness	Bill Whitlock	634-8378
	Dave Andersen	462-9151
Membership	Arvid Tveit	462-9691
Neighborhood Watch	TBD	
Water Safety	Bob Strachota	634-5748
Water Quality	Terry Kingston	634-1074
	Wally Narr	462-9252
Director at Large (Famous)	Dave Anderson	462-3564 or 634-8248
Accountant	CeCe Genrich	634-4428

# MEMBERSHIP

*Arvid Tveit*

All Round Lake property owners are eligible to be members of the Round Lake Property Owners Association - RLPOA. Our records show there are currently 575 property owners around Round Lake. For the last two years 350 property owners were active members of RLPOA by paying the annual dues of \$20. We are delighted and most thankful for this continued interest and support for our Property Owners Association. We hope to meet and exceed that membership total in 2003.

Property ownership on a pristine lake like ours carries a responsibility for caring for the cleanliness, safety and overall attractiveness of this lake as a beautiful sport haven. Our Association is conducting several programs to protect and enhance these qualities. Each property owner is urged to be a part of it by attending our meetings, participating in one of our committees and keeping your annual dues payments current.

Another important contribution you can make is in helping us keep our membership rolls and addresses up to date by letting us know when you know of friends, neighbors or newcomers who move in or out of Round Lake. We try hard to keep our membership list current and input from NEIGHBORS like you is our best source of information.

A membership invoice form appears on the back of this Newsletter. Please use the tear off portion of this page to mail in your dues. THE ANNUAL DUES ARE \$20 PER HOME OWER UNIT.

The addressee mailing label on this Newsletter is followed by a date of the year in which you last paid your dues. If your number is '02 or earlier, we encourage you to send in your dues for 2003 soon.

We look forward to seeing you all at our next Members Meeting on June 7, starting at 9:00 AM at the Round Lake Town Hall. These meetings provide you an excellent opportunity to get updated on what's going on around Round Lake and to join in the active discussions of many key issues and events affecting our lake.

# WATER SAFETY

*Bob Strachota*

We all want to have fun as we enjoy our activities at Round Lake this year. To be safe, we need to follow the U.S. Coast Guard, Department of Natural Resources, and local enforcement rules while boating on our lake. In this issue we would like to review the use of buoys to display regulatory markings, basic boating safety and personal watercraft regulations.

**Buoys** are used to display information for lake users. Buoys may indicate boat exclusion spots such as swimming areas. Buoys also indicate danger: a rock or sand bar, for example. Control buoys indicate slow or no wake zones. Some of our Round Lake buoys have been stolen or moved, some have floated up onto the shore and still others are no longer in their correct positions. Please notify the Lake Association if your notice missing or out-of-place buoys. Maintaining a safe lake environment is everyone's responsibility.

**Boating safety** issues to keep in mind include:

- Running lights are required from sundown to sunrise. It may be a good idea to carry a spotlight if you regularly use your boat during the night hours.
- It is illegal to operate a motorboat in Wisconsin at a speed greater than is reasonable and prudent under the existing conditions. Your speed must be controlled to avoid colliding with any object, person or conveyance on the water.
- In Wisconsin, it is illegal to engage in underwater skin diving or swimming beyond 150 feet from the shore unless the area is marked with a diver's flag. The diver's flag must be clearly visible for at least 100 yards. Do not approach a diver's flag out of curiosity; stay at least 150 feet away.

**Personal watercraft (PWC)** are powerboats, governed by the same rules as a runabout or large yacht. This includes observation of swimming area restriction, no wake zones and other restrictions.

1. The operator of a PWC must be 12 years of age; however, it is unlawful for a person to lease, hire or rent a PWC to any person who is under 16

- years of age.
2. When operating or riding on a PWC, you must wear a U.S. Coast Guard approved life jacket.
  3. Reckless or negligent operation of a PWC is prohibited.
  4. Operation of a PWC within 100 feet of another boat is allowed only if the following requirements are met:
    - a. Operation does not exceed a slow no wake speed;
    - b. Neither boat is involved in any type of water-skiing, tubing or similar activity.
  5. It is illegal to operate a PWC within 100 feet of the following:
    - a. Another boat towing a skier or person engaged in similar activity;
    - b. A towboat of another motorboat towing a skier or person engaged in a similar activity;
    - c. A person involved in skiing or other similar activity.

6. It is illegal to operate a PWC within 200 feet of shoreline unless operation does not exceed a slow no-wake speed. PWCs are specifically **prohibited** from operating between sunset and sunrise.

Negligent operation is the failure to exercise the degree of care necessary to prevent the endangering of life, limb or property of any person. Some examples of negligent operation are: Operating under the influence of alcohol or drugs, or excessive speed in a congested area. It is illegal to operate a motorboat repeatedly in a circuitous manner within 200 feet of another boat or person in the water.

### **FINAL TIPS FOR SAFE BOATING THIS SEASON**

1. Know your boat's load limit and do not exceed it.
2. Know how to swim; it just makes good sense if you spend time on the water.
3. Keep life jackets visible and accessible, and never make someone uncomfortable with the choice to wear a life jacket.
4. Learn the rules of operating a boat.
5. Remember to designate a boat driver if you are entertaining on the water.

Let's all enjoy Round Lake safely this season!

## **WATER QUALITY**

*Terry Kingston*

Eurasian Water Milfoil (EWM) continues to be a threat to the beautifully clear water of Round Lake. During the summer of 2002 multiple outbreaks of EWM occurred.

In School House Bay an area approximately the size of a football field was discovered. Fortunately the DWM was not as dense as was found in 2001. Other patches include the north side of Muskie Bay and in Richardson's Bay in front of the Marina.

In Little Round Lake there was a substantial patch located in front of the Pine Grove Resort (to the right entering Little Round) and numerous sightings to the left.

All of the above areas were chemically treated on August 9, 2002. Visits to the treatment areas at the end of August indicated that the treatment was successful. Your homeowners association will direct the Lac Courte Oreilles Conservation Department to survey the entire lake this summer and treat as necessary.

Just like the war on terrorism, we must remain vigilant in our fight against EWM. There are several things that you can do to stop the infestation.

1. If you see a plant that you think may be EWM, place part of it in a sealed plastic bag and drop it off at the LCO Conservation Department, 13394 W, Trepania Road, Building 1 (just south of the Casino on K in a metal building).
2. You can call the Conservation Department to report your concern at (715) 865-2329.
3. To learn more about EWM, visit [www.dnr.state.wi.us/org/caer/ee/invasives](http://www.dnr.state.wi.us/org/caer/ee/invasives).

It does cost money to monitor and treat this invasive plant. All of us benefit from controlling the spread of EWM, recreationally and financially through rising land values. People are willing to pay a premium to live on a lake such as ours. To those that have contributed to the EWM fund in the past we thank you. Out of a sense of fairness we ask that homeowners who have not contributed to please send a donation today. Most have contributed in amounts ranging from \$50 - \$200. (Indicate EWM Fund on your check).

# SECRETARY/ TREASURER'S REPORT

*Dave Andersen*

At the RLPOA general membership meeting last August I joined the board and took on the job of Secretary-Treasurer with the stipulation that the books be maintained by an accountant. CeCe Genrich agreed to continue to keep our association's books, where she has done a fine job.

In 2002 our association had income of \$9,650.31 from association memberships, donations to the milfoil fund, advertising in our association newsletter, and interest payments on our bank accounts.

Total expenses were \$6,869.70, consisting of \$1,168.14 for buoy materials, \$893.75 to treat the milfoil problem, \$2,000 toward the cost of a sedimentation study that will provide insight to the 100 year history of our lake, \$308 in donations, and miscellaneous business expenses (insurance, printing, postage, memberships in related organizations) of \$2,499.81.

Thus, our net income was \$2,780.61 with sound balances in both our general and our milfoil fund. A detailed accounting report will be available at our general membership meeting on June 7 at 9:00 AM at the Round Lake town hall located at County Road A about halfway between Highway 77 and County Road B. I hope to see you there.

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## SEPTIC SYSTEM UPDATE

*Dave Andersen*

There are 597 properties on Round and Little Round Lakes. All but two were inspected for failed or failing septic/sewer systems in 1999/2000. The owners of those two properties refused to allow inspections. One is located on Moreland Road and the other is on Blue Island Road.

As of last fall, 66 of 70 systems found to be failing had been fixed. The last four of the failed systems are scheduled to be replaced this summer. All four will be inspected after installation.

Good job, property owners, of helping to protect the water quality of the lake!

## GOVERNMENTAL AWARENESS

*Bill Whitlock*

There were several matters since the date of the last report that are of note:

Water Level of Round Lake. Research done by a landowner who asserts that he was adversely affected by last year's high water disclosed the existence of the order of the Public Service Commission of Wisconsin, dated September 29, 1941, establishing the normal level of Round Lake and ordering Sawyer County, among other things, to maintain the lake level at no higher than three inches above the established level by constructing and maintaining an outlet dam at the end of Little Round Lake and constructing a drainage ditch from the dam to Squaw Lake (now Osprey Lake). We understand that the functions of the Public Service Commission have been transferred to the DNR, which acknowledges that the 1941 order remains in effect. At a hearing held on June 25, 2002 by the County Board, the following points were made.

1. In the spring of 2002 the water level of Round Lake was ten inches above the established level of the lake or seven inches above the highest level at which the level of the lake is to be maintained by the County.
2. During the past 10 to 15 years the water level of Round Lake has usually been above the level at which it is required to be maintained.
3. Although the dam at the end of Little Round Lake has been constructed so as to restrict the outflow of water such that the water level of Round Lake will be above that at which it is required to be maintained, the levels of the water at the dam and Osprey Lake are so similar that the outflow from the dam cannot significantly lower the level of Round Lake.
4. The drainage ditch to Osprey Lake has silted in and the culverts under Highway NN seem to be placed such as to restrict the optimum flow of water from Osprey Lake through them.
5. The DNR stated that the drainage ditch to Osprey Lake, even though not a natural stream, could not be dredged without the consent of all adjoining landowners. The LCO Tribe which owns land adjoining the ditch and Osprey Lake announced that the Tribe would not consent to any dredging of the drainage ditch or Osprey

Lake, preferring to let nature take its course

6. The position of the RLPOA Board of Directors was stated to be that since there was a valid order in effect requiring Sawyer County to maintain the level of Round Lake at not greater than a specified level, the County should do whatever it physically and legally could do to comply with such order.

The County Board retained the consulting engineering firm of Carthel Engineering, LLC of Birchwood. In its report dated December 4, 2002, the engineering firm noted that the water level of Osprey Lake on October 19, 2002 was .23 feet lower than the water level at the Little Round Lake dam but that the water level of Osprey Lake was 1.61 feet above the water level at the culverts under Highway NN. The report went on to conclude that to lower the level of Round Lake significantly it would be necessary to lower the level of Osprey Lake which was being controlled by a beaver dam and a debris dam, both located within the outlet channel between Osprey Lake and the culverts under Highway NN. This report cited letters from the Public Service Commission in 1961 and from the DNR in 1967, 1968, 1976 and 1984 discussing the problems of controlling high water levels on Round Lake and low water levels on Osprey Lake. The report concluded by noting four possible courses of action:

1. maintain the status quo by maintaining the dam but not the drainage ditch;
2. petition the DNR to establish new water levels on Round Lake but the report does not mention what, if any, other environmental approvals or environmental impact statement would be needed;
3. improve the Osprey Lake outlet stream, which would entail LCO or Bureau of Indian Affairs approval, as well as DNR and, perhaps, US Army Corps of Engineers, US Fish and Wildlife and others. Since this would involve lowering the level of Osprey Lake, landowners on that lake would be heard;
4. abandon the Little Round Lake dam and plug the Lake Placid diversion canal (which was installed to divert excess water to Round Lake in low water conditions). This would permit the water level of Round Lake to fluctuate as it did before the efforts were made in the 1960's to control such fluctuations.

A copy of the report is included with this newsletter.

Given the perplexities and Catch-22 nature of the problems presented by this situation, the Land and Water Committee of the County Board of Supervisors will hold

a public meeting on Saturday, June 28, 2003, at 9:00 AM at the Hayward High School auditorium to discuss the problem and to hear ideas for its solution. So that we are using the same frame of reference as to what is high, low and just right, it would be well to check the lake level on the gauge on the Marina side of the Highway B bridge at the time of the meeting.

Appeals from the Sawyer County Board of Appeals. The Sawyer County Circuit Court has affirmed appeals taken from two decisions of the Board of Appeals of the County Board:

1. The Board of Appeals affirmed the decision of the County Zoning Department to deny a requested variance to permit a virtually rebuilt nonconforming structure to remain within ten feet or so of the lake. RLPOA is on record endorsing the decision of the Zoning Department. The Circuit Court's decision has been appealed to the Court of Appeals.
2. The Board of Appeals denied a variance for the division into two lots of a 199 plus foot lot. No appeal was taken from this ruling.

Shoreland Protection Zoning Ordinance. The Zoning Committee of the County Board disapproved the proposed shoreland protection amendments to the Zoning Ordinance that were recommended by its Advisory Committee, which has worked for three year on this subject. The full County Board disapproved the action of its Zoning Committee and sent it back to the Zoning Committee with instructions to consider points raised by the County Corporation Counsel. The Zoning Committee reactivated the citizens committee that had worked on the proposed amendments and the citizens committee and members of the Zoning Committee have met throughout the winter to try to reach consensus. The joint committee has now concluded its work and its recommendations to the full Zoning Committee are not being prepared. The joint committee has agreed to disagree on several key issues: (i) whether agreements between a landowner and the County requiring remedial environmental action in exchange for a permit to build or alter a structure should be recorded with the

land records; (ii) whether existing resort cottages that are located less than 75 feet from the ordinary high water mark should be allowed to be expanded and (iii) whether up to three back lots should be permitted to have lake access over a vacant lot that does have lake access.

In the meantime, an advisory group of the Wisconsin DNR has been established to help update shoreland protection rules. Among the issues being considered by this advisory group is the possible relaxing of limits on maintaining or repairing structures closer to the water than current rules allow. It is believed that any changes in the DNR rules would supercede the County Zoning Ordinances.

**Rezoning Request Withdrawn.** After the Round Lake Town Board denied an application the rezone 70 some acres north of Little Round Lake and west of Highway B to permit a hotel and theme park, the application to the County for rezoning was withdrawn; it cannot be resubmitted for one year.

**Application for Conditional Use Permit to Allow Four Back Lots Access to the Lake.** An application for a conditional use permit to permit four back lots access to the lake over an adjoining lot next to the lake was denied by the County. The property in question is located on the west side of the lake just north of the White Bear Beach Condos. All of the five affected property owners who have submitted comments to the County have strongly objected, as did RLPOA. No appeal was taken from this denial.

However, in certain cases in the past, the need to obtain a conditional use permit, after public notice and hearing, to allow back lots to obtain access to a lake through a vacant lot adjoining the lake has been circumvented by platting the land in question as a condominium development. The plat is simply filed with the

Register of Deeds without the involvement of the Zoning Department. The Zoning Department proposed an amendment to the Zoning Ordinance to close this loophole but it was not approved by the Zoning Committee. We have been advised that an amended version will be resubmitted to the Zoning Committee. The Town of Bass Lake is contesting the approval of a similar plat before the County Board of Appeals. The Board of Appeals has turned down the appeal of the Town of Bass Lake. RLPOA has approved a \$1,000 contribution to the Town of Bass Lake to help defray the costs of this contest.

**DNR Regulations on Floating Trampolines.** The DNR has not yet issued final regulations on floating trampolines but the Hayward office of the DNR indicates that a 15 foot round trampoline will in all likelihood be permitted.

**Pond Near Blue Island Bay.** This pond has silted up owing to beaver dams and there has been some indication that a request will be made to open it up to permit navigation to several proposed lots toward Lovejoy Lake. Any such request will be handled by the DNR and we shall continue to follow this.

**Replacement of Non-Conforming Structures.** Increasingly, landowners have been applying for variances to either replace or structurally expand structures at a cost exceeding 50% of the value of such structure which structures are non-conforming because they are located within 75 feet of the ordinary high water mark of Round Lake. Where the replaced or structurally expanded structure would still be within 75 feet of the ordinary high water mark, RLPOA has opposed the granting of the variance absent unusual hardship recognized by Wisconsin Supreme Court decisions. Our efforts have not always been successful.

## FERTILIZING

The solution is simple. Remember... anything that makes grass green and makes grass grow will also make algae and unwanted weed grow.

Allowing for proper setbacks and natural areas close to the lakes will prevent much of the damaging effect by filtering runoff. We all want beautiful yards and lawn areas, but the price for fertilizing close to the lake is a high price. Being good steward of water, we need to know about the damages that can be done and how to prevent them. - *Wally Narr*

# To Sleep Like a Baby



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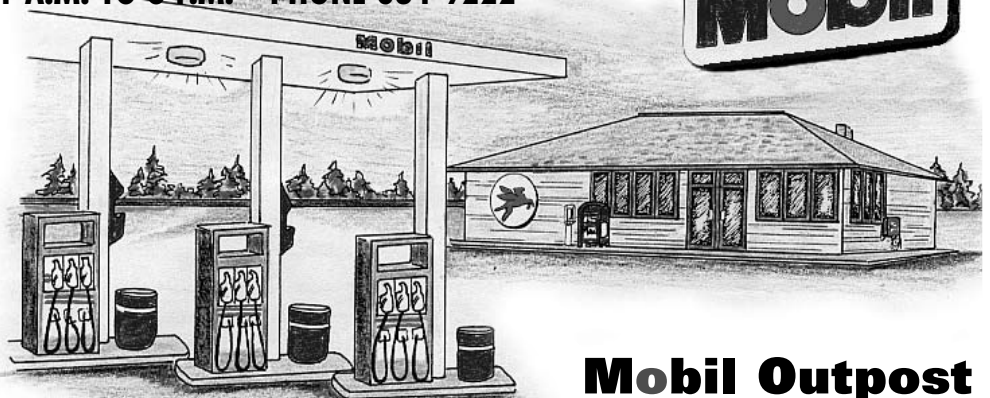
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