

Round the Lake

Round Lake Property Owners Association

Summer 2004

President's Corner by Bob Strachota

Interest Grows in Lake's Health

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Dear Homeowners,

Welcome to the summer of 2004 on Round Lake. This newsletter is being published after our 1st association meeting that was held June 19th. This year the association sent out a special card notifying all members of the association meeting to see if a special notice would improve attendance at the spring meeting. In the past some members suggested a special invitation as opposed to notice of the meeting getting lost in the text of the newsletter. Unfortunately the attendance did not change much, so we will probably go back to the old system and save the cost of a separate mailing.

Last year the association experienced the highest level of participation in its history. Out of approximately 600 homeowners about 380 homeowners paid dues. This is great news because it means more of us are interested in preserving the quality of our lake and sponsoring a safe environment for all to enjoy.

I want to acknowledge Board Member, Terry Kingston's hard work as Chair of the Water Quality Committee. Terry proposed an idea called "Adopt a Shoreline" that

was well received by those in attendance. The idea calls for the homeowners to take responsibility for watching for the growth of milfoil. The association hires L.C.O. to inspect the entire shoreline twice a year for milfoil and so far we've been successful with no patches of milfoil having gone unchecked for more than a season. However, there have been some large outbreaks of growth that if identified sooner, would have meant fewer chemicals being used in our lake. Hopefully the "Adopt a Shoreline" program will accelerate the treatment response time and keep milfoil from ever getting a foothold in our lake.

The Wisconsin Realtors Association has just notified us that the Wisconsin Department of Natural Resources (DNR) has recently enacted emergency rules that have made many of our existing piers illegal. Under the emergency rules, a pier may be illegal if it meets any of the following criteria:

- The pier is greater than 6 feet wide;
- The pier extends beyond the 3-foot depth level;

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Secretary/Treasurer's Report by Dave Andersen

As of the end of May 2004, we have \$21,313.30 in our General Account and \$29,448.31 in the Milfoil Account for a total fund balance of \$50,761.61. We are behind on income received and expenses billed this year, and need to collect \$20 per property owner for 2004 memberships to continue to maintain a balanced budget. If you haven't paid your membership yet this year (if you have there is an "04" after your name on the address label) please complete the application and send it in with your dues. Thank you.

RLPOA Financials through May, 2004

July, 2003	Fund Balance	Annual Income	Annual Expense
General Fund	\$20,857.95	\$ 8,248.11	\$ 6,490.96
Milfoil Fund	\$29,974.95	\$ 784.57	\$ 1,829.75
	\$50,832.90	\$ 9,032.68	\$ 8,320.71
2004 Year-to-date	General Fund	Milfoil Fund	Total
Income			
Membership	\$ 1,600.00	\$ 15.00	\$ 1,615.00
Interest	\$ 43.53	\$ 262.56	\$ 306.09
Donation (WFNW)	\$ 1,000.00	-	\$ 1,000.00
	\$ 2,643.53	\$ 277.56	\$ 2,921.09
Expense			
Dues/Subscriptions	\$ 500.00	-	\$ 500.00
Newsletter	\$ 819.90	-	\$ 819.90
Postage	\$ 37.00	-	\$ 37.00
Rent	\$ 100.00	-	\$ 100.00
	\$ 1,456.90	-	\$ 1,456.90
Fund Balance	\$21,313.30	\$29,448.31	\$50,761.61

- The pier that has more than one additional boat slip for its amount of frontage (3 boat slips for the first 50 feet of the water frontage plus one additional boat slip for each additional 50 feet of water frontage);
- The pier is located in areas with "public rights features";
- The permanent bench or flagpole is located at the end of the pier;
- The pier has a deck located at the end of the pier;
- The pier is used by anyone other than the riparian and his guests, or is used for any commercial purpose.

Your Association Board will investigate this matter and report back to you. As of this writing, Sue Miller, our Sawyer County DNR Warden has not indicated any change in the regulations for Round Lake.

Last, but not least, the issue of water level is front and center. Round Lake property owner, Jim Hausman is suing Sawyer County. Jim is seeking a court order requiring the County to manage Round Lake in accordance with the terms of a 1941 order issued by the Public Service Commission of Wisconsin (P.S.C.). The PSC and the DNR have issued a series of orders from 1937 through 1985 that relate directly or indirectly to the management of Round Lake.

During 2003, the County conducted a survey by mail of Round Lake property owners asking which of four options they preferred relating to Round Lake water levels. 650 cards were sent out and 283 responses were received through September 3, 2003. Of those 283 responses, 173 checked "do nothing - continue to operate in the current manner"; 66 checked "revise lawful levels based on current normal variations;" 27 checked "improve the Osprey Lake outlet stream to reduce levels" and 7 checked "abandon the Little Round and Lake Placid Dams".

On September 3, 2003 as President of the Round Lake Property Owners Association (RLPOA), I wrote a letter (see copy below) to the Sawyer County Board of Supervisors and the DNR. I received no response to my letter until March of 2004 when I received a call from Michael J. Cain, attorney for the DNR, inviting us to attend a meeting to discuss adjusting the lake level of Round Lake. I received only 3 days notice and then found out later the meeting was never held. All subsequent efforts on my part to participate in their discussions have been ignored. I am not

pleased with their treatment and have insisted that RLPOA be involved. I will continue to advocate the majority position of RLPOA consistent with the letter written on Sept.3, 2003.

Enjoy the summer on Round Lake and be safe.

All the best to you,

Robert J. Strachota
RLPOA President

Office: (612)344-1635

Home Fax: (952)927-9854

E-mail: welovetoski@hotmail.com

September 3, 2003

Sawyer County Board of Supervisors
406 Main
Hayward, WI 54843

Wisconsin Department of Natural Resources (DNR)
905 Hwy 27
Hayward, WI 54843

Ladies and Gentlemen:

The water level of Round Lake (including Little Round) is of great concern to the Round Lake Property Owners Association (RLPOA). This subject matter has been the source of more discussion by lake owners than any other topic this year. We are aware of the results of the Sawyer County questionnaire and have informally evaluated the membership's position at our recent association meeting and at an executive meeting of the board.

This letter formally sets forth the majority position of RLPOA. The executive board and the RLPOA believe that the water level that has prevailed for most of this summer (even though up to six inches or so above the authorized lake level of 77.0 feet) should be left alone to the normal forces of nature. We believe that the natural course of nature will balance the water level over time within acceptable tolerances that the lake has experienced over the past 25 years. In other words, sometimes the lake level will be slightly high and sometimes it will be slightly low but always targeting the existing authorized lake level. We expect that Sawyer County and the DNR will maintain and manage the waterway systems in and out of the lake in a responsible manner so as to be able to quickly control the extreme circumstances of high or low water. Whatever actions are needed by Sawyer County or the DNR to be in a state of readiness should be attended to so that responsive action can be taken immediately for extreme circumstances.

There has been discussion by the County and the DNR about reevaluating Round Lake's historic water levels. The RLPOA wants to be intimately involved in any and all new proposals for managing the lake. At this time RLPOA does not support a change in the historic lake levels and does not believe that the matter needs to be reevaluated.

Thank you for your attention on this matter. If you have questions or would like to discuss the matter further, please call. I can be reached at my office in Minneapolis on 612-333-6533. Additionally, please be aware that Bill Whitlock chairs the Governmental Awareness Committee and has appeared and will continue to appear at public meetings on this subject. He speaks on behalf of RLPOA and has the full support of the executive board.

Sincerely,

Robert J. Strachota
President of RLPOA

“Adopt A Shoreline”

by Terry Kingston

In early June our lake was spot checked for Eurasian Water Milfoil (EWM). Outbreaks were found in Schoolhouse and Leder Bays. On Little Round plants were identified in front of Kieffers and Grand Pine Resort. LCO Conservation will perform a more detailed check during the summer.

Round Lake is widely acclaimed as one of Wisconsin's premier lakes in part because of the active involvement of the homeowners. There is a wide spread concern for protecting the water's delicate ecology.

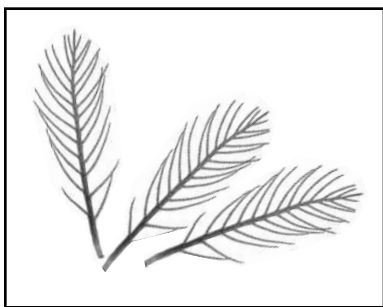
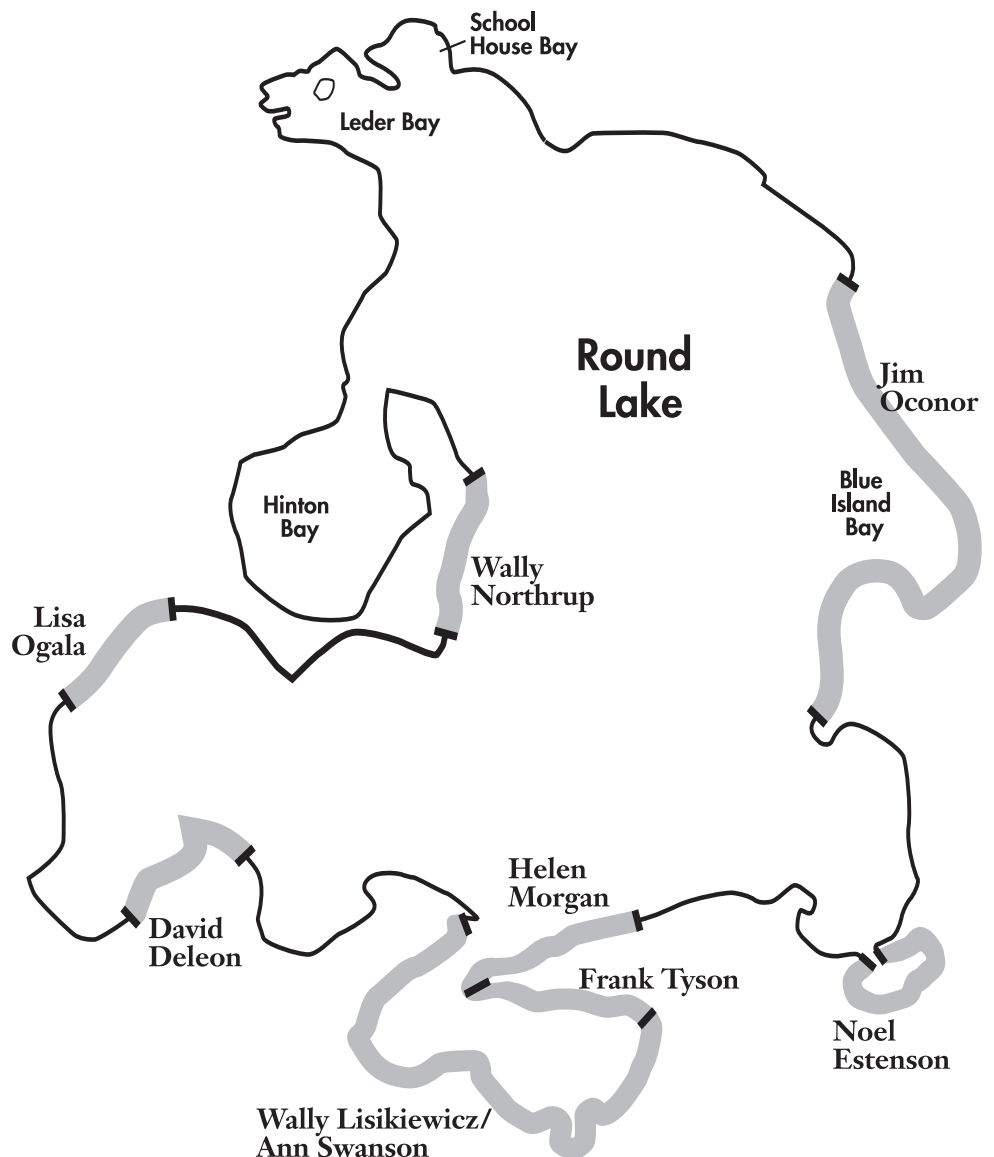
In an effort to make certain that EWM and other non native plants are kept to a minimum, your homeowners board has decided to try and implement an “Adopt A Shoreline” similar to the well-known Adopt A Highway program.

At the recent homeowners meeting several volunteers stepped forward to adopt a section of shoreline to monitor for EWM. These volunteers were given a map to record EWM sightings. If found, the volunteers will notify Dan Tyrolt (715-634-0102) of LCO Conservation. Enclosed is a preliminary map identifying the shoreline that will be monitored. A special thanks to those volunteers identified. Their commitment will preserve not only Round Lake's environment but also the value of our property.

We would like additional homeowners to become involved to successfully implement the program. Time commitment is relatively minor. Twice a year (early summer and late summer/early fall) volunteers would patrol a limited amount of shoreline checking for EWM. Having an “extra set of eyes” in addition

to the work of the LCO Conservation Department will help ensure that there will not be a wide spread outbreak of EWM. Spotted early, small patches can be pulled from the lake bottom rather than the use of chemicals.

For those interested in helping, call Terry Kingston at 763-450-3331.



Eurasian Water Milfoil usually produce 12-21 feathery leaflet pairs. These leaves appear limp when removed from water.

Water Safety

by Betsy Strachota

Boating is the same as driving a car; there are rules and laws that must be understood and followed. It is possible to be given a ticket for not following the boating rules. These laws are set for everyone's safety on the water.

General Safe Boating Tips:

- No drinking and driving. In Wisconsin, the law states that all motorboat operators are deemed to have given consent to a blood alcohol test.
- It is illegal to throw any litter on the shore or in the water.
- It is unlawful for any person to sit or ride on the gunwales, tops of seats, backs or sides, or on the decking over the bow while under way.
- All motorboats must stay **at least** 100 feet away from each other and from other objects such as the shore and docks or rafts while in motion.
- Be aware of marked areas that are shallow and/or no wake zones. These areas are marked with red, green, or white buoys. Also if there is a small orange or red flag buoying in the water it means that there is a diver in the area. Boats **MUST** stay 100 feet away from these flags. Check on the DNR website (listed at the end) for specific markings that might be on flags or buoys.
- Motorboat drivers must know the laws about boating traffic and the right of way. Generally, the boat on the right side has the right of way, and when two boats are moving towards each other each boat bears to the right in order to avoid collision. Also, boats with water-skiers, tubers, etc. always have the right of way to other motor crafts. Smaller boats such as paddleboats and sailboats always have the right of way to any motorboat.

- Certain boats need to be registered and titled under the state, make sure you check to see if your boat needs to be registered if it is not already registered with another state.
- Wisconsin state law requires that all boats on the water after dusk must have lights on. The state has different laws about certain boats, but generally speaking there must be a light on the boat that is visible from a distance of two miles.
- Every watercraft must have a certified Personal Flotation Device (PFD) on board for each person on the watercraft.

Water-skiing and Tubing Safety:

- It is unlawful to tow a person, whether skiing, tubing, etc. without a competent person, in addition to the operator, in position to observe the activity of the person being towed.
- People may not be towed behind the boat doing any type of water activity before sunrise and after sunset.
- The person being towed may not come within 100 feet of any other boat, shore, or dock.

Common Mistakes in Boat Driving:

- Personal Watercraft (PWC)* violations.
- Failure to provide proper number of personal flotation devices.
- Operating a boat without a valid certification.



- Operating a boat while under the influence of an intoxicant.
- Operating a boat towing a person without an observer.
- Operating a motor craft closer than 100 feet to other boats or shore.

Age Restrictions for Boating in Wisconsin:

- No person under the age of 10 may operate a motorboat.
- No person under the age of 12 may operate a personal watercraft (PWC)*.
- People between the ages of 12 and 16 may operate a PWC or a motorboat unaccompanied if they have completed the boating safety course and achieved their boating license.
- People between the ages of 10 and 12 may operate a motorboat, but not a PWC, if accompanied* by a person at least 18 years of age.

* Personal Water Crafts are also known as Jet Skis or Wave Runners.

** Accompanied in these terms means aboard the same watercraft.

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To find more information on boating in the state of Wisconsin go to the official Department of Natural Resources (DNR) website at www.dnr.state.wi.us



Water Safety... continued from page 4

- People between the ages of 12 and 16 who do not have their boating license may operate a motorboat, but not a PWC, under the supervision of someone over the age of 18.
- There are two options for taking the boating safety course. A person can either take the course and test online, or in a classroom with an instructor. The online website is www.boatingbasicsonline.com.

Check with the local DNR for dates of classes with an instructor.

- People over the age of 16 with a valid drivers license may operate any watercraft without having to take a separate boating safety course, although it is still recommended.
- All boaters, regardless of age, are held accountable for knowing, understanding, and following the boating safety laws.

Suggestions for Safe Boating:

- Keep a lookout and pay attention, it is easy to get distracted while looking at beautiful sites or other places.
- Obey the rules of the road. Make sure that you understand the rules and laws before going out on the water.
- If the boat tips but floats, stay with it. Someone will eventually see you and come help. This is safer than trying to swim ashore.

The Benefits of Membership

Joining the property owners association has its advantages.

- Be part of a proactive group concerned about our lakes
- Get information about our lakes and the area
- Have a voice in the decision-making process
- Have a forum to voice concerns
- Support the association and the board
- Be a part of helping water safety
- Be a part of Eurasian Milfoil control
- Be a part of clean, clear water in our lakes
- Protect our properties, by being good stewards of the lakes
- Learn more about legal activities concerning our lakes
- Join in cooperation with other lake associations
- The return of your investment of \$20 is great
- Annual dues only \$20 per year

Recommendation: One time only contribution for Eurasian Milfoil fund of \$1.00 per foot of lakeshore frontage on your property. This is to sustain the fund for years to come.

Last year, well over one-half of possible members joined. The best ever. Let's make this a banner year for involvement and support.

Round Lake Property Owners Association, Inc. / 2004 Membership Application

I am interested in serving on the following committee:

- Government Awareness Committee
- Water Quality Committee
- Water Safety Committee
- Membership Committee
- Fish Committee

Name

Spouse

Address

City

State

Zip

- Enclosed are my dues of \$20.00 for calendar year 2004.

Send to:
Round Lake Property Owners Association, Inc.
P.O. Box 1070
Hayward, Wisconsin 54843-4048

Telephone

E-mail

Governmental Awareness by Bill Whitlock

Water levels on Round Lake continue to receive governmental attention and the DNR has issued a new emergency rule affecting piers, including existing piers. The County Board and the Zoning Committee and the Board of Appeals continue to deal with issues arising from the never-ending development pressures.

Water Levels

As previously reported, James Hausman has instituted suit against Sawyer County to recover damages to his property from the alleged failure of the County to maintain the water level as mandated by the 1941 order of the Wisconsin Public Service Commission; the suit also seeks to require the County to maintain the level of the lake in accordance with the provisions of that order, i.e. between 77.0 feet and 77.25 feet. That suit is proceeding and the trial is scheduled for September.

By letter dated June 2, 2004, lawyers for Sawyer County petitioned the Wisconsin Department of Natural Resources to review and clarify existing orders of the Public Service Commission and the DNR relating to water levels on Round Lakes and Osprey Lake, some of which the County believes to be inconsistent, leaving significant questions as to how Round Lake should be managed under such orders. The petition points out that the question of the management of the lake should not be decided in a suit commenced by a single property owner to which the DNR is not a party, given the need for DNR approvals and the impact on other property owners (including those downstream) and the environment. We have been advised that the DNR has not responded to the County as yet. It can be hoped that this petition will give the DNR the opportunity to resolve the long-standing and perplexing problem of the appropriate water level of Big and Little Round Lakes and the effect on downstream land owners.

Piers

The DNR has recently enacted an emergency rule that incorporates the provisions of the pier planning guidance rules which have been in effect for some time. The effect of the adoption of this emergency rule is to make enforcement of the pier rules much easier. Formerly, the DNR would have to obtain a court order to enforce the pier provisions but now the DNR will be able to issue a ticket without getting a court order. The local DNR has indicated that its enforcement efforts will be directed primarily at new docks as well as to existing docks after there has been a change of ownership. Before installing a new dock, owners would be well advised to acquaint themselves with these provisions which, among other things, limit dock width to six feet and dock length not extending beyond three feet of water and prohibits decks, permanent benches and flagpoles at the end of docks. As of June 25th the DNR suspended enforcement of this emergency rule.



Fish Committee Report by Alan Reinemann Chairman, Fish Committee

In August of 2003 the last batch of cribs were placed in the lake for the year. If you attended the spring meeting, maps showing all locations of cribs placed in the lake over the last 6 years were available.

We also rebuilt cribs in 7 different locations around the lake with the help of some scuba divers. I will have maps available again at the fall meeting and they will be updated as new cribs are put in the lake.

On November 24th Scot Wickham caught and released a 53" Musky estimated to weigh 45 to 48 lbs out of Round Lake. It turned out to be the largest Musky caught in the Hayward area in 2003. By spring time this fish should be well into the upper 50# class and is still out there as far as we know getting bigger. We can certainly be proud of our fertile healthy lake that continuously produces fish of this caliber.

Fishing last winter was very spotty with a few Trout showing up. This spring Brown Trout were very active and Walleyes really turned on after the

second week of June. Early morning proved to be the ticket for bigger fish. Limits could be caught in 20 minutes if you got out 4:30 to 5:30 A.M. Walleyes were hanging close to the cribs more so than the weed edges. Leeches and smaller minnows seemed to do the trick.

Good luck fishing and be sure to enjoy some time on the water!



Round Lake Property Owners Association, Inc.
P.O. Box 1070
Hayward, WI 54843-4048