



Commissioners: Jerry Heine
Don Reinbold
Gary Stippich
Tim Klink Town of Merton
Dick Morris Waukesha County
W326 N7050 North Lake Drive
Hartland, WI 53029
www.nlmd.org

June 30, 2020

Enclosed is the Notice for the NLMD Special Meeting to be held on Tuesday, July 14, 2020 at 6:30 PM at North Lake School, N75W31283 Hwy VV. In connection with that meeting we have the following additional information:

1. Attendance at the meeting is voluntary, but certainly we encourage you to attend.
2. We recommend that all in attendance wear masks.
3. Seating is spread out to provide proper spacing between participants. Please do not move the chairs.
4. The microphones used for questions will be cleansed after each use.
5. Please bring the enclosed "Meeting Notice" and "History of Public Access on North Lake" to the meeting.



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Special Meeting of the
North Lake Management District (NLMD)
Will be held in the Multi-Purpose Room at
North Lake School
N75W31283 Hwy VV

Tuesday, July 14, 2020, 6:30 PM

1. Discussion and Action on Annual Meeting minutes from August 27, 2019
2. Brief Presentation/Discussion of "History of Public Access on North Lake".
3. Questions and Answers on "History of Public Access on North Lake".
4. Secret Ballot on potential purchase of North lake Development Group Property by NLMD for Public Access on North Lake
5. Adjourn

NOTE: PLEASE BRING THE ENCLOSED MEMO ON "HISTORY OF PUBLIC ACCESS ON NORTH LAKE" TO THIS MEETING

IMPORTANT MAILING NOTIFICATION – All North Lake Management District (NLMD) correspondence is delivered (whether by hand or U.S. Mail) to the mailing address that the property owner has registered with the Town of Merton and/or the Village of Chenequa for the purpose of receiving tax bills. By doing so, NLMD duly fulfills its obligation of proper notice.

Property owners are asked to convey the meeting notices and pertinent information contained in any NLMD correspondence to tenants, dependents over 18, or adults who reside at the property and are eligible to vote in federal and state elections.

HISTORY OF PUBLIC ACCESS ON NORTH LAKE

1. North Lake Management District (NLMD), formed in 1990

NLMD was formed because property owners wanted a say as to where public access would be located on North Lake. The Public Access Committee was one of the first committees to be formed and, after significant research and deliberation, decided that the Kuchler property on Hwy 83 was the best site. This was approved by a majority of property owners.

2. First efforts by NLMD to purchase Kuchler property – unsuccessful

Following the original selection of the Kuchler property, negotiations with Jim Kuchler stalled. He would not adjust his \$600,000 asking price.

3. Attempts to purchase Kraus property, prior to its purchase by WDNR

In 2006, WDNR began negotiations to purchase the Kraus property, and a group of property owners bid against them. The price was bid up to \$1,125,000 (\$325,000 above its appraised value) and was eventually sold to WDNR. Several of those property owners later became partners in NLDG.

- a. It includes major wetland acreage which is also lake bottom and would require significant fill.
- b. Located in a residential area
- c. The cost of a road and boat ramp would be excessive
- d. Public safety would be compromised due to the long slow drive from fire stations and police facilities, thru the residential area.

Reddelien Road Neighborhood Association (RRNA) spent in excess of \$600,000 and NLMD spent over \$200,000 challenging DNR Reddelien Road site for public access in various courts. Eventually, RRNA and NLMD were successful in their court actions and prevented public access at the Reddelien Road site for now.

4. 2008 Purchase of Kuchler Property by NLDG

In late 2007 there was a need to be sure the Kuchler Property would be available for public access. Among other things, there were rumors of other parties wanting to “prevent access” there by purchasing that property. At that point several individuals, led by Dan Burkwald, negotiated a price (still high but more reasonable) with Jim Kuchler, and a partnership (NLDG) was formed to purchase the property. Funds were provided by 13 Partners (some who helped with the attempted Kraus property purchase) and, as detailed in the NLDG Partnership Agreement, the Kuchler property was purchased to keep it available for eventual use as a boat launch and purchased by NLMD. That Partnership Agreement also provides that the property may not be sold to a different party, unless a DNR-approved Public Access site has been built somewhere on North Lake.

5. Status of NLMD + WDNR discussion re: Construction of public access/boat launch

NLMD has the approval for necessary permits at the “83 Site”: WDNR permits for a clear span bridge, boat ramp, wetland fill, and dredging. NLMD spent over \$160,000 on the permits and over a \$100,000 on the development of the site plans.

Army corps of Engineers permit for wetland fill, boat ramp, access road, dredging, and other improvements common to public access sites.

Conditional use and Storm water Permits from Waukesha County.

Town of Merton Conditional Use Permit

As long as the NLDG land lease to NLMD remains in place, NLMD will retain the necessary “interest in the property” but would need to extend these Permits (earliest expiration in October 2020).

NLMD has been negotiating with WDNR upper management in a productive way. However, the replacement of Scott Walker by Tony Evers brought in new management people. Good progress is again being made, but time was lost due to personnel changes at WDNR.

6. Current Situation

NLDG has now held the property for more than 10 years and proposes to sell the property to NLMD. Currently, NLMD has no “official” position relative to purchase of the property, but options appear to be the following:

- a. Abandon the project if North Lake property owners have no desire to take on the financial burden of leasing or owning the NLDG property. This may risk WDNR attempting (again) to use Kraus site for public access; or,
- b. NLMD purchases the NLDG property, and finances that purchase using a Wisconsin Board of Commissions of Public Lands (BOPL) 10-year loan; estimated cost between \$150 and \$175 per year per property owner. This assumes a \$340,000 purchase price which is the option amount provided for in the lease between NLMD and NLDG; or
- c. NLMD offers a compromise price - - - between NLDG asking price of \$340,000, and appraised value of \$150,000. Assume something like a \$250,000 purchase price, financed with a BOPL 10-year loan with an estimated cost of approximately \$125/year/property owner; or,
- d. NLMD continues to lease the property from NLDG on terms that represent current conditions in the lease market for vacant land. The lease payments have risen from \$10 per year to \$10,000 per year. In addition, the NLMD pays the property taxes, insurance and maintenance costs for the property.