

ENROLLED ORDINANCE 173-O-060

AUTHORIZE ACCEPTANCE OF COUNTY CONSERVATION GRANT FOR  
OKAUCHEE LAKE, OCONOMOWOC AND FOX RIVER SYSTEM  
WATERSHEDS 2019 MUSKELLUNGE STOCKING

WHEREAS, the Wisconsin Department of Natural Resources (WDNR) has grant funding available through the County Conservation Aids Program specifically for the installation of fish and game projects under § 23.09(12), Wis. Stats; and

WHEREAS, Waukesha County has entered into an agreement with The Muskellunge Club of Wisconsin (MCW) and the Milwaukee Chapter of Muskies (MCM) to stock fingerlings into Okauchee Lake and the Oconomowoc and Fox River system watersheds; and

WHEREAS, the MCW and the MCM have an amount in their budget sufficient to satisfy and agreed to pay all required matching funds; and

WHEREAS, the State of Wisconsin requires County application and management of County Conservation Fund projects; and

WHEREAS, the proposed project will benefit the entire Oconomowoc and Fox River watersheds by helping to maintain a diverse and healthy gamefish population and improving water quality through bio-manipulation.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Waukesha County Department of Parks and Land Use, through its Director or his designee, is authorized to accept distribution of WDNR County Conservation financial aid available for the stocking of Muskellunge fingerlings into Okauchee Lake, the Oconomowoc and Fox River system watersheds.

BE IT FURTHER ORDAINED that the Waukesha County Department of Parks and Land Use will submit to the WDNR reimbursement claims along with necessary supporting documentation within one year of the project end date.

FISCAL NOTE

AUTHORIZE ACCEPTANCE OF COUNTY CONSERVATION GRANT FOR  
OKAUCHEE LAKE, OCONOMOWOC AND FOX RIVER SYSTEM WATERSHEDS  
2019 MUSKELLUNGE STOCKING

This ordinance authorizes the Waukesha County Department of Parks and Land Use to accept up to \$5,500 of County Conservation Aid Grant revenues from the State of Wisconsin Department of Natural Resources (WDNR) for the purpose of stocking muskies into Okauchee Lake and the Oconomowoc and Fox River system watersheds. Parks staff indicate that they have sufficient funds budgeted for this project in their 2019 budget.

According to Parks staff, the total estimated cost to complete this project is approximately \$11,000, with half coming from the State grant, and remaining project costs of up to \$5,500 coming from matching contributions from two area muskellunge clubs. The Department will reimburse the muskellunge clubs for project costs, based on awarded grant funds provided, upon project completion.

This ordinance results in no direct tax levy impact.



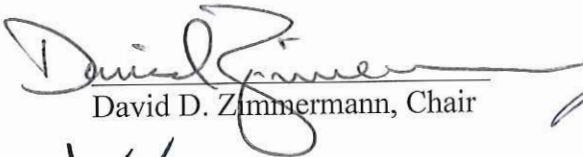
Lawrence M. Dahl  
Accounting Services Manager

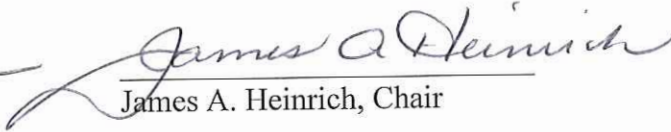
ST  
11/7/2018

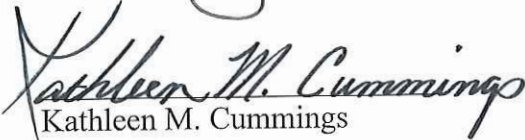
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OKAUCHEE LAKE, OCONOMOWOC AND FOX RIVER SYSTEM  
WATERSHEDS 2019 MUSKELLUNGE STOCKING

Presented by: Land Use, Parks and  
Environment Committee

Approved by:  
Finance Committee

  
David D. Zimmermann, Chair

  
James A. Heinrich, Chair

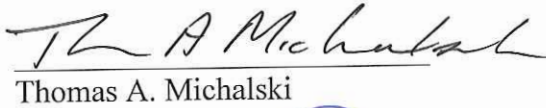
  
Kathleen M. Cummings

  
Timothy Dondlinger

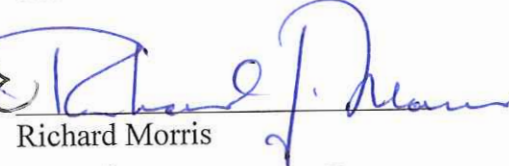
*absent*  
Keith Hammitt

  
Tyler J. Foti

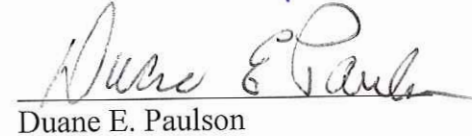
  
William A. Mitchell

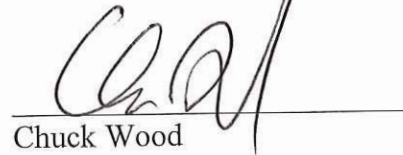
  
Thomas A. Michalski

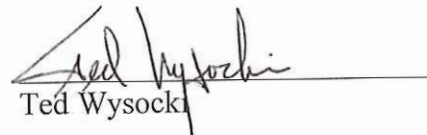
  
Thomas J. Schellinger

  
Richard Morris

*absent*  
Steve Whittow

  
Duane E. Paulson

  
Chuck Wood

  
Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, was presented to the County Executive on:

Date: 11/27/18,   
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, is hereby:

Approved: X

Vetoed: \_\_\_\_\_

Date: 12-3-18,   
Paul Farrow, County Executive

**Paul Farrow**  
County Executive



**Dale Shaver**  
Director

# Waukesha County

## Department of Parks and Land Use

### Agreement

**This Agreement is entered into this \_\_\_ day of \_\_\_\_\_, 2018 between and among Waukesha County (the “County”), a Wisconsin Municipal Corporation and The Muskellunge Club of Wisconsin, a Wisconsin nonstock corporation and Milwaukee Chapter of Muskies, Inc. for the purpose of accepting the State of Wisconsin County Conservation Funds to allow for the 2019 stocking of Muskellunge fingerlings into Okauchee Lake, Oconomowoc and Fox River system watersheds (“the Project”) and define the Parties obligations with respect to the Project.**

WHEREAS, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. are formed to improve muskellunge fishing on County Lakes; and

WHEREAS, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. desire to add up to 700 large fingerling and/or yearling muskellunge into the waters of Okauchee Lake and if funds exist add up to 600 additional fingerlings into the Oconomowoc and Fox River system watersheds through the Project in 2019; and

WHEREAS, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. request State of Wisconsin County Conservation Grant Funding for their Project; and

WHEREAS, County Conservation Grant Funding must be applied for and managed by Waukesha County pursuant to Wisconsin State Statute § 23.09(12); and

WHEREAS, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. agree to fully assist the County with the application and all reimbursement of financial aid documentation necessary for the Project; and

WHEREAS, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. agree to pay all required matching funds towards the actual cost of the Project; and

WHEREAS, this Project will provide fisherman with future trophy fishing opportunities and help improve water quality; and

NOW, THEREFORE, The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. and County mutually agree to the following provisions to effectuate the above intentions:

- 1) The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. will provide the County with Project information regarding the Okauchee Lake, Oconomowoc and Fox River system watersheds muskellunge stocking for purposes of completing application for County Conservation Grants.
- 2) County will apply to the State of Wisconsin Department of Natural Resources for County Conservation Grant for financial aid for the Project.
- 3) County will notify The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. of the financial aid amount if and when a grant is approved.
- 4) The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. shall pay all matching funds toward the Project that the County becomes obligated to contribute toward the Project pursuant to Wisconsin Statute Section 23.09(12)(c). The County shall have no financial obligation toward the Project whatsoever beyond the matching funds provided by The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc.
- 5) The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. will manage the muskellunge stocking assuring compliance with all WDNR funding grant requirements and will assume all future maintenance of the Project.
- 6) Waukesha County shall not be held liable for any injury or damage suffered by The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc., their agents or employees, arising out of the performance of any act or thing required by the terms of this Agreement. The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. agree to indemnify, defend and hold harmless the County, its boards, commissions, agencies, officers, employees and representatives (collectively, "Indemnified Parties") from any claims and demands that any person may have or make

in any manner against the Indemnified Parties arising out of any manner or thing related to this Agreement, the Project or the premises described herein.

- 7) Any and all obligations under this Agreement are conditioned upon the Waukesha County Board of Supervisors (the "Board") authorizing application for and acceptance of State of Wisconsin Department of Natural Resources County Conservation Grant financial aid for the Project. The failure of the Board to so act shall render this Agreement null and void.

The forgoing conditions are accepted by The Muskellunge Club of Wisconsin and the Milwaukee Chapter of Muskies, Inc. this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**The Muskellunge Club of Wisconsin**

By : \_\_\_\_\_  
Printed Name and Signature

\_\_\_\_\_  
Title

**Milwaukee Chapter of Muskies, Inc.**

By: \_\_\_\_\_  
Printed Name and Signature

\_\_\_\_\_  
Title

The forgoing conditions are accepted by Waukesha County this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**Waukesha County**

By: \_\_\_\_\_  
Dale R. Shaver, Director  
Department of Parks and Land Use

D1 - Foti	AYE	D14 - Wood	AYE
D2 - Zimmermann	(M) AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Gaughan	AYE
D9 - Heinrich	AYE	D22 - Wysocki	AYE
D10 - Swan	AYE	D23 - Hammitt	(2) AYE
D11 - Howard	AYE	D24 - Whitlow	AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

173-0-060

Passed (25 Y - 0 N - 0 Absent)

Majority Vote

