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June 13, 2025

Via Email dwillems@wi.rr.com
Lake Keesus Management District
Attn: Dan Willems, Chairman

Town of Merton
W314N7624 Highway 83
P.O. Box 128
North Lake, WI 53064

RE: Wake Enhancement Regulation

Dear Lake Keesus Management District and Town of Merton:

This office has been retained by several individuals who own property on Lake Keesus in regard to both the Town and Lake Keesus Management District's ("LKMD") discussions regarding a possible wake enhancement ordinance. It is our understanding that LKMD has recently taken the position that they would like to conduct another survey of property owners in relation to the possible ordinance. The purpose of this letter is to point out the deficiencies and the processes undertaken by LKMD and request that the Merton Town Board delay in taking any action on any proposal from LKMD. It appears that LKMD is trying to impose the will of some of its members instead of following state statutes and its own procedures.

LKMD formed a committee on enhanced wakes to discuss the matter and determine whether or not any possible regulations would be implemented. As part of that committee, the committee commissioned a survey to be performed relating to the concerns of property owners on Lake Keesus regarding enhanced wakes and other activities on the lake. The sub-committee consisted of two individuals seeking a ban on wake enhanced activities, two individuals supporting the right to wake surf, two individuals neutral to the proposed ban (one of which has a market research background and expertise in survey writing) and a separate neutral facilitator who worked professionally in process development and facilitating groups with opposing views during her career. Now that the results of the survey have been received, it is obvious that the group in favor of banning the activity are not happy with the survey results. Less than half of those surveyed desired a ban of wake enhancement activities. Overall, this results in less than 37% of property owners on Lake Keesus in favor of a ban. This should end the inquiry.

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However, because the anti-wake surfing individuals now do not like the results of the survey in which they scrutinized and debated every section, they are asking for an additional survey to be completed. They did not like the results of the outcome of a fair and balanced survey, so now they are attempting to force another up or down vote.

In addition, LKMD has also not completed any studies regarding the effects of wake surfing or other motorized activity on Lake Keesus. In order to have an effective ordinance, there must be an in-depth, detailed condition report on a lake-by-lake specific basis on the effects of a proposed ordinance where activity being regulated. The last time the demand or request for a study to be commissioned regarding the activity, Mr. Willems replied with "We've done enough studies, get a survey out". The simple fact is that those seeking to enforce a ban on wake enhanced activities are spreading a false narrative as to the effects and cause of various issues on Lake Keesus. The Town of Merton should not be swayed by the scare tactics. If the Town truly wants to undertake the process of regulation of activity on Lake Keesus, it has to follow proper procedure and proper steps.

The first step is listening to the will of the people who are affected by the activity. As set forth above, the survey results clearly show that less than half of the individuals surveyed, equating to approximately one-third of the property owners, are in favor of banning this activity. This should end this discussion. Do not be swayed by the saber-rattling and scare tactics employed by the small group of individuals seeking to ban this activity. Please note that my clients will fight the actions taken by LKMD seeking to outlaw legal activity on Lake Keesus. I strongly encourage the Town to engage its legal counsel and determine the proper way for the Town to proceed. Town government is, at its core, above listening to the individuals it represents. Based upon the survey results commissioned by LKMD, this matter should be put to bed.

Respectfully,

WELD RILEY, S.C.



JOHN B. WAGMAN

JBW:kjo

Cc: Pat Bolger