

Eagle Spring Lake Management District  
Regular Meeting  
July 21, 2020  
Approved Minutes

Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD) to order at 7:00pm. Other Commissioners in attendance were Tom Casey, Tom Day, John Mann, Nancy Wilhelm, Town of Eagle Representative Don Malek, and Waukesha County Representative Chris Mommaerts. Also, in attendance but limited to: Bookkeeper/Administrative Assistant Gina Krause, Tom Tynes, Erik Losby, John Rageth, Sam Awve, Todd Gillette, Dave Anschuetz, and Greg Himebauch. Pete Jensen asked those not talking to please mute their speakers until they need to talk to help prevent feedback issues. Due to technical issues there are a few that are currently attempting to get connected to the meeting without success. We are hopefully that these issues will resolve itself and those people will be able to connect shortly.

**Approval of Minutes** – T. Day made a **Motion** to approve the minutes of the June 16, 2020 meeting as written, seconded by J. Mann; motion carried.

**Announcements and Upcoming Meetings**

- The next status conference is scheduled for September 28, 2020 for further discussion in the Wruck claim.
- The Eagle Spring Lake Mgmt. District Annual Meeting will be held on August 1, 2020. Social distancing will be in practice.
- On July 24, 2020 10am a webinar will be held on Surface Water Grant Program Applications.

**Public Comment** – Sam Awve (owns property next to Wambold Dam) is looking for an update on the fencing project. She expressed her concerns as to the proposed fencing that was going to go up next to the road with a gate on it. She was concerned for the numerous numbers of children and adults who walk, ride bikes, take stroller rides, dog walks, etc. that use this area, and they would not be able to safely exit the roadway if traffic was coming through. There also is a need to have access to that pier for 3 to 4 persons with kayaks/canoes. Additionally, this fence may be an issue during snow removal and when dam operators need a place to park. T. Casey mentioned that he had raised some of the same concerns about a year ago about a fence in the area, and is not in favor of a fence going up in this area. P. Jensen offered further discussion of this topic could be listed as a future agenda item that action could be taken on at that time. Sam was in favor of future discussion. Pat Cowle mentioned 3 things he wanted to bring to our attention. 1. He is looking for a buoy map of the numbered buoys (Gina will send him a buoy map). 2. He is looking for an accounting report of lake patrol report hours of multiple people in the boat (he is presuming that we will have this information at the Annual Meeting on August 1, 2020). 3. Nancy Wilhelm's contact information needs to be updated on the District's website. Note: after meeting review of website showed that Nancy Wilhelm's information is on the website. John Rageth will hold his comment until the topics are discussed on the agenda.

**Old Business**

**Weed Harvesting/Collecting/Chemical Treatment** – T. Day reported that he has trained T. Casey on changing the oil on the harvester and where all the dump sites are. Upon viewing of the lake (7/20/20) for plant growth, it appears that Pickeral Bay has an approximate 20x20 yard area of milfoil by Simon's residence (inside the treatment zone). At this time, the water clarity was not good and therefore there could be other areas of growth not visible at this time. It appears that the treatment may have been successful in the remainder of the treatment area, but T. Day is reserving his final judgement until later in the growing season. The remainder of the lake does not appear to have excessive EWM growth anywhere. The water lilies as you are existing the ski channel are receding once again (similar to several years ago).

## Eagle Spring Lake Management District

### Regular Meeting

July 21, 2020

**Aquatic Plant Survey** - T. Day recommended that we use Southeastern Wisconsin Regional Planning Commission (SEWRPC) to update the Lake Management Plan at the cost of approximately \$21,000.00. However, he also recommended that we get bids to perform the Point Intercept Plant Survey. We have obtained a verbal estimate of approximately \$6,000 to perform the survey. We will be applying for grant funding; however, P. Jensen is worried that future grant funding may be limited due to Covid-19 using up most funding monies out there.

**Conveyor Painting** – P. Jensen stated that there as 2 bids at the price of \$5,200 compared to the other bid of \$950.00 to paint the shore conveyor. T. Day made a **Motion** to accept the bid of \$950.00 from Mike McDonough to paint the shore conveyor, second by D. Malek; motion carried.

**Carp Initiative/Fishery Issues** – T. Day reported a very conservative count of 148 carp have been captured this year to date.

**Clean Boats/Clean Waters Program** – T. Day had been frustrated as to the regulations that were preventing us to start staffing the boat launch. T. Day has made some calls and received permission from the DNR that we could start staffing the boat launch. P. Jensen organized all the Protective Equipment (gloves, hand sanitizer, masks, sanitizing supplies, etc.) that we would need, and Gina organized a schedule to start them working on Saturdays and Sundays. The first date of staffing the boat launch was June 28<sup>th</sup> and we have also added in Thursdays and Fridays when the weather looks good. We are attempting to hit our required 200 hours needed to get the full grant funding. A special thank you to Madeline Wilhelm who has been willing to fill in shifts when we have no one to work them. Thursdays and Fridays are just about as busy as the weekends. We plan on running the program through Labor Day.

**Weather Station and Website** – There were no updates.

#### **Wambold Dam/Kroll Outlet Issues**

- **Wambold Buttress Repairs Update** - P. Jensen reiterated that due to the delay in getting permits, etc. we will not be doing any repair work this year. Our permit application for this work is being done is being held open by the DNR so that we may add an amendment to the application when we finally figure out what exactly needs to be done to repair the spillway. T. Day raised the question of is this repair on the Wambold Buttress part of the “to do list” from the DNR inspection on the dam? Secondly, this work is a non-structurally repair. P. Jensen stated that yes, it is currently nonstructural repair, but depending upon what is found once the work begins may prove that this is going to involve a structural repair to fix it and, the longer we wait, the more expensive this could get. Although it is not in our current inspection report, it is anticipated that it will be in our 2021 inspection report.
- **Kroll Outlet Intake Issue and Status** - The Wambold outlet will continue being used to handle the primary flow. Kroll site has been reduced to allow for our minimal flow. A gauge has been obtained from MSOE to help monitor the crack in the South retaining wall of the intake channel. A change to our previous plans (2014-2015) for this structure will have to be modified; it is presumed that the coffer dam will now be different. We anticipate that we will be able to get all the necessary permits/bids by spring of 2021. T. Day made a **Motion** to get a professional engineer (preferably someone we used before/familiar with the structure) to inspect the rectangular cement slab condition that may have impact on our Kroll water control structure. The Board discussed having a qualified engineer to analyze this situation and make recommendations. P. Jensen will also check to see if MSOE would be able assist us with this. Motion second by N. Wilhelm, motion carried.

**Septic Pumping Issues** – T. Day expressed his continued frustration of some issues that continue not to

## Eagle Spring Lake Management District

### Regular Meeting

July 21, 2020

be resolved since his comments to the last report from December/January. On July 21, 2020 T. Day & P. Jensen attended the Waukesha county parks and land use meeting. Waukesha County, Dale Shaver didn't see the need to know the type of system in their reporting (i.e., holding tank vs leech bed system) and that they can rely on the pumpers. Since 2019 they have started to issue citations. What happens if citations are not paid; does the fine go on the tax bill? They currently only have 4 registered sanitarians who look at problems, which does not leave a lot of time/people to take care of issues since these people also must also deal with restaurants, etc. C. Mommaerts shared that it is cheaper for some people to pay the fines rather than be pumped or repairs. The current system is a failure and may only get worse. It is presumed the system has a long way to go. T. Day recommended that we draft a letter of past and present problems and have a future meeting with Dale Shaver to discuss this to and work toward a solution to our current problems and let them know that these issues have not been resolved. C. Mommaerts will continue to help us with our current Issues with Waukesha County's septic program.

**Water Patrol** – D. Malek presented the lake patrol report from June 18 through July 13, 2020. According to the report, a total of 70.5 hours of patrol time was recorded, with 60.5 hours spent patrolling and 10 hours on administrative duties. There were 25 boat stops, 12 citations, and 14 written warnings. They also gave a total of 12 verbal warnings and assisted 4 vessels. The patrol received 12 complaints from residents, which included SNW violations, PWC faster than slow no wake through the ski channel. P. Jensen gave a special thank you to the DNR for their assistance on June 27 (night of fireworks) who had part of their patrol pulled away to take care of a drowning on Wind Lake. The DNR patrol did return to our lake once dismissed from their duties on Wind Lake. A copy of the lake patrol report can be viewed on our website at eaglespringlake.us. D. Malek mentioned that the Town of Eagle is in support of Waukesha County providing more no parking signs on CTH E as necessary.

**Status of Succession Planning/Back Up Position** – N. Wilhelm gave a special thank you to T. Day and J. Mann for their review of the draft Bookkeeper/Administrative Training Manual. The manual is essentially complete and will be further updated as time goes by/tasks change.

**Proposed Workload Distribution Discussion** – There were no updates.

**Truck Information and Equipment** – P. Jensen thanked J. Mann and T. Day for finding the truck and 1<sup>st</sup> official use of the truck was used for the delivery of barricades needed for our 4<sup>th</sup> of July festivities. The fire extinguisher has been replaced with a new one per our insurance company funding. The door locks are in need of some repair. The truck has been covered with basic liability coverage at the rate of \$787/year. The Board looked at the cost of full collision coverage at the cost of \$946/year. We have all our department of transportation safety gear and door signage has been ordered. T. Casey made a **Motion** to continue with our basic liability coverage on the truck, second by D. Malek, motion carried. T. Casey gave a special thank you to Martin Frith for the donation of the generator. We now have emergency power if ever needed.

**Legislative Update** – There we no updates.

**Fireworks Review and Set Date for Next Year** – P. Jensen commented that he believes the numerous viewers that we were fearful would crowd our lake was greatly relieved by the fireworks in Hartland (who had displayed the same night as ours). Hartland had a substantial crowd in attendance. Clarks Park, South Shore did not experience any problems in their area. The 47 temporary no parking signs (3pm to 10pm) on CTH E were effective. The show was great and the Board discussed possible dates for next year show. Possible dates were Saturday June 26, July 3, and July 10. We may be able to get a better bang for our buck if we stay away from the July 4<sup>th</sup> weekend. P. Jensen will check with lake patrol as to which nights they would be available.

**Disaster Assistance Application** – There were no updates.

## Eagle Spring Lake Management District

### Regular Meeting

July 21, 2020

**Beaver Control Update** – DNR says the beaver issues on the lake are the individual property owner’s problem. A couple of trappers were contacted, due to the pelts not worth much during the summer months there was no interest. The trappers prefer to harvest beavers during the winter months through the ice.

**Public Boat Launch Issues** – The DNR has added additional parking signage at the boat launch. The DNR has made arrangements with a towing company to tow vehicles that are in violation (this applies only to the boat launch parking lot). The parking outside of the parking lot is dangerous. John Rageth asked if we could consider taking over running the boat launch and make it a paying boat launch. P. Jensen explained that any fee charged for launching would be set by the DNR what we could charge. T. Day explained that Nate Cobb (when he was on the Board) did a study on this. The one question during that study was if we could close down the launch once a certain amount of boats launched. DNR stated that they would not allow us stop boats from launching after a set number of boats have launched.

### New Business

**Lake Level Concerns** – John Rageth has been noticing that when the water level drops down to 9.5 and 9.2, he has been having trouble with his shore station and well as some others on the lake. The landscape of the bottom of the lake is not allowing him to place his shore station lower in the water. P. Jensen explained that while we do attempt to keep the water level at 9.6. However, in preparation to expected heavy rainfall we do have the need to occasionally lower the lake level in advance. This appears to be more of a problem this year than in the past which may be due to a rainy spring/summer this year. T. Casey commented that he has heard similar complaints but also understands the difficulty in managing water level. The wind also plays an effect on how the gauge is reading.

### Annual Meeting Preparations

- **Budget** - P. Jensen commented the possible sale of the ski channel property. We are hopeful that it would not come to selling this property. We purchased that property in the amount of \$230,000 and should be paid off in the year of 2023. There is an easement/deed restriction on the property to allow us to cross Mike Bolan’s property to get to the land for maintenance reasons. There is also a budget item for the Kroll repair. There are possible repairs which could amount in the cost of up to \$395,000. P. Jensen further explained some of the other items that need to be done per our dam inspection requirements, i.e., removal of trees along the property line. We plan to only take a loan out for what the actual repairs are, and are hopeful that the bidding process may bring down the costs. Further consideration is also needed to determine if we would need to increase our spillway capacity in the near future. The DNR does recognize that due to current litigation that some of these repairs/maintenance items will have to be on hold until litigation issues are resolved. N. Wilhelm’s preliminary calculations for \$375,000 loan are as follows:

20-year loan would cost us \$25,000/year (total of 500K).

15-year loan would cost us \$31,000/year (total of 465K).

10-year loan would cost us \$43,400/year (total of 434K).

The original grant that we were awarded from the DNR is no longer available (per verbal communications with DNR). We do not have any grant funding to help pay the cost these repairs.

T. Day expressed that he is not in favor of doing this work in 2021 because, we have other issues to deal with in 2021, like our plant survey/updating our Lake Management Plan, and they are going to suffer if our attention gets into the construction work on the dam. P. Jensen stated that he agrees with T. Day and would like to postpone this and make this a stand by situation in case we experience further rapid deterioration. However, the option to do the work in 2021 remain in the budget for 2021.

- **Newsletter** – T. Day observed there was no status update on the Wruck case, and is hopeful that

Eagle Spring Lake Management District

Regular Meeting

July 21, 2020

Jensen will give a status update at the Annual Meeting. T. Day clarified that the use of liquid 2, 4-D is DNR approved for use, however, it is the granular 2, 4-D is not DNR approved for use; this is due to its chemical, organic, structural difference between the two products. Therefore, the DNR is approving some 2, 4-D requests.

**Equipment Repairs and Operating Status** – A special thankyou was given to T. Day for his fast action in replacing the oil, etc. once a water bottle was found in the oil fill on the harvester. The harvester was checked over for water in the gas, hydraulics, etc. It may be time to consider security cameras at the site.

**Vandalism, Prosecution of Offenders, and Security Camera Installation at Kroll Outlet** - T. Day commented that it may be time for security camera and react appropriately. J. Mann asked if insurance covers this at all. P. Jensen commented that he believes we would have to cover the first \$2,000 and then insurance would pay after that. The Board discussed some of the different systems that are out there. J. Mann made a **Motion** to purchase a security camera at a cost of approximately \$500.00, second by N. Wilhelm, motion carried.

**Generator Donation** – T. Day made a **Motion** accept the donation of a generator; second by N. Wilhelm, motion carried.

**Financial Update/Payment of Bills** – D. Malek moved to approve payment of the bills as amended; T Day second, motion carried.

**Executive Session** – At 9:56pm, D. Malek made a **Motion** go into Executive Session under 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Board will not reconvene into open session. Second by J. Mann, motion carried with the votes as follows: Tom Casey – Yes, Tom Day - Yes, Peter Jensen - Yes, Don Malek – Yes, John Mann – Yes, Nancy Wilhelm – Yes, and Chris Mommaerts - Yes.

**Adjourn** At 10:04pm, J. Mann moved to adjourn, second by N. Wilhelm, motion carried.

John Mann  
ESLMD Secretary