

Eagle Spring Lake Management District

Regular Meeting

December 20, 2022

Approved Minutes

Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD) to order at 6:30pm, and led with the pledge of allegiance. Other Commissioners in attendance were Chris Hinz, Tom Day, John Mann, Nancy Wilhelm, and Town of Eagle Representative Don Malek. Lake residents Richard (Dale) Brugger, Greg Himebauch, and Bookkeeper/Administrative Assistant Gina Krause were also present. Waukesha County Representative, Chris Mommaerts was excused due to scheduling conflicts with a Waukesha County meeting requiring her attendance.

Approval of Agenda – D. Malek made a **Motion** to approve the December 20, 2022 agenda as written, second by N. Wilhelm, motion carried. Discussion included that P. Jensen signed off on the agenda for December 20, 2022 meeting and minutes from the November 15, 2022 meeting because of J. Mann’s refusal (due to they were changed from what he reviewed). Motion carried with both T. Day and J. Mann opposed (due to John’s topic being removed from the agenda).

Approval of the November 15, 2022 Board Meeting Minutes – T. Day expressed his disagreement with what P. Jensen amended in the minutes during his review. T. Day pointed out one of the changes made which was an 8” hole was reversed to read an 8” patch on a 6” hole. P. Jensen defended his action by commenting that he has a receipt that shows the size of the patch (clamp) used, and if we are changing the minutes back to a 6” patch on an 8”hole, then he would like a copy of the receipt be attached to the minutes. T. Day reminded Pete that the minutes are to show what was reported not to be changed to what actually happened, and the minutes should be what was reported or reported by a resident. T. Day stated that he has seen the minutes that J. Mann (Secretary) had reviewed and that there are numerous changes made to the minutes after being prepared by Gina and reviewed by John. There are too many changes to all be addressed one by one at this meeting. P. Jensen offered to table the minutes and bring them back next month with T. Day’s changes. J. Mann explained as to why he did not sign the minutes, he feels that the minutes are the role of the Secretary, and read an excerpt from Chapter 33 that talks about what role the Secretary is to perform. J. Mann stated that he feels the minutes can/should be changed by a Chairperson at the meeting, the same as any other board member. P. Jensen recommended a tabling of the minutes until next month’s meeting, and suggested for the minutes to be put back to the format as they were after John’s review. N. Wilhelm made a **Motion** to table the approval of the November 15, 2022 minutes until January’s meeting; second by D. Malek, motion carried. P. Jensen commented that we have received a refund from Hoppe/Grainger in the amount of \$998.23 for the faulty patch.

Review of August 6, 2022 Annual Meeting Minutes – Discussion/Action – There was no further discussion of the Annual Meeting minutes. Therefore, J. Mann made a **Motion** to approve this draft of the minutes to be placed in the July 2023 Newsletter, with one more chance to edit them before the newsletter gets published; second by N. Wilhelm, motion carried. The 2022 Annual Meeting minutes will be approved at the 2023 Annual Meeting by the lake residents in attendance.

Announcements and Upcoming Meeting

- There will be a Town of Eagle Board meeting on December 21, 2022 at 6:30pm.

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- P. Jensen distributed a handout titled Wisconsin Court of Appeals Requires Disclosure of E-Mail Listserv Maintained by Public School District Used for Community Outreach. This may have an effect if email addresses would become public records. This will be discussed further at our January meeting.

Public Comment - There was no public comment.

Weed Harvesting/Collecting/Chemical Treatment Requirement and Updated Guidance for Weed Harvesting and Disposal/ Discussion – P. Jensen will send a short fill-in-the-blanks to Gina as to the time schedule needed for various paperwork being submitted.

Clean Boats/Clean Waters Status – Discussion/Action – P. Jensen distributed to the Board the cover page of the final grant request which shows the breakdown on project cost (donated vs actual). Gina's cost does go into this grant and is 75% refundable. The Board was presented a year end summary for the 2022 Clean Boats/Clean Waters Program. Based upon Lauderdale Lakes wages for their Clean Boats, Clean Waters program and because we need the help, T. Day recommended raising the hourly pay for inspectors. T. Day made a **Motion** to increase the hourly wage for the inspectors in Clean Boats/Clean Water program from \$10.00/hour to \$13.00/hour; second by N. Wilhelm, motion carried.

Carp Initiative/Fishery Issues Discussion – There was no updates

Signage Boat Launch - Report P. Jensen stated the “no dumping” signs have been installed.

Weather Station and Website – The students from Milwaukee School of Engineering (MSOE) will resume after the holidays. Currently the lake district website is down and we are researching as to what has caused it to crash. It is believed that there is a configuration file that is missing. N. Wilhelm will try to find her old template with Wisconsin Lakes. Otherwise, Gina could attempt to load back in a backup file. P. Jensen will investigate steps necessary to make the District's website its own account and not a subaccount of the weather station.

Post Construction Tower Movement – Discussion/Action - Richard (Dale) Brugger has volunteered to start doing sechhi disk readings and also is interested in a Deputy Dam Operator position. P. Jensen discussed the benefits of moving the weather tower to the district property. J. Mann made a **Motion** to move the tower from its existing location to the district property; second by D. Malek, motion carried. The move will be done at no cost to the district.

Wambold Dam/Kroll Outlet

- a. **Construction Progress Report – Discussion** – The construction is done until spring. Construction materials/equipment has been removed from the site with the exception of a port-a-potty that is frozen to the ground and will be removed at a later date. Only one bollard has been poured due to beaver destroying other form needed. The bollards will aid in holding harvester still when off-loading plants on the harvester to the shore conveyor. Next spring, the other bollard will be poured, a crack in the floor will be fixed, handles installed on the diamond plates covering openings to the gates, light fixture will be re-directed to correct position, and a free outlet installed in exchange for Barb's Banana Muffins. Next year we could discuss the removal of the 2 trees in the middle of the lot. The rip-rap and land will be allowed to settle over the winter/early spring. We-

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energies has been given the authority to re-hook up the electricity. T. Day questioned the new wing walls being under water and if we were more likely to have weeds build up on the inlet. P. Jensen explained that this design is more efficient in improving water flow and the design of the new trash gate will let the debris pass through easier.

- b. **Construction Financial Status and Loan Information – Discussion** – P. Jensen does not anticipate another bill until possibly May or June. By that time, we will have our tax funds.
- c. **Spring Landscape Plan Approval** – A draft copy of landscape plan was available if Board members wanted to take a quick look at it. D. Malek made a **Motion** to approve the draft landscaping plan, second by C. Hinz, motion carried.
- d. **Remaining Tree Removal Plans – Discussion** – The remaining trees that will need removal are as follows: possibly the two trees in the middle of the property and the three remaining trees along the property line, and a tree that is dying on our property by the Wambold outlet.
- e. **Gate Training – Report** - Gate training was attended by P. Jensen, Tom Casey, and Richard (Dale) Brugger. Manufacturer has signed off that the training has been completed/passed.
- f. **Watertight Acceptance Test – Report** – In order to pass the watertight test, we were allowed up to 3 gallons of water per minute. We did pass the watertightness test with approximately a dribble of water getting through.
- g. **Concrete Test Results – Report** – All the final concrete tests on the initial 7 days have passed, except for the final strength tests which have not been completed.
- h. **New Survey Datum and Modernization – Discussion/Action** – The surveyor was out and took a measurement on the brass nail in the new concrete. The surveyor will be out in the spring and we will put in the gauge on the south bollard. The measurement datum on the gauge to measure the lake water level will start at 800 feet (approximately 4 ½ feet below the bottom of the lake), so that we will never be able to chart a level below zero, and all properties will all be above sea level. The unit of measurement used on the new gauge will change, however the level of the lake will not change at all. J. Mann made a **Motion** to accept 800 as our new zero level on the gauge; second by N. Wilhelm, motion carried.

Legislative/Regulatory Issues – There were no updates.

- a) **Fair Labor Standard Acts Applicability – Discussion** – P. Jensen sent a letter to the US Department of Labor to ask if this Act pertains to the District. It is anticipated that this will take a couple of months to get an answer. N. Wilhelm commented that the Bridges library system had a new board member that wants copies and all documents mailed to him (he does not want it all electronically). Nancy inquired how this is possible, and was explained to that it is in the Administrative Job Description. J. Mann mentioned he did have something that he would like added to Gina’s job description but it was taken off the agenda. P. Jensen said he did not recognize that J. Mann had something on the agenda that he removed. P. Jensen asked that we wait for the ruling from US Department of

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Labor and then move forward with addition to Gina's job description if needed. P. Jensen wants a further breakdown of Gina's hours. Gina asked P. Jensen to break apart her job and categorize it as he wants it broken down. P. Jensen asked, after Gina, how do we set hours for a particular task? T. Day explained that we have not had any problems when transitioning the last 3 times; why are we expecting to be such a problem to occur? P. Jensen went back to stating it is all part of zero-based budgeting.

Septic Update – Discussion/Action – There were no updates

CTH E Parking Updates – Discussion – There were no updates

Tasks Divisions and Duties Changes – Discussion/Action/Reconsideration – T. Day commented that he has not participated in any fireworks tasks in the last 1-2 years, therefore, he is asking for his name to be removed from any tasks that are related to fireworks. By consensus, the Board agreed to remove Tom Day from Special Event Support and Scheduling (Fireworks) on the Task Divisions & Duties list.

Financial Error Update Insurance Claim – Discussion/Action - Our claim to Glatfelter Insurance (claiming the budget error and as a billing error) has been denied payment.

a) **Possible budget adjustments – Discussion** -We need to see the end of the year reports this year.

Financial Spreadsheet Update and QuickBooks Full Implementation – Discussion/Action – P. Jensen explained that we either do everything in Quickbooks (QuickBooks can export your reports into an Excel file) or as an Excel file. Quickbooks offers a support system (for a fee) that if you give them what you have and you tell them what you want, they will do the base set-up of it for \$50/month and you cancel the support anytime you want. He has not talked to the sales staff and has no idea how long it would take to do this. P. Jensen has decided that it is N. Wilhelm and himself that should talk to the sales department.

a) **Establishment of Accounting Numbers – Discussion/Action** – P. Jensen explained how he thought that account numbers would have shown us the error. Due to it being a formula error in just 2 of the columns and the account names were present, Gina disagreed and stated the account numbers would not have shown us the error sooner.

New Business

Ice Rink Installation Request – S. E. Wisconsin Youth Hockey Association –

Discussion/Action – The Town of Eagle Recreation Department referred a letter from the S.E. Wisconsin Youth Hockey Association to the Lake District Board. The Hockey Association is looking to install and maintain up to 6 outdoor hockey rinks and license them with the Town of Eagle. P. Jensen talked with conservation warden Chad Ziegler (DNR) and the DNR commented that they would not allow an exclusive rink on a public water. The weight limit on the lake and springs throughout the lake could cause issues for them. We have 1500-pound weight limit on the lake and would make their transportation/installation of bleachers hard to do. We anticipate this will become a matter of no concern.

Set Alternate February Meeting Date – Due to the spring primary elections, the Eagle Municipal Building will be used for elections the night of Tuesday, February 21, 2022. N.

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Wilhelm made a **Motion** to postpone the 2/21/2022 meeting until Tuesday, 2/28/2022; second by D. Malek, motion carried.

Hiring of Deputy Dam Operator – Discussion/Action – N. Wilhelm made a **Motion** to hire Richard (Dale) Brugger as a Deputy Dam Operator; second by D. Malek, motion carried.

Approval of Revised Inspection/Operation/Maintenance Manual – Discussion/Action – T. Day amendment/corrections has been entered. The final survey mark at the Kroll site will be entered once the survey report is received. Also, the job description area was changed to state that the Deputy Dam Salary will be \$200/year (up from \$100/year). The Deputy Dam operators will have to take over more days in order to keep up how it is operating. In return P. Jensen is reducing his yearly salary of \$1,000/ year down to \$800/ year since he will not be spending as much time on the dam. Daily inspections include checking/recording the water level and making sure no debris is blocking the dam, and picking up garbage on the ground. N. Wilhelm made a **Motion** to approve the Revised Inspection/Operation Maintenance Manual (pending incoming survey data to be entered once received); second by D. Malek, motion carried.

Court Judgement in Case 2020CV000018 – Steven Wruck VS Private Road Parcel et. al. – Report – The judge made a decision on this case; rejecting all of Mr. Wruck’s proposals and dismissed the case with prejudice.

Financial Update & Payment of Bills Discussion/Action - N. Wilhelm made a **Motion** to pay the bills; second by D. Malek, motion carried with T. Day opposed.

Adjourn - At 8:00pm D. Malek moved to adjourn; second by N Wilhelm, motion carried.

Respectfully submitted,
John R. Mann
Secretary
ESLMD