

Eagle Spring Lake Management District
Regular Meeting
June 20, 2023

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 Tom Day, Chris Hinz, John Mann, Nancy Wilhelm, Town of Eagle Representative Chris Mommaerts, and Waukesha County Representative Lance Matthews. Town of Eagle Supervisor Ryan Hajewski and Lake residents Greg Himebauch, Jeff Prokop, Nick Wambach, and Bookkeeper/Administrative Assistant Gina Krause were also present.

Approval of Agenda – N. Wilhelm made a **Motion** to approve the June 20, 2023 agenda; Second by C. Hinz, motion carried.

Approval of the May 16, 2023 Board Meeting Minutes – T. Day made a **Motion** to approve the April 24, 2023 minutes as written; second by J. Mann, motion carried.

Announcements and Upcoming Meetings

- The Next Town of Eagle Board Meeting will be held on June 21, 2023 at 6:30pm.
- The 2024 Wisconsin Lakes Convention will be held on April 10, 11 & 12.
- Sandra Shorr has prepared a large display showing the history of the private roads, which is currently on display in the town's main office.
- The DNR state land on South Shore Drive is being auctioned. It is to be sold with conditions (not allowing any residential or commercial development on the property). The auction ends on 7/17/2023.
- N. Wilhelm reported she believes she saw some people illegally fishing by the Kroll Outlet.
- T. Day reported he has received a phone call from a lake resident who had a confrontation with a father and son trespassing and fishing by the Wambold Dam.

Public Comment – There were no comments.

Aquatic Growth Harvesting/Collecting/Chemical Treatment – Aquarius has launched the harvester and installed the shore conveyor. One of Aquarius's workers sustained a hand related injury and is being taken care of by Aquarius and their insurance. Tom Casey has had the harvester out once. Gina reported that she has had complaints of weed growth from both Pat Cowle and Tony Hofeld and has advised both Pat and Tony to contact Tom Casey.

Clean Boats/Clean Waters Status – Discussion/Action – T. Day reported the program is going well.

Carp Initiative/Fishery Issues Discussion – T. Day reported two carp have been tagged this year. DNR's Ben Heussner (fisheries biologist) was performing electrofishing last week, looking for the Redear Sunfish. As of this meeting, we have no results from the electrofishing to share.

P. Jensen commented that he has been told about two redear sunfish being caught earlier this spring and C. Hinz's son reported catching a redear sunfish. In an attempt to confirm the presence of redear sunfish in Eagle Spring Lake, P. Jensen presented the Board a copy of a reward flyer for the first caught and officially identified redear sunfish. N. Wilhelm made a Motion to pay a reward of \$25 for the first caught and officially identified (by DNR) redear sunfish; second by C. Hinz, motion carried. Any person who has caught a redear sunfish is to take a picture of it and email it to P. Jensen (chair@eaglespringlake.us) and he will have the DNR officially confirm the picture.

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Weather Station and Website – J. Mann questioned as to how does the weather station benefit the lake. You can get an Eagle Spring Lake specific forecast for the lake and we are able to track water temperatures at the base of Kroll, the base of Wambold, and where Jericho Creek crosses CTH E). Water temperatures are not on the website but available upon request.

Eagle Spring Lake Web Site & Email – Status Report – N. Wilhelm reported the new website is moving right along and she now has administrative rights. The anticipated go live date is expected to be July 1, 2023 and all the legal information that we need for the Annual Meeting will be on the website. We need to get all the emails using eaglespringlake.us to move over to the new server and N. Wilhelm will contact our designer and have the emails moved over.

Wambold Dam/Kroll Outlet – Status Update – P. Jensen reported that all the dam repair/modification construction is done. Some re-seeding in a small area is needed. Change order #5 was presented to the Board. The change order was an added cost of \$2,490 for compensating the contractor for saw cutting and removing existing face of the concrete center pier to accommodate the installation of the new slide gate. This change order was approved by N. Wilhelm and P. Jensen. The WDNR Michelle Hase has reviewed the project. The company that did the seeding will be back one more time in the fall and fertilize it. N. Wilhelm made a **Motion** to close out the construction project; second by C. Hinz, motion carried.

Legislative/Regulatory Issues Discussion –

State Budget Bill – The state budget bill passed. This should give the Town of Eagle an increase in state aid (even though it may be minimal). There was a provision in that bill when it was set up to provide aid to sanitary districts; that they couldn't just give it to sanitary districts but had to give it to lake districts as well. It was not included in this year's approved budget bill but a couple of legislators are going to put it into the budget repair bill that will be presented next year. The budget repair bill has not been written thus far.

Septic Update – Discussion/Action – C. Mommaerts stated that she is attempting to get the word out of our concerns with the lack of septic maintenance being done around the lake. C. Hinz commented that properties up North are getting fined much more than what we do down here. C. Mommaerts brought up the Community Clean Boats/Clean Waters meeting coming up. N. Wilhelm shared her concerns with a property on the lake that is under construction.

CTH E Parking Updates – Discussion – C. Mommaerts stated that she is sending out packets with our safety concerns. N. Wilhelm commented that we need to start attending the meetings in order to show our uneasiness of the potential outcome that could occur.

Newsletter Discussion/Action

July newsletter article review - P. Jensen stated that there were no articles submitted from other Board members for the July Newsletter and due to time restraints, he does not have any articles for the Board to review. It is anticipated that after the budget, minutes, and agenda we won't have a lot of space left in the newsletter. P. Jensen does have some press releases that he can use as fillers, red cross training, nominating committee article (similar to last time), DNR article on accident reporting, septic health filler, and make an offer for our pier and lift that are up for sale, etc., and will attempt to insert them into the newsletter. The goal is to have it in to the printing company by July 26th. The actual expenses in the budget will be through June 27th. J. Mann asked if we will be paying more for the fillers. P. Jensen commented that the newsletter has to be done in increments of 4 pages and therefore it is anticipated that we will have a 12-page newsletter once again.

2023 Fireworks

- a) **Tying up Loose Ends – Volunteers – Setup/Take down assignments, permit, etc. – Discussion** – P. Jensen will be sending out an email that will tell all the volunteers what

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they have been assigned to do and if there were any changes made. It appears we are set to go.

- b) **Authorization for Event Parking/Discussion** – C. Mommaerts agreed to a letter from the Town of Eagle that we have permission to put up event related no-parking signs.

Ski Channel Habitat Project – J. Mann questioned that if we have not approved the Ski Channel Habitat Project, then why do we have it in the budget? P. Jensen explained that it is in the budget and if you approve the budget, you are approving the project, and if you don't approve the budget, you are not approving the Ski Channel Habitat Project. J. Mann commented that he believes it is going to be an "attractive nuisance" and could become similar to what happens at Lulu on Saturdays and Sundays. It is not a "one and done" thing, it is going to take an ongoing effort in order to keep the invasives out and natives growing. P. Jensen stated that DNR's Heidi Bunk will need to come out and she has given tentative approval to a possible entry to the property via the lake on the West side of the property that would be for paddle only and not for motor boats. T. Day reminded the Board, the DNR once strongly objected to us entering the property via the west side and required any pier had to be on the north side of the property.

Buoy Status Update – Discussion/Action – There are two new labels (idle speed & stump) in need of purchasing for two buoys. T. Day mentioned his reasoning as to why he would like to see two buoys removed (a slow-no-wake and a rock buoy). P. Jensen informed him that he would have to order the new decals and submit a new buoy application/permit to the DNR for approval before we can remove those buoys. T. Day requested the assistance of Gina with the permit or buoy layout (if needed). Approval of the new buoy layout will be presented next month. The buoys that have shifted will have to be adjusted.

Water Patrol Discussion – There was no report to discuss.

New Business

Wambold Dam – Native Planting Discussion/Action – N. Wilhelm explained how she and C. Hinz came up with the idea to plant 36 pollinator plants by the Wambold outlet. N. Wilhelm and C. Hinz will take care of all tasks related to this project (i.e., planting, watering, etc.). They requested \$100 to get the 36 pollinator plants. N. Wilhelm made a **Motion** to spend up to \$100 to purchase pollinator plants to plant along the land by the Wambold outlet; second by J. Mann, motion carried.

Glatfelter-Horton Group Accident Contract Addition Discussion/Action – P. Jensen did contact our agent to notify them of the accident that happened to Aquarius's employee (hand injury). This led to the discussion if the district has a "Hold Harmless Agreement". We don't have such an agreement and therefore a draft "Hold Harmless Agreement" was presented to the Board for approval. J. Mann made a **Motion** to approve the "Hold Harmless Agreement" as presented and to include it in any future contracts that we approve; second by N. Wilhelm, motion carried.

Glatfelter has a risk tool advantage training website in which they offer courses. P. Jensen is going to recommend that the dam operators take a few of these courses.

2024 Budget Workshop – Part 3 of 3 – Discussion/Action – Using some of figures from last month the Board was presented a budget that was worked on by N. Wilhelm, C. Hinz, and Gina Krause. P. Jensen explained that the new reserve contingency is not a capital account that it is an expense account. T. Day expressed he did not care for all the little subtotals throughout the budget where one total would be sufficient. He was also questioning the grant funding not equaling the expense of ski channel property maintenance and P. Jensen assured him that the extra fund raising of \$5,000 will then come out to no district money being spent in 2024 on the ski

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channel property project. The funding for water sampling in the Mukwonago River/Jericho Creek has been removed. The raising of the levy is \$10,500 and is for the cutting of the trees and operating expenses. J. Mann commented that he is opposed to the commissioners being paid a stipend in the budget and why is it not back to being a salary since it was taken off the annual meeting agenda. J. Mann commented that his accountant said once a W-2 always a W-2. It was agreed by consensus that stipend will no longer be considered and the status of commissioner being salary paid will remain.

N. Wilhelm made a **Motion** to approved the Proposed 2024 Budget as amended for presentation at the Annual Meeting; second by C. Hinz, motion carried with roll call vote as follows: L. Matthews – Yes, N. Wilhelm – Yes, C. Hinz – Yes, P. Jensen – Yes, J. Mann – Yes, T. Day – No, C. Mommaerts – Yes.

Annual Meeting Preparation Discussion

Sign in/ballot handout helpers - In May this was assigned to N. Wilhelm and Barb Pinekenstein to take care of signing in and handing out the ballots to everyone in attendance at the Annual Meeting. There were no changes.

Morning set up committee – P. Jensen will set up table/chairs on Friday afternoon.

Nominating committee status update – Greg Himebauch (Chairperson for Nominating Committee) announced that the entire shortened nominating committee is present at this Board meeting. Cheryl Grams resigned from the nominating committee. P. Jensen was offered the opportunity to appoint another person to the nominating committee. The guidelines state the July 7th is the deadline for the nominating report. If another person is going to be assigned to the nominating committee, that person will have to be posted as such. At this point the committee has one incumbent interested in running for the election. There are two officers' terms expiring (J. Mann and N. Wilhelm) and we will need two incumbents to run in the election. Due to time restraints, a replacement for Cheryl in the nominating committee will be left as a to be determined status. An official nominating report will be given at the District's July meeting.

Surplus Property (Lift/Pier) Update – Discussion – Neither the pier or lift has been sold. The pier is 31 feet long and currently is there for the taking if you have a way to get it out and moved to your property. We have one lake resident who may be interested in the lift.

Designation of Official Posting Sites – Discussion/Action – N. Wilhelm made a **Motion** to approve the notification of the Town of Eagle Clerk (to post in front window of municipal building) and to post on our website at eaglespringlake.us as an official posting site; second by C. Hinz, motion carried.

Interest Rate Discussion/Action – N. Wilhelm explained the new rates on the cd's being offered at Citizens Bank. N. Wilhelm presented the Board a breakdown of what the new cd interest rate is paying. The interest rates have significantly gone up and if we were to break our 2 cd's (Equipment Fund and Lake/land Fund) and refinance them into two new CDs, we would recoup our penalty withdrawn from the CDs within the first 14 days of the first month at the new interest rate and continue to earn 4.22% more interest for the next 13 months. N. Wilhelm made a **Motion** to cash in our two CDs (Equipment Fund and Lakeland Fund) and put them into two new 14-month CDs with the current 4.22% interest rate; second by J. Mann, motion carried.

Financial Update & Payment of Bills – N. Wilhelm made a **Motion** to pay the bills; second by C. Hinz, motion carried with T. Day opposed.

Discussion/action on the District's Bookkeeper/Administrative Assistant to be permitted to sit in on closed sessions when the session is not held to discuss the

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Bookkeeper/Administrative assistant's pay or performance. J. Mann commented that there may be some meeting closed sessions where it would be beneficial for the Bookkeeper/Administrative Assistant to attend the closed session. This should be decided on a case-by-case basis as we go into closed session. C. Mommaerts commented that when the Town goes into closed session the Town clerk (Lynn and Mercia) has always been in closed session (except when they are specifically talking about them). J. Mann made a **Motion** that the Administrative Assistant be included in closed sessions to be determined immediately preceding the closed session; second by T. Day, motion carried.

Executive Session– At 8:08pm J. Mann 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 C. Hinz, motion carried with the votes as follows: Lance Matthews – Yes, Nancy Wilhelm – Yes, Chris Hinz – Yes, Peter Jensen - Yes, John Mann – Yes, Tom Day – Yes, and Chris Mommaerts – Yes.

At 8:33 the closed session was adjourned.

John Mann
ESLMD