

**EAGLE SPRING LAKE MANAGEMENT DISTRICT
ANNUAL MEETING
August 2, 2008**

Approved Minutes

Tom Day, chairperson, called the Annual Meeting of the Eagle Spring Lake Management District to order at 9:03 am. Other Board members/employees in attendance were, Nate Cobb, Jim Pasterski, Matthew Thew, Nick Wambach, Waukesha County Representative Pamela Meyer, Gordon Wambold (Dam Operator), and Gina Krause (Bookkeeper/Administrative Assistant). Town of Eagle Representative Don Malek was excused due to having to work. There were 40 residents that attended, including those mentioned above.

T. Day opened the meeting with an introduction of Board Members/Employees and Patti Rageth who sells the apparel for funding the 4th of July events. Boating Safety Course will take place September 19th & 20th; more information about the classes is available on the District's website. Robert Buss stated that the Yacht Club is promoting a kids day for anyone with kids or grandkids. The event will be held on August 10th in Lower Clarks Park, with games, prizes, and ice cream, etc. All persons were reminded to sign in, receive a ballot and there were informative materials on the tables for the taking,

APPROVAL OF MINUTES – Published in the District's July Newsletter was the August 4, 2007 minutes and therefore they were not read. Barbara Pinekenstein made a **Motion** to accept the Annual Meeting minutes of 2007 as written. Second by Gordon Wambold, motion carried.

ACTIVITY REPORTS

Legislative Update- T. Day briefly reiterated the Fast Boat Traffic 200 feet Rule published in the July newsletter. He explained that the bill did not get through both houses of the legislature last year before sessions had ended. The District has retained the services of the Town of Eagle's Attorney to write an ordinance that would allow us to opt out of that state law provision if and when it passes through the legislature. The boat traffic being concentrated to the center of the lake, due to the lack of being able to use the "ski channel", would be a major safety issue.

Dam Operations/Lake Water Level - T. Day presented a chart showing the Ayres & Associates analysis of the peak inflow rates into Eagle Spring Lake. He commented on how the Ayres figures differ from G.A.S.'s results. The DNR approved G.A.S.'s report but would not accept the figures in the Ayres Report. It is believed that G.A.S.'s results are in error and therefore the District has recently contracted with Ayres & Associates to try to reach an agreement with the DNR to resolve this discrepancy. Seeing that we have already contracted with Ayres & Associates we will not be paying G.A.S. to determine where their figures came from unless an agreement with the DNR cannot be reached. One of the options for meeting the 500 year flood requirement from Ayres & Associates was to modify our millrace so that the capacity passing through the millrace would be increased. Another option was that we lower our lake level by 6" in order to allow for more water to be stored upstream of the Wambold Dam. The ability to keep our lake at safe water levels during the 2007 & 2008 excessive rainfall periods (greater than 100 year but less than a 500 year flood event) and the ability to provide relief (lowering our capacity through the Wambold Dam) to Mukwonago Dam on June 10, 2008 and the days that followed (excessive rainfall period) showed that we are able to control our current water level without problems. T. Day read a letter of thanks from the Village of Mukwonago Board and the Village of Mukwonago Emergency Government staff expressing their extreme gratitude and appreciation for our assistance. We currently are keeping our water levels on the dam gauge between 9.4 and 9.7 and the DNR continues to state that our water level should be kept 6.5" lower than it is kept at the present time. We have received complaints from the residents when the water level reaches 9.4 on the gauge, that the water level is too shallow and they cannot get their boats off the shore stations when they have their shore stations set as low as they go. The District has contracted with SEWRPC to do an Environmental Assessment (EA) of our current water level and the DNR's proposed water level, with an anticipated completion date of December 31, 2008. Upon completion of the EA and if the DNR accepts the assessment as being thorough, accurate and doesn't need anymore information, a public hearing would occur on the lake water levels. Subject to the outcome of the public hearing the DNR will make a

decision as to if they will allow our current lake water levels. If the current levels are accepted there is a possibility that the DNR may still require all riparian owners to sign off on their prescriptive rights stating that they accept the current water levels as they are. The Town of Eagle's Attorney has been retained for preparing such documents if they would be required.

District Property/Emergency Spillway - N. Cobb commented that this lake water level issue has to be resolved in order for us to appropriately know what will be needed to pass our 500 year flood requirement. The lake water level issue will hopefully be resolved in 2009.

N. Wambach commented that a new door has been put on the District building and gave a special thank you to David and Rachael Koeper for donating their used pier, as well as Nate Cobb, Rob Day Sr., Dennis Kukla, Jim Kruswicki, John Mann, John Rageth, Matt Thew and Jim Wilhelm for their help in modifying and placement of the pier; it was all greatly appreciated!

Aquatic Plant Management - T. Day presented the fall 2008 Chemical Treatment map with an expected date of treatment to be September 8th. May/June showed many various areas of the lake infiltrated with Eurasian Water Milfoil (EWM). After cutting in early June & July various areas of the lake did not show any re-growth of the EWM and therefore some areas that were previously expected to be chemically treated will not be. Samples of EWM, Northern Milfoil and Eel Grass were brought in to show riparian owners the differences in them. There is Northern Milfoil throughout various areas of the lake which helps hold the sediments down in the lake, but it also has a tendency to grow back up and interfere with the boating. The DNR will not allow chemical treatment in areas where the Northern Milfoil is located. The expected area to be treated will be in and on the outskirts of Pickeral Bay. Due to the expanded growth of Northern Milfoil throughout the lake and increased harvesting, the need for a larger harvester may be desirable. Costs of a new harvester and grant funding will be studied and a possible budget item for 2010.

Watershed Study- T. Day commented that the water clarity in the springs and other areas of the lake is similar to the clarity as we had in the 1950's and 60's due to the excessive rainfalls we have had and the increased groundwater flow. In turn our pH levels in the lake are lower and if we could keep our pH level at 8.2 or less we may be able to keep the water clarity that we now have. PH's of 8.1 or less may allow us to keep the marl out of the water column. Further investigation of being able to control the chemistry of our lake will continue.

As to a question from a resident as to how the zebra mussels may help our lake, T. Day explained that DNR experts state that although zebra mussels do improve water clarity in various water systems they do not help get rid of the marl.

Audit - T. Day stated William Koeper has once again completed the audit for ESLMD. The Audit for the period of January 1, 2007 to December 30, 2007 found those records to be free from material misstatement and acceptable accounting procedures have been followed. There were no questions.

ELECTION OF COMMISSIONERS – Nate Cobb's and Matthew Thew's terms for Commissioner have expired and they were both interested in serving another term. T. Day asked John Mann and John Rageth (the Election Committee) for further possible candidates. They stated that there were no other candidates. T. Day asked for nominations from the floor "three calls". With no nominations from the floor Jim Wilhelm, made a **Motion** to close nominations and second by Anthony Hofeld, motion carried. Jim Wilhelm made a **Motion** to cast a unanimous vote for Nate Cobb and Matthew Thew; second by Gordon Wambold. Verbal vote was taken with all present in favor and no opposition. N. Cobb and M. Thew will be serving another three-year term.

APPROVAL OF 2008 PROPOSED BUDGET- T. Day presented the Proposed Budget for 2009.

Receipts: The ESL Preservation Group is reimbursing the District 50% of the local share of grant project expenses. The levy will remain the same as in past years. There were no questions on the receipts.

Expenditures: The Estimated 2008 Administrative Expenses is slightly more than budgeted and the Chemical Treatment Estimated 2008 may be slightly higher due to no grant funding, but not as high as it could have been due to the reduction in areas to not being treated. River Protection Project,

Updating of our Lake Mgmt. Plan and the Environmental Assessment being completed in 2009 has greatly increased the expenses in the 2009 Budget. There will be a transfer from the Lake Improvement Fund of \$10,000 into the General Operating Fund and no transfers out of the General Operating Fund into the Lake Improvement Fund or Equipment Fund in 2009; this will allow the levy to remain the same. As to the question of budgeting of a new harvester T. Day explained that the purchase is not anticipated to take place until 2010 and possible grant funding will be applied for.

Barbara Pinekenstein made a **Motion** to approve the Proposed 2009 Budget; second by James Wilhelm, motion carried with no opposition. James Pasterski made a **Motion** to approve the Levy of \$60,000. Second by Robert Buss, motion carried with no opposition.

OLD BUSINESS – There was none.

NEW BUSINESS

Action on Proposed Bylaw Changes – John Mann presented some of the current discrepancies between our current bylaws and Chapter 33 and showed how our current bylaws in some areas no longer comply with Chapter 33. James Wilhelm made a **Motion** to repeal our current bylaws; second by Barbara Pinekenstein, motion carried with no opposition. Anthony Hofeld made a **Motion** to adopt Chapter 33 of the Wisconsin State Statutes as the ESLMD's guideline of operation; second by Robert Buss. The residents further discussed how Chapter 33 was in comparison to our previous bylaws and the possibility to adopt additional governance at a later date if found necessary. Motion was called to a vote and motion carried with no opposition.

Other – T. Day commented on the Clean Boats/Clean Water program where the District has hired several youths at the rate of \$7.00 per hour to educate the public and inspect boats at the public boat launch site. They are covering two basic topics; invasive species and local lake ordinances and it has been a great educational opportunity for them as well. For the most part the response has been good and the citations and warnings being issued on the lake are down approximately 50%.

T. Day also touched on the articles that are in NALMS LakeLine Magazine and the possibility of getting copies of this magazine into the library will be pursued.

Patti Rageth asked for the involvement of riparian homeowners in the yearly 4th of July boat parade and kids' parade. With decreased involvement she was not sure if she would continue this next year. Residents showed a great interest in seeing this held in the afternoon or early evening with the possibility of the same evening as the fireworks display.

A resident complained of debris still under the water at the public launch site that has caused damage to his prop. Other residents responded by stating there are currently still some cement blocks from the berm that was in place when the DNR dredged out their launch site.

There being no further business, J. Pasterski made a **Motion** to adjourn the meeting at 10:50am; second by Frank Schillo, motion carried.

Respectfully submitted,
Gina Krause
Bookkeeper/Administrative Assistant