

EAGLE SPRING LAKE MANAGEMENT DISTRICT
EXTRA MEETING
October 13, 2009

Approved Minutes

Tom Day, Chairperson, called the meeting of the Eagle Spring Lake Management District to order at 7:47 p.m. Other Commissioners in attendance were Jim Pasterski, Matthew Thew, Nick Wambach, Town of Eagle Representative Don Malek, and Waukesha County Representative Pamela Meyer. Nate Cobb was excused. There was one resident present.

Review Engineering Bids, possible approval of contract for engineering work to be performed on Wambold Dam as a result of construction performed on Wambold Dam in mid July – T. Day reviewed with the Board previous documents/work done as it relates to the Wambold Dam:

- August 3, 1998 – Letter from Konstantin Margovsky (DNR) to the District, requesting work needed to be done on Wambold Dam.
- December 30, 1999 – Letter from the District to Konstantin Margovsky (DNR), work performed on dam.
- April 29, 2000 – Letter from District to Konstantin Margovsky (DNR), copy of April 3, 2000 Graef, Anhalt, Schloemer report on the Wambold Dam Structural Investigation.
- July 2009 – Maintenance work was done on the Wambold Dam.
- September 2, 2009 – Letter from District to William Sturtevant (DNR) – process and pictures of work done on the Wambold Dam in July 2009.
- After September 2nd the DNR requested meeting with them to discuss the Wambold Dam work that was done in July 2009.
- September 10, 2009 – Public Informational meeting (Water Level Environmental Assessment) – Jim D’ Antuono (DNR) set date with T. Day to meet on September 17, 2009 to discuss Wambold Dam work done in July 2009.
- September 17, 2009 Meeting with DNR (Waukesha Service Center) to discuss July 2009 Wambold Dam work – T. Day, N. Cobb, and John Mann and DNR personnel in attendance.
- October 4, 2009 – District letter to District Attorneys (Alexy & Gallo) – perspective on September 17, 2009 meeting with DNR.
- September 24, 2009 letter from Debby Roszak to District, requesting information (by registered engineer) on the Wambold Dam by October 31, 2009.
- September 29, 2009 letter from Debby Roszak to District, a Notice of Violation/Notice of Claim.
- October 2, 2009 – Email from District to Debby Roszak, District is requesting bids for engineer work on Wambold Dam.
- District received two bids, one from Ayres Associates (dated 10/12/09) and the other from Gräef (dated 10/13/09), both for engineering work on Wambold Dam.

Butler Engineering did not desire to bid on the work. The Board thoroughly discussed the two bids. J. Pasterski made a **Motion** to accept the contract with Ayres Associates to complete the work needed for follow-up of engineering compliance on the Wambold Dam, with T. Day clarifying their costs and possible representation needed at future meeting with the DNR; second by M. Thew, motion carried unanimously.

Update on Water Level issue and compliance requirements to pass 500 year flood – T.

Day commented that today was the deadline to submit public comments to the DNR in regards to the lake water level issue. T. Day commented on the following documents:

- October 7, 2009 – District attorney Paul Alexy's draft letter to Megan Correll (DNR), as it relates to lack of need for flowage easements and prescriptive rights.
- October 8, 2009 – District Attorney Don Gallo to Jennifer Jerich (DNR), draft of comments as it relates to present and past lake water levels on Eagle Spring Lake. This document was developed after law firm reviewed the DNR files.
- October 8, 2009 – District letter to Jennifer Jerich (DNR), which expressed water level staff gauge was not present pre 1966 (picture) and areas needing pier extensions if water level was lowered.

T. Day will be following up with replacing the millrace boards in the months to come.

At 9:21pm, J. Pasterski moved to adjourn, second by D. Malek, motion carried.

Respectfully submitted,

Gina Krause

Bookkeeper/Administrative Assistant