

Eagle Spring Lake Management District  
Regular Meeting  
April 26, 2022  
**Approved Minutes**

Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD) to order at 6:33pm, and led with the pledge of allegiance. 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. Lake Residents Jeff Prokop, Barb Pinekenstein, Greg Himebauch, Harvey (also harvesting employee) & Tracie Kuehl, and Bookkeeper/Administrative Assistant Gina Krause were also present.

**Approval of Agenda** – D. Malek made a **Motion** to approve the April 26, 2022 agenda as written, second by N. Wilhelm, motion carried with T. Day voting No due to 8 (5) Bid Report.

**Approval of the March 15, 2022 Board Meeting Minutes** – D. Malek made a **Motion** to approve the March 15, 2022 Board meeting minutes as amended; second by N. Wilhelm, motion carried.

**Announcements and Upcoming Meetings** – There were no announcements.

**Public Comment** – Gina read the email (dated 4/26/2022) from Patrick and Barbara Cowle requesting that no buoy be placed in Mary's Bay.

**Old Business:**

**Weed Harvesting/Collecting/Chemical Treatment**

**Aquatic Plant Survey/Discussion** – P. Jensen will pick up hard copy of the report from SEWRPC when they have it ready.

**Aquatic Plant Harvesting Update Discussion-Action** – The harvesting permit application has been submitted and is pending.

**Requirement for Updated Guidance for Weed Harvesting and Disposal/Discussion** – There were no updates.

**2022 Chemical Treatment Update – Discussion/Action** – T. Day stated that he is anticipating the chemical treatment to take place the week of May 9<sup>th</sup>. The treatment may be reduced from 3ppm down to 2ppm in Jacks Bay (which may save approximately \$500).

**Harvester Repair and Issues – Repair & Funding; Discussion/Action** – P. Jensen and T. Casey summarized the harvester repair estimate. T. Casey made a **Motion** to have Aquarius Systems make all the repairs in quote # 031822-01, except for the jump seat (total maximum cost of \$13,990.21; second by N. Wilhelm, motion carried with T. Day abstaining.

**Carp Initiative/Fishery Issues Discussion** – T. Day reported he has observed (in the dumpster) a count of 10 carp being captured.

**Dumpster at DNR Launch Discussion/Action** – John's Disposal agreed to do a dumpster emptying routine of Mondays and Fridays. DNR holds the opinion that we do not need a dumpster at the boat launch.

**Weather Station and Website** – P. Jensen explained that website viewer count is very low. With the assistance of the students from Milwaukee School of Engineering (MSOE) it is the hopes that we could get our viewership up. We should know in approximately 1 month if the Lake District website project has been assigned to a group of students at MSOE.

**Wambold Dam/Kroll Outlet**

**Cleanup – Spring Maintenance – Discussion** – P. Jensen explained how he spent the last weekend cleaning up at the Kroll site. There was a construction company that decided that Kroll property was a good place for the staging of their materials being delivered, and in the process managed to do some property damage. P. Jensen is repairing some of the damages.

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The District pier has a flat tire; T. Casey will take care of the repairs to the tire. T. Casey is working with Harvey Kuehl and Mike Rosman in obtaining some parts to repair the pier that is used for the harvester.

**Construction Progress Report – Discussion –** Once the gates are constructed the project will start. It is anticipated for the work to start approximately at the beginning of September.

**DNR & County Permits – Discussion –** P. Jensen has been contacted by Michelle Hase (DNR) in regards to the permit being processed and that she should have the permit completed within the next several days. Once the DNR permit is issued, a copy goes to the County and then County can issue their permit.

**Financing Status – Discussion –** N. Wilhelm explained that she is in the process of supplying Citizens Bank all necessary paperwork needed to underwrite a standard construction loan . The interest rate of the loan is unknown at this time.

**Change Order Ayres Plans C-2 – Discussion/Action –** P. Jensen explained that this would be change order 3. Change order 1 was that we are not doing the concrete repairs at Wambold and Change order 2 is we are not going to lay the rip-rap at the Wambold Outlet. Change order 3 involves a change at the Kroll Millrace. The plans developed by Ayres and that the State (WDNR) has agreed to, was a huge amount of rip rap to be put in at Kroll. It was to be 20 feet wide, and a minimum 2 feet thick that would buffer on out. This would then cause issues with our harvesting operations, and issues for barge launching for the 4<sup>th</sup> of July fireworks. Since a number of years ago we rip rapped the shoreline from the intake south and that has held up perfectly. Change order 3 would basically say don't put in this huge rip rap and just put in the rip rap that is needed (due to what has been disturbed by the construction). This could approximately amount to a \$10,000 to \$14,000 savings.

P. Jensen made a **Motion** to approve change order #3 to eliminate the rip rap installation on site plan C-2 from Ayres., second by J. Mann, motion carried unanimously .

**Water Patrol Discussion –** D. Malek presented the Board the 2021-year end patrol audit report. The cost of patrol was \$16,744.60 with an approximate 74% reimbursement from the State (\$12,261.01). Before the patrol boat goes in the water, P. Jensen and T. Casey will get the oil changed and lube work done on the patrol boat.

### **Septic Pumping Issues/Discussion**

**Contract with Waukesha County – Discussion/Action -** P. Jensen explained that he has given Skylar (Waukesha County) the permission to go ahead and prepare a report and charge us for it. He further explained that the software Waukesha County is using, is not a septic maintenance program, but is taxing software. Therefore, this explains why it does not let you put more than 1 septic site per owner/tax key. The computer automatically errors out if you try to enter the same address, etc. for a 2<sup>nd</sup> or 3<sup>rd</sup> system on the property. This software leaves them with no option other than to go one by one to each property and enter each one separately into a septic spreadsheet. T. Day explained that when talking with Waukesha County he requested an update on the Travers property and was told that the system was inspected by a pumper on 8/9/2019. Septic company that inspected the system stated the tank was overflowing onto the ground and the resident did not want to have the system pumped at that time.

The fines enforcement practices may be another area that may be in need of revising (changes/improvements).

**Meeting with Waukesha County & Lake Districts – Discussion –** At the Lakes Convention, P. Jensen talked with Pete Kraeger (Pretty Lake) about septic issues. Pretty Lake is not very pleased with Waukesha County process either.

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**Legislative/Regulatory Issues** – There were no issues presented.

**Dam Failure Analysis Reconsideration – Discussion/Action (Citizen Request)** – Lake resident Jeff Prokop, had a few questions:

When was the last dam failure analysis done and when is the current dam failure analysis due? How long does it take to perform a dam failure analysis and if we do not get it done on time, can DNR do anything to us?

P. Jensen replied to the questions as follows: A dam failure analysis was last done approximately in 2001 and a new one is due by August 15, 2022. Most of the data is electronic – and could be done in an approximately 3 days. The only time the DNR had issues with anything we did or didn't do, is when we did repairs to the Wambold dam without a permit. We would apply for an extension if we ended up going past our due date.

**Fireworks Update**

**Contract- Discussion/Action** -. Gina will get a new contract for the increased dollar amount/number of shells as discussed below under donation status.

**Donation Status – Discussion/Action** - Gina explained that there is a special group of people that live on the lake that are part of their own group called the Eaglevillians Yacht Club. They got together and raised donations of \$1,335 to be put towards the fireworks either this year or next. Other people on our lake also stepped forward and graciously donated so that not only did we reach our limit but we have exceeded it. P. Jensen made a Motion that donations that exceeded our limit will be split between this year's and next year's show (providing those who have donated, are good with this). This will allow for approximately \$900 more to be spent on this year's show, and the same or greater at the 2023 display. Motion seconded by T. Casey; motion carried unanimously.

**Fireworks Preparations – Discussion/Action** – We are in need of volunteers for the following:

- Help putting up No Parking Signs - involves putting out no parking signs in designated areas, and any barricades needed.
- Take down the no parking signs and put away the barricades.
- Be the contact person for the arrival of the barges from the rental company and pick up of barges.
- Drive barges out to launch site. Shortly before dusk. You will need a ride back to shore or your boat to pick you up.
- Host pyrotechnicians on your boat (during the show). They may let kids/young at heart adults push the button to set off the next firework.
- Drive the barges back to shore after the show is done.
- Clean off Barges - You will need to sweep and wash off the barges. The pyrotechnicians will remove any unspent shells first.

**New Business**

**Buoy Distribution, and Placement 2022 & Permits Status – Discussion Action** – It appears the issue of a spring/summer 2022 drought has passed; the need for buoys to be placed where two shallow water areas were and stump buoy by public boat launch can be postponed. J. Mann made a **Motion** to apply for a “no anchorage” buoy (at the dry hydrant intake); second by Don Malek, motion carried.

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P. Jensen explained to the Board the importance of having a buoy safety line in front of the Kroll intake during construction. T. Casey made a Motion to apply for a safety barrier (2-3 buoy float line) to be placed in front of the Kroll millrace during construction; second by N. Wilhelm, motion carried.

P. Jensen explained that looking at various past to present aerial photos he has not found the green and red buoys (at the exit of the ski channel) making any difference on the lily pads in the area. T. Casey commented that he sees just as many boats go around the buoys than going in between them (like you should). Most people do not know what they are for. T. Day commented that he thought we were going to do aerial photos by drones this summer. T. Day stated that he believes there has been a significant reduction (towards the marsh side). If the decline is possibly due to boats that are going around the buoy, T. Day is in favor of monitoring the area. T. Casey made a **Motion** that we eliminate the red and green buoys in the exit area of the ski channel; second by N. Wilhelm, motion carried with all in favor except for T. Day voting No.

T. Day state he will need the help of 3-4 people to put in the buoys. He would like to have all the buoys placed by the 1<sup>st</sup> weekend of May.

**Truck Repairs – Discussion** – P. Jensen commented that the truck has been moved off of T. Day's property. Upon picking up the truck, T. Casey realized the emergency brake did not work, and the truck has intermittent tail light and turn signal issues. The truck is currently getting the oil changed, universal joints replaced, and repairs to the brake and light issues.

**Pay Scale Increase Weed Cutters – Discussion/Action** – P. Jensen stated that last year when we gave the pay raise to \$12.50/hour we agreed that we would discuss \$15/hour in 2022. T. Casey stated that the reason he is only working limited hours this year is because he has been offered \$20/hour to run a tractor on a farm. He feels the tractor is a lot like a harvester on the water. He feels that a higher pay rate may attract more people to run the harvester. D. Malek made a **Motion** to raise the weed cutters rate of pay from \$12.50/ hour up to \$20/hour; second by N. Wilhelm, motion carried with all in favor except for T. Day and T. Casey abstaining.

### **Conference Reports**

**Fox River Watershed Conference – Discussion** – J. Mann stated speaker John Janson had an interesting session talking about the chloride levels in the ground water. A contribution to higher chloride levels can be from road salt; the use of brining is supposed to be a better alternative but is more costly. T. Day stated that it is important that we have a monitoring program for our lake (monitoring Chloride, Phosphorus, and a few other elements, and also for e-coli). J. Mann stated that citizens lake monitoring does not normally include this type monitoring, but could be done by the same person.

DNR Secretary Preston Cole also had a very impressive speech.

**Wisconsin Lakes & Rivers Conference – Discussion** – N. Wilhelm stated the convention was good and has obtained a really good hand book for commissioners. There was a wide spectrum of people there. There was an interesting presentation on getting more residents to participate in the lakes, in various monitoring activities, including insects, mussels, and water, etc. It was a great experience.

P. Jensen attended a workshop on blue/green algae. The DNR is distributing 2 informational sheets, one for vets and one for clinics. The County will only test for this at public beaches. We will have copies of these information sheets on our website at eaglespringlake.us.

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Other various topics of discussion were invasive species, a GPS tracking system for harvesting operations is expected to be required in the future, and how predator fish (Northern Pike) don't tolerate warmer waters, and alternatives that could be used if climate change presents issues.

New signage is being put up by WDNR to mark state land; our lake signage has changed from where it used to say "public fishing" near the dam (which could have caused safety concerns if dam was to be suddenly opened) and has now been replaced with simple signs saying "state land".

Another interesting topic dealt with water runoff – they make absorbable blacktop and discussed how to maintain it properly (keeping drainage process open and working) QA. And lastly there will be new legislation on zoning regulations that will not be voted upon until next year's legislation hearings.

The majority of the sessions were taped and may be available for viewing on the WisconsinLakes.org website.

**Volunteer Lake Emergency Response Program – Discussion/Action** - We welcome any person interested in signing up to be volunteer boat chauffeurs (preferably pontoons) for emergency transport of personnel/equipment needed for a rescue out on the water or the islands. The chauffeurs do not fight fires, provide first aid or medical aid. A new system is going to be used that will now allow for your cell phone to ring even if you have it silenced, etc.

**Meeting Schedule Conflict Guidance – Discussion/Action** – P. Jensen polled the Board to their opinions as to what they prefer when we have to change the date/location of our regularly scheduled meeting (3<sup>rd</sup> Tuesday of the month). Due to elections or some other event that prevents the Lake District being able to use the community room, we occasionally have the need to either change our location or date of our meeting. The options discussed were to meet the week before (2<sup>nd</sup> Tuesday of the month) our regularly scheduled date or the week after (4<sup>th</sup> Tuesday of the month) or if we could use the fire department location. By consensus, the Board agreed that if there is a conflict where we cannot use the community room on the 3<sup>rd</sup> Tuesday of the month, the date of the meeting will be moved to the 4<sup>th</sup> Tuesday of the month with hopes the community room would be open for use then. This is just a general guidance to follow.

**New Other** – J. Mann asked if the Board would consider developing a Mission Statement. He felt it would be helpful for those who are new to our lake and serve as a guide to help us focus on what is important and who we are representing. This topic will be on next month's agenda. He distributed a draft to the Board to be discussed at the June meeting.

**Executive Session** – At 8:07pm, N. Wilhelm made a **Motion** to 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 reconvene into open session; second by D. Malek, motion carried with a roll call vote as follows: Tom Casey – Yes, Nancy Wilhelm – Yes, Peter Jensen – Yes, John Mann – Yes, Tom Day – Yes, Don Malek – Yes, Chris Mommaerts – Yes.

At 8:21pm D. Malek made a Motion to go back into open session; second by N. Wilhelm, motion carried with roll call vote of Tom Casey – Yes, Nancy Wilhelm – Yes, Peter Jensen – Yes, John Mann – Yes, Tom Day – Yes, Don Malek – Yes, Chris Mommaerts – Yes.

**Spillway Capacity Report Update – Discussion/Action** – P. Jensen commented that the

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WDNR has requested us to do a spillway capacity report to re-evaluate our output capacity. P. Jensen made a **Motion** to hire SEWRPC to validate the benchmark at the Wambold Dam for a cost of \$700, and we issue an amendment(change order) to Collins Engineering to complete the spillway capacity report at a cost to be negotiated; second by J. Mann, motion carried unanimously.

**Financial Update/Payment of Bills/1<sup>st</sup> Quarter Report** – T. Casey moved to approve payment of the bills as listed; second by N. Wilhelm, motion carried. Gina was given approval to process harvesting hours that were not previously turned in for Harvey in 2021. There were no comments/questions of the 1<sup>st</sup> Quarter Financial report T due to the 1<sup>st</sup> Quarter Financial Report was not discussed.

**Adjourn** At 8:42 D. Malek moved to adjourn; second by N. Wilhelm, motion carried.

Respectfully submitted,  
John R. Mann  
ESLMD Secretary