

Eagle Spring Lake Management District

Regular Meeting

February 28, 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 Chris Hinz, Tom Day, John Mann, Nancy Wilhelm, and Town of Eagle Representative Don Malek, and Waukesha County Representative, Lance Matthews. Lake residents Jeff Prokop, Greg Himebauch, and Bookkeeper/Administrative Assistant Gina Krause were also present.

**Approval of Agenda** – D. Malek made a **Motion** to approve the January 28, 2023 agenda as written, second by N. Wilhelm, motion carried.

**Approval of the January 23, 2023 Board Meeting Minutes** – T. Day made a **Motion** to approve the January 23, 2023 minutes as written; second by D. Malek, motion carried with Lance Matthews abstaining due to not being on the Board at the January 23 meeting.

**Announcements and Upcoming Meeting**

- Sideliners(Eagle Spring Pub) is discontinuing canoe rentals.
- On March 16, 2023, J. Mann and T. Day will be attending the Fox River Summit.
- All ice fishing shanties are required to be removed from the ice by Sunday March 5.
- The U.S. Geological Service sent us a copy of the newly revised Water Cycle Poster.
- A copy of the new FEMA model dam safety guidance is being reviewed by P. Jensen and he will report back if there are any significant changes.
- P. Jensen has electronic copies of approximately 30 individual booklets on flood mapping.
- We received two calls from lake residents who were experiencing water in their basement.

Public Comment - There was no public comment.

Weed Harvesting/Collecting/Chemical Treatment Requirement and Updated Guidance for Weed Harvesting and Disposal/ Discussion – P. Jensen and Tom Casey discussed placement of harvester and the other new bollard to be installed. The shore conveyor needs to be in place before the remaining landscaping is done.

We need to set a date to have Heidi Bunk (DNR) come out to see the harvesting operation in motion.

Chris Hinz inquired as to what are the next steps if we are going to have a chemical treatment this year. T. Day commented that he does not think a chemical treatment will be an option this year due to DNR not allowing summer or fall treatments, and with almost no Eurasian Water Milfoil last year, we are going to have to watch and see what happens this year.

Clean Boats/Clean Waters(CB/CW) Status – Discussion/Action – We have received the last funding payment from the DNR for our 2022 CB/CW program. We are awaiting our initial funding payment on our 2023 CB/CW grant. Help wanted has been posted on the job boards in association with the local schools (Mukwonago, Eagle, Palmyra, East Troy, etc.).

J. Mann and Dale Brugger met with Rachel Sabre, who coordinates the SWIMS lake sampling program at the Waukesha DNR office; she is getting our water sampling program re-

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established. J. Mann will be working with Dale Brugger to make sure everything gets back on track and hopefully we will get back on the yearly DNR sponsored sampling program.

P. Jensen commented that he has taken a blue-green algae course and Dale Brugger has also shown interest in taking the course.

**Carp Initiative/Fishery Issues Discussion** – There were no updates.

**Weather Station and Website** – The Racine weather tower survived the ice storm and remains in the plans to come to our lake.

Discussion of the District's website consisted of N. Wilhelm commenting on how she has been in contact with Proactive Designs in New Berlin and the services they offer. P. Jensen suggested that there can be multiple people updating the website. N. Wilhelm has volunteered to help develop a website with the use of ProActive Design. N. Wilhelm presented the Board a 3-page proposal for approval with ProActive Design to design and develop our website in the amount of \$1,700. P. Jensen immediately asked for a Motion to approve the project. N. Wilhelm made a **Motion** to accept the agreement as presented by ProActive Design.net; second by D. Malek. Discussion included the \$1,400 fee from ProActive Design to develop the website and another \$300/year for Amazon to host it. P. Jensen explained amazon credits (worth approximately \$700) will be applied to the yearly fee of \$300/year. T. Day commented that this contract should have been given to the Board to review in advance of this meeting; there is not adequate time during the meeting to read all of this. This contract was drafted January 13, 2023 and could have been handed out at the January 23 meeting or at least given to the Board for review a couple weeks before this meeting. T. Day also questioned if we have enough money budgeted for this. Gina explained that it will be under the same line item as the newsletter. P. Jensen called for the vote, in which the Motion carried with 2 opposed. J. Mann stated that the appropriate motion would have been to put this on the agenda for the next month's meeting agenda. T. Day reiterated his disgust that they have not been given time to read it all. P. Jensen stated motion was voted upon and passed and moved along with the next topic on the agenda.

**Wambold Dam/Kroll Outlet** – P. Jensen stated that there are no new updates on the construction. Free of extra charge, Terra Construction electricians will be installing a couple of outside outlets with the capability to shut off the power from inside the building. P. Jensen anticipates to hold a dam operator meeting in approximately 3-4 weeks. Dale Brugger is all up to date. It appears that we still have a significant amount of turbulence down in the turbine pit.

**Legislative/Regulatory Issues Discussion** – P. Jensen presented a document referred to as the Proposed 2023 Bill, which references a proposed act to amend various chapter 33 statutes relating to authorizing email for notice of public inland lake protection and rehabilitation district board business. P. Jensen commented how nice it would be if we could get the legislation to allow posting on a website, which could save us the cost of publishing it in a newspaper. The amendments should be coming in within the next couple of weeks.

**Septic Update – Discussion/Action** – T. Day stated that he has reviewed his latest septic report that he had received in 2022 and that it primarily dealt with 2021 data (not 2022). At some point in the future; we should get an update as to where our residents stand (if in compliance or at what stage of compliance they are). T. Day is a bit puzzled as to where we

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left off on this issue, he recalls that we were going to make contact with the WDNR to put pressure on the county. When asked for confirmation, P. Jensen stated that the complaints have been filed in order to get Waukesha County compliant with the state statutes, which it appears that they are currently not.

**CTH E Parking Updates – Discussion –** There were no updates.

**Newsletter Articles and Publication – Discussion/Action –** The Board reviewed the newsletter articles as to what they want in the newsletter and not. P. Jensen recommended using a company which will be printing the address directly on the newsletter and will be handling the mailing and process for mailing at a cost \$2.00 each for a 12-page newsletter. P. Jensen could not remember the name of this company. Gina will be assembling the newsletter with J. Mann editing and the Board reviewing (making changes/comments) at the March meeting. T. Day's article on "Slush Account...??You Decide" created some discussion. T. Day explained that he wanted this article published, which explains what the Preservation Group is about and that it is not a slush fund since P. Jensen refers to it as a slush fund. J. Mann made a suggestion that we take the \$7,000 funds in the Preservation Group and put them into the Lake District and earmark them for Lake Preservation (or it can be more specific) and then no more Preservation Group. T. Day told John he still rejects that idea. J. Mann made a **Motion** to remove the article titled "Slush Account...?? You Decide" from the list of articles for the newsletter; second by C. Hinz, motion carried.

**New Business**

**Cybersecurity & Infrastructure Security Agency (CISAA) Session Summary – Discussion**

There were approximately 50-60 people in attendance. It looked at the infrastructure of all dam operators communicating information up and down stream as needed in the Fox and Mukwonago River System. We will now report our release of water in cubic feet per second.

**Fox River Summit – Discussion/Action –** D. Malek made a **Motion** for the District to pay for the registration/attendance of both T. Day and J. Mann to attend the Fox River Summit on March 16, 2023; second by N Wilhelm, motion carried.

**Wisconsin Lakes Conference -Discussion/Action –** C. Hinz expressed her desire to attend the Wisconsin Lakes Conference on Friday, April 21, 2023. T. Day made a **Motion** for the District to pay for the registration/attendance of C. Hinz to attend the Wisconsin Lakes Conference on Friday, April 21, 2023.

**U.S. Fish and Wildlife Service Wetlands Designations – Discussion –** The U.S. Fish and Wildlife Service will be resurveying our wetlands this summer. They will be looking for historic wetland area and the expanded habitat of the purple pitcher plant (a rare and endangered species).

**QuickBooks Assistance – Discussion/Action –** Gina mentioned that the price of QuickBooks is greatly increasing. P. Jensen agreed that we should continue to look to see what other reasonable software is out there.

**Wisconsin Court of Appeals Requiring Disclosure of Email Lists – Discussion/Action**

If the new legislation gets passed, it will make any email lists that we maintain become public record. This will mean that if a public records request is made for the email list, we will have to share it. P. Jensen will type up a brief explanation that Gina will email to all of those on our email list and give them the opportunity to get off our list before this becomes law.

**2023 Fireworks**

- a) **Contract for Barge Rental – Discussion/Action** – No contract has been received.
- b) **Contract with Spielbauer Fireworks – Discussion/Action** – The contract from Spielbauer came in close to last year. The actual contract was not brought to the meeting. Therefore, D. Malek made a **Motion** to table further discussion until the March meeting; second by N. Wilhelm, motion carried.

**Financial Update & Payment of Bills and 4<sup>th</sup> Quarter Financial Report - Discussion**

D. Malek made a **Motion** to pay the bills; second by N. Wilhelm, motion carried. T. Day commented on the 4<sup>th</sup> Quarter report. T. Day and Gina discussed the accounts receivable and Gina decided that it has to be under the column of estimated. T. Day stated that he did not care for the money in accounts receivable not being itemized. Gina did not understand why we have to leave the money coming in from two grants in accounts receivable and thought it would be better served under the line items of the grants that are making up the accounts receivable since we are talking about the estimated column anyways. T. Day commented that our budgeted 2023 shows that if we have income and expenses as we budgeted, we are going to have a deficit of \$650. While he doesn't think that will happen, however, the way things have been going, it could. If we don't have any positive money in the General Operating Fund by the end of the year, we are then down to just our two fund accounts (Lake/land fund and Equipment fund). This is the same trend that he pointed out last month.

D. Malek made a **Motion** to approve the 4<sup>th</sup> Quarter Financial Report; second by N. Wilhelm, motion carried.

**Executive Session**– Upon getting ready to go into closed session, P. Jensen realized that a closed session to discuss our legal case was not on the agenda. Therefore, he recommended to the Board to table the closed session to discuss Gina's performance

D. Malek made a **Motion** to table close session to discuss performance of an employee until the March meeting, second by N. Wilhelm, motion carried.

**Adjourn** - At 8:32 D. Malek made a **Motion** to adjourn; second by N. Wilhelm, motion carried.

Respectfully submitted,  
John Mann  
ESLMD