

Eagle Spring Lake Management District
Regular Meeting
September 15, 2020
Approved Minutes

Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD) to order at 7:00pm. 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. Also present was Bookkeeper/Administrative Assistant Gina Krause, and approximately 5 residents.

Approval of Minutes – N. Wilhelm made a **Motion** to approve the minutes of the August 18, 2020 meeting as amended, seconded by D. Malek; motion carried.

Announcements and Upcoming Meetings

- P. Jensen and N. Wilhelm attended a Federal Emergency Management Agency’s virtual training on the BRIC grant program.
- September 28, 2020 at 11am, has been set for a status court hearing (phone in only) at the Waukesha County Court House in regards to the Wruck claim.
- On September 29, 2020 FEMA there will be a rapid dam break training course. P. Jensen will be attending this webinar.
- On September 30, 2020 at 1pm, T. Day, N. Wilhelm, a SEWRPC representative, and Gina will be meeting with the DNR via a teleconference to discuss the Surface Water Grant application.
- On September 16, 2020 there will be a Town of Eagle Board Meeting.
- Gina announced that T. Casey has submitted his official resignation of the treasurer position. He did state that he does wish to remain a Board member. Also, N. Wilhelm gave her official resignation of her position of Secretary so that she could run for the position of Treasurer.

Public Comment – Nick Wambach questioned whether there is known Oak Wilt disease around the lake. D. Malek did mention that we did have a premature leaf drop this year due to the draught period we have had; all the recent rain is a little bit too late. Red oak is the most susceptible to this disease. Clarks Park has lost several trees to oak wilt over the last years.

Lake Board Officers (Possible revision of elected officials) – As per previously mentioned resignations, we have an opening for the position of Treasurer and Secretary. John Mann has expressed his willingness to return to the position of Secretary. D. Malek nominated J. Mann as Secretary. P. Jensen asked for any additional nominations for Secretary, and there were none. Unanimous vote elected J. Mann to the position of Secretary. P. Jensen then asked for nominations of Treasurer; T. Casey nominated N. Wilhelm for the position of Treasurer. With no further nominations; N. Wilhelm was unanimously elected to the position of Treasurer.

Old Business:

Weed Harvesting/Collecting/Chemical Treatment – T. Day remarked that there may have been success with the Pickeral Bay chemical treatment. Further comments will be presented at the next meeting.

Aquatic Plant Survey - We will be using Southeastern Wisconsin Regional Planning Commission (SEWRPC) to perform our point intercept aquatic plant survey. T. Day, N. Wilhelm, Gina, and SEWRPC had a DNR pre-grant application teleconference meeting with Heidi Bunk (DNR) on August 29th. There will be more fine tuning of the grant application with the help of the DNR. Jim and Nancy Wilhelm have donated their pontoon boat and operator for use during the time needed when the actual plant sampling will take place.

Lake Mgmt. Plan – We are not required to update the whole Lake Mgmt. Plan to get our next harvesting permit, however, we will do an update to the Aquatic Plant portion of our Lake Mgmt. Plan as part of the plant survey.

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Removal of Weed Cutter – T. Day reported that it is anticipated the harvester will be removed from the water approximately 28-30 of September.

Conveyor Painting - Once harvester is out of the water, T. Day and T. Casey will move the shore conveyor into position for painting.

T. Day further commented that he believes that Heidi Bunk (DNR) will most likely be opposed to permitting any dredging in Pickeral Bay; she did not give us a permit for Jack's Bay (easier situation), significant cost issue, and that it may not do much to help control the EWM growth issue because we will not be allowed to dredge to a depth into the substrate that we would need to.

Carp Initiative/Fisheries Issues - T. Day reported that this year-to-date we have an estimated 154 carp taken from the lake.

Clean Boats/Clean Waters Program

Approval Resolution 2020-07 CB/CW 2021 – Resolution 2020-07 CB/CW 2021 was briefly discussed. T. Day made a **Motion** to approve Resolution 2007-07 CB/CW 2021; which gives P. Jensen powers to sign, submit, enter into an agreement with the DNR, and sign other applicable documents needed for grant funding as it pertains to the 2021 Clean Boats/Clean Waters Program. Second by D. Malek, motion carried.

Weather Station and Website- Even though we have entered a drier period, the groundwater level remains high.

Grant for temperature sensors – P. Jensen reported; the funding for the water temperature sensor program for 2021 has been embargoed and will not be available, therefore, the water temperature sensors will be pulled when the buoys are removed later this year. We may be able to grandfather a couple of the sensors and keep a few up and running. By November 30th all the other temperature sensors have to be returned to USGS. The data has been shared with USGS, and state climatology office.

Wambold Dam/Koll Outlet Issues

Wambold Buttress Repairs Update – P. Jensen will meet with DNR (Michelle Hase) to go over all the paperwork and continue with the process of rolling all repairs into 1 permit application. Further permits may be required from Waukesha County Planning and Zoning, and Town of Eagle. We do not anticipate that we will need to have an Army Corp of Engineers permit.

Kroll Outlet Intake Issue and Status - It will be attempted to roll the Kroll work/repairs also into the buttress repair permit application.

Status of Emergency Action Plan and Inspection and Operation Manual (IOM) – P. Jensen reported that our Emergency Action Plan (EAP) and IOM need to be updated. The Town of Eagle, has their first emergency person (Scott Kugel) with the Eagle Fire Department. This now allows for us to work with them getting their EAP set up and we may be able to transfer some items off of our plan and into their plan. P. Jensen asked T. Casey to meet with Scott Kugel and they can start working together on this. It is anticipated that the update to the EAP should be done by 12/31/2020. P. Jensen will work on the IOM update and strive for its completion by the next meeting.

2021 Construction Update – The original plans by Ayres Engineering were for the Kroll intake, gates, and retaining walls and submitted to the DNR. They were approved by Michelle Hase for a 3-year period, at which time the approval ends. These plans expired this year, however, due to Covid-19, Michelle is willing to take these approved plans and add them to the plans for the concrete repair at Wambold. Therefore, we will not have to pay for three (3) separate plan approvals as they will all be merged into one.

There are a few changes that must be put into the previously approved plans. The coffer dam part of the intake plan was set up to have the contractor be responsible for submitting the plan of the coffer dam for approval by the DNR at the time we issue the contract. We could use our own engineers to develop the coffer dam plans or the contractor could do this, which would not restrict contractors to only one type of coffer dam. We now have a conflict of interest with Ayres

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Engineering as they are currently representing Wruck in the ESLMD legal case. We have contacted GRAEF and they indicated if any of the plans need to be changed, they would have to re-draw them. Michelle Hase is on vacation and will be contacting us once she returns to discuss the plans/changes. The dewatering plan for the Wambold repair needs to be updated. We may want to consider hiring a construction manager. J. Mann questioned how many different contractors are we looking at for work on this project. P. Jensen explained it would be ideal to deal with one contractor, and that contractor can hire his own sub-contractors if needed. P. Jensen has talked with many different people (GRAEF, Findorff, CH2M Hill, and others). P. Jensen will re-draw the dewatering plans.

Septic Pumping Issues

Contact with Waukesha County for Septic Report – P. Jensen presented and read the email from Waukesha County, Skylar Behm as it relates to an annual maintenance agreement (dated 9/1/2020). The District recently sent their comments/request for a meeting to Waukesha County. The Board is awaiting a response from that letter.

Parking Along County Road E Update – C. Mommaerts reported that she received a letter from Clarks Park (who owns land along CTH E) expressing their concerns with the parking along CTH E. She has forwarded this information to the County. P. Jensen stated that it also has been brought to his attention by homeowners on CTH E that when the road is full of parked cars/trailers that the visibility to get out of their driveways is restricted.

Water Patrol D. Malek read the patrol report covering the period from August 18, 2020 through September 14, 2020. There were 9 boat stops resulting in 5 citations, 4 written warnings, 9 verbal warnings, and they assisted 3 vessels. There were 3 complaints from residents that included boat blocking ski channel, extremely loud music while towing a skier, and gas stolen from gas tank. It was a very busy summer for boating, and lake patrol was inquiring about some extra funding for next year's season to ensure that they do not have to cut back on patrol hours again. The full lake patrol report is available on the District's website at eaglespringlake.us.

Emergency Response Support to Eagle Fire Update – In order to speed up the rescue calls on the island, we need to make changes to the calling process. Instead of one person making all the calls to everyone. P. Jensen will be working on making changes that will include the method of notifying all of involved in the rescue. We need to rally more people to provide boat transportation of rescuers, etc., and set up a few training exercises. A special thank you to Todd Gillette for his assistance in getting the rustin rescue basket powder coated (which should last longer than painted).

Proposed Workload Distribution Discussion – There were no updates. N. Wilhelm commented that although the Administrative Manual will always be a work in process, we have reached the point of a draft copy ready for final review. D. Malek mentioned that the Town has obtained a bunch of free binders and if we need any, they would be willing to supply us with some.

Discussion of Duties & Responsibilities – There were no updates.

Legislative Update – There were no updates.

Fireworks Review and Contract Extension – The Board discussed the 2020 firework display. J. Mann made a Motion to extend the contract with Spielbauer and set up the 2021 firework display with them; second by N. Wilhelm, motion carried. The fireworks display will be scheduled to take place on June 26, 2021; with a rain date of July 10, 2021.

Disaster Assistance Application – Wisconsin does have a disaster funding program which could provide us funding if there is not a presidential declaration. It could help with costs of debris clearance, sand bagging, pumps, etc. that we could incur during a disaster.

Public Boat Launch Issues – Dumpster – The DNR has verbally expressed that they no longer want to pay for the dumpster at the public boat launch. Lance (DNR) has suggested using the totes instead of the dumpster. We currently pay for a second pick up every week during the summer. T. Day expressed that we need a dumpster. The DNR could cut their costs by having winter pickups bi-monthly.

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Annual Meeting Review

Draft Minute Review – The Board discussed the draft minutes which were almost 9 pages in length and by consensus agreed that the minutes could be shortened (summarized) to a length to more appropriately fit the newsletter. Any changes/comments that the Board members may have are to be sent to Gina within the next week and she will provide a shortened version for review at the next meeting.

New Business

Private Road Levies – T. Day explained that in the past, the Town of Eagle would assess the private roads for the monies needed for plowing/maintenance on each private road. There has been conflicting information coming from the Town's Financial Advisor/Attorney and the Town no longer is willing to collect for the private roads. Now it is up to each private road to collect the money themselves for their own private road. The question was brought up whether the Lake District/Sanitary District can collect these funds. The Lake District operates under Chapter 33 and the Sanitary District operates under Chapter 60 and it is not clear whether either one of these would legally allow for this on the private roads around the lake. Further discussion will be held at the Town of Eagle meeting tomorrow night (September 16, 2020).

Mukwonago Dam Status – Mukwonago public works director, Ron Bittner has contacted us and they are having serious problems with the main gate on their dam. It appears that they will be putting in a coffer dam while repairs take place. We will need to keep in close communications with them and let them know of any significant changes (10% above or below current) in water level. This repair may last 1-2 months.

As part of the Mitigation Plan, the national weather service is establishing the capability to program their system to a particular set of people that would be alerted of an event coming if they see a stationary weather pattern that could dump 2-3" of rain from a single storm over an area.

BRIC Grant Opportunity – P. Jensen and N. Wilhelm attended the FEMA webinar. It is hopeful that the BRIC program may allow us to apply funding for the Kroll repair. D. Malek made a **Motion** to apply for BRIC grant funding for repairs on the Kroll Millrace; second by J. Mann, motion carried. N. Wilhelm will be working with Pete in getting this application done.

Booth Lake Drainage Proposal – Booth Lake, which is a kettle lake, is proposing to reduce its water level by creating a gravity feed line to drain into a channel east of Pickerel Lake, which drains into the Mukwonago River. The Board discussed this and the fact that there has not been impact study done on this has drawn a concern. N. Wilhelm made a **Motion** to support that an impact statement study needs to be done before they release the water; second by D. Malek, motion carried. P. Jensen will draft a letter.

Night Carp Fishing Information and Project Support – A Wisconsin lake group is proposing new legislature that would change the state fishing regulations as it pertains to nighttime carp fishing. It would be required that lights would have to be focused on at least a 60° downward angle, from midnight to dawn. By consensus the Board agreed that they would like to be kept in the loop as this legislation progresses.

Approval of Draft RFP Specifications for Dam Failure Analysis – T. Casey made a **Motion** to approve forwarding the draft RFP 2020-2021 to our attorney; second by J. Mann, motion carried.

Approval of Draft RFP Specifications for Tree Removal at Kroll – T. Casey made a **Motion** to approve the draft tree removal proposal document to be used in negotiations (if needed); second by D. Malek, motion carried.

Approval of Specifications for 2021 Engineering Dam Inspection – T. Casey made a **Motion** to perform a 2021 dam inspection as required; second by N. Wilhelm, motion carried.

Proposed Fencing Near Wambold Dam – Sam Awve stated that she is concerned as to where the new proposed fencing is being placed. She had 3 main concerns: 1. The safety of those walking down the side of road when traffic is going past. People need enough room to safely get off the road. 2. Snow removal in that corner; that is where in the past snow has been piled. 3. Easement issue of those who use the pier. P. Jensen explained what the original plans approved by the

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DNR included. Further discussion continued with the Awve's presenting a drawing of what was acceptable to those using that area. T. Day made a **Motion** to put in the additional fencing after the shore repair is completed and that the fence should connect the 2 posts closest to the lake from our side and their side (north of the shoreline cement work), with also the condition that no snow is plowed into that corner; second by T. Casey, motion carried.

Employee Handbook, Timesheets, & Documentation – P. Jensen explained that there are a few documents that will need some updating.

Other

Financial Update/Payment of Bills – D. Malek moved to approve payment of the bills; T. Day second, motion carried.

Executive Session – There was no closed session.

Adjourn At 9:09pm, John Mann moved to adjourn, second by D. Malek, motion carried.

Respectfully submitted,

John R. Mann

ESLMD Secretary