

Eagle Spring Lake Management District

Regular Meeting

June 21, 2022

**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 Tom Casey, Tom Day, John Mann, Town of Eagle Representative Don Malek, and Waukesha County Representative Chris Mommaerts. Nancy Wilhelm was excused due to being out of the country on vacation. Lake residents Nick Wambach, Greg Himebauch, and Bookkeeper/Administrative Assistant Gina Krause were also present.

**Approval of Agenda** – D. Malek made a **Motion** to approve the June 21, 2022 agenda as written, second by T. Casey, motion carried.

**Approval of the April 26, 2022 Board Meeting Minutes** –The Board discussed the 5/17/22 minutes. Discussion ended with T. Day making a **Motion** to approve the May 17, 2022 Board meeting minutes as corrected; second by D. Malek, motion carried unanimously.

**Announcements and Upcoming Meetings**

- A couple of weeks ago the Waukesha County Emergency Management held a planning meeting for the Kettle Moraine Days, which included the Eagle Spring Lake Management District, Lulu Lake, Walworth County and State Representatives to discuss issues related to the upcoming Kettle Moraine Days. Scott Kugel is organizing the main part of the parade.
- P. Jensen presented a flyer (with safety precautions) that could be handed out at the public boat launch if it looks as if we may be expecting incoming severe weather.
- The Lake District hosted a meeting (regarding a coordinated plan for the Fox River and the Mukwonago River with the Southeastern Wisconsin Emergency Management, DNR and other agencies, It was well attended with approximately 34 people (Approximately 5 from the DNR).
- June 13, 2022 report of a fight at the DNR public boat launch.

**Public Comment -**

With there being no objection from the Board, a preliminary report from the nominating committee will be allowed. Greg Himebauch, Chairperson of nominating committee reported that preliminary report from Nominating Committee (Cheryl Grams, Jeff Prokop, and himself) are reporting that there has been 1 candidate who has indicated that they are interested in running in the upcoming election; that person is Thomas Day. Greg commented that if anyone knows of someone interested in running for the election, to have them contact a member of the nominating committee.

**Weed Harvesting/Collecting/Chemical Treatment** - T. Day commented he has heard from T. Casey that it appears the chemical treatments were successful on both South Shore and Jack's Bay. Nick Wambach commented that from his observations it appears that Mary's Bay is 1/3 full of Milfoil, and Jack's Bay looks wonderful. T. Casey commented that he could use the 1/3 of Mary's Bay for training.

- 1) **Aquatic Plant Harvesting Update & Contract Discussion-Action** – P. Jensen asked T. Day to contact Marine Biochemists and get needed documents missing to match the bids specs and/or get them to amend their agreement. Marine Biochemists did come out and perform the chemical treatment we requested, there were no problems with the treatment, thus far the treatment appears to be successful. T. Day stated he will call them and ask them to conform to all the bid requirements.
- 2) **Requirement for Updated Guidance for Weed Harvesting and Disposal/Discussion** – There were no updates.

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- 3) **Harvester & Conveyor Repairs - Discussion/Action** – Aquarius will be sending us a new revised invoice for all repairs done (minus the right bearing on paddle wheel that appeared not to have an issue at time of inspection).

**Clean Boats/Clean Waters Status – Discussion/Action** – T. Day commented that we have only 2 youths from last year that are doing approximately 90% of the shifts. There has been several shifts that have been missed. The Nature Conservancy is staffing the public boat launch on Fridays in correlation with their grant.

**Carp Initiative/Fishery Issues Discussion** – T. Day reported as of the end of May he has an approximate count of 140 carp being captured this year (including 92 the DNR captured and disposed of in the early part of May). The DNR has been back a second time with approximately 40 carp captured and disposed. There may a 3<sup>rd</sup> visit from the DNR in which they will capture and dispose and use the count in their study they are in the process of performing to give us an approximate carp population in the lake. Last Thursday there was a group of fisherpersons on the lake and the next day there was over 100 carp in the dumpster. Friday, John's did not come and perform their second weekly emptying of the dumpster. Jeff Prokop (former Plunket supervisor) stated that he has observed photos of the dead flies that shows the product being applied is working. P. Jensen commented that he would prefer to see the carp program end and use electro shocking as the preferred way to remove carp from the lake. T. Day commented that this survey of the carp that is being performed may help lead us in determining which way we may want to pursue to keep the carp populations in check.

**Dumpster at DNR Launch Discussion/Action** – The Board discussed the odor and issue of John's missing pickup dates for the dumpster. The warmer weather this year has not helped any of the issues.

**Weather Station and Website** – Waukesha County has requested to the National Weather Service for special forecasting. That forecast will start tomorrow, it is an early heads up of severe weather. This will be used during for Kettle Moraine Days, Lake Patrol on our lake and Lulu Lake and may be used to alert boaters to incoming severe weather and urge them to leave the lake. This will also aid us in determining if we are going to need to postpone our fireworks.

**Wambold Dam/Kroll Outlet**

- 1) **Construction Progress Report – Discussion** – P. Jensen announced some of the gaskets in the plan drawings has to be changed due to not being able to get that specific gasketing. Therefore, the plan drawings are back in the hands of the DNR awaiting approval on the change in gaskets being used. We do not have a delivery date on the new gates and are awaiting at least a verbal ok from DNR so they can move forward on the gates.

Construction will take between 6-7 weeks. The coffer dam cannot be in the water when ice comes on the lake and the concrete has to set for 28 days before we can pull the coffer dam.

- 2) **Three Change Orders – Discussion** – T. Day questioned change order #1 and #2. P. Jensen stated that their purpose is to clear the bid specs. T. Day later questioned and ask for further clarification as to how the approved change order #3 (\$10,000-14,000 deduction with the contract price to be determined) will be processed for the actual dollar amount. P. Jensen further explained the process of us submitting the change order and Terra Engineering giving us a price after going through Collins Engineering for evaluation. We do not anticipate there will be a changed order pricing given (on any change order) until we are closer to the actual construction.

P. Jensen stated that there will be a future change order #4 (will be an add to costs) for chiseling out concrete that was erroneously put in at the Kroll site. Each change order pricing will be handled one at a time.

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- 3) **Buttress Repair Financing Coordination – Discussion/Action** – Todd Gillette would like a meeting to discuss their portion of the buttress repairs. The Board discussed as to what would be a fair way to split the costs of the buttress repairs. The buttresses are in need of repair and the work may have to go for bid in the spring of 2023. After considerable discussion J. Mann made a **Motion** to split the costs of the buttress repairs (50/50) with Wambold Road (those that are responsible for the private road); second by D. Malek, motion carried.
- 4) **General Maintenance Issues – Discussion/Action** – T. Casey stated that Harvey Kuehl has fixed the drive on our new electric mower, and we did not have to take it back into Hahn Ace. The mower is working great. P. Jensen commented that they will be cleaning out the Kroll building as it gets closer to construction time.

**Water Patrol Report** – D. Malek presented the Lake Patrol report from the period of May 27, 2022 through June 14, 2022. During this time there were 34.5 patrol hours on the lake with 9 boat stops resulting in 2 citations, and 7 written warnings given. A boat safety course was held June 17-18 in Mukwonago and is the first time in many years the class was completely full. If there is enough interest and time permits, they will conduct a second class later this summer. Anyone interested is encouraged to reach out to Lake Patrol and they would be happy to discuss conducting another class. Anyone born after January 1, 1989, is required by the DNR to pass a boat safety class to legally operate a motorboat. The full lake patrol report is available on the District's website at eaglespringlake.us.

**Septic Pumping Issues/Discussion**

- 1) **Meeting with Waukesha County & Lake Districts – Discussion** – Pretty Lake representative called and would like to set up a meeting.
- 2) **Violation/Complaint Discussion** - Some septic violations are being reported in to the Lake District. We are referring the complaints to Waukesha County Planning (Planner of the Day). Violations can be reported straight into Waukesha County's Planner of the Day.

**Legislative/Regulatory Issues** – There were no updates.

**Fireworks Update**

- 1) **Fireworks Preparations** - P. Jensen commented that we have volunteers ready to go and the only remaining loose end is to get a contact phone number from Summerset and make sure all is in line for the June 25<sup>th</sup> display.
- 2) **Emergency Planning & Coordination Discussion** – See weather station and website discussion early in the meeting.

**Mission Statement** – J. Mann presented a draft Mission Statement to the Board. Upon further review and discussion J. Mann recommended that we should put this on hold for awhile and concentrate on more important matters at this time.

**Buoy Placement** – T. Casey stated that he has put the stump buoy back in place by Eiring Island.

**New Business**

- a) **Dry Hydrant Repair – Discussion/Action** – P. Jensen presented the Board with an estimate to repair the dry hydrant. The dry hydrant disassembled itself when it was being used during the Summerset Marine fire. T. Casey made a **Motion** supporting the repair of the dry hydrant by Teaspoon Excavating with the cost of repair to be split with the Town of Eagle (estimate for repair is a total of \$11,400) which would come to \$5,700 each; second by J. Mann, motion carried.

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- b) **Budget Workshop – Receipts/Other Expenses & Overall - Discussion** – P. Jensen did brief overview of the proposed budget and proposed a 4% increase to the levy. T. Day expressed his objection to raising the levy for the reasoning that it is due to inflation. P. Jensen made a Motion to present the budget as discussed in the newsletter and at the Annual Meeting; second by T. Casey, motion carried with T. Day opposing.
- c) **July Newsletter** – The budget will be inserted into the newsletter as discussed and Gina will make sure that it gets to press and is mailed out by July 23<sup>rd</sup>. T. Day requested to see agenda before going to press.
- d) **2021 Audit Status – Discussion** – P. Jensen will follow up and get ahold of William Koeper who is performing the audit for the Lake District.

**Lake District/DNR/Emergency Response Agency Meeting Report – Discussion** – The meeting was cancelled, there is nothing to report.

**Fire Department Responses – Discussion** – There was a training session for the group of volunteer boat drivers. The reporting in site is being changed from the public boat launch to now the Kroll site; volunteer boat drivers will be notified.

**Financial Update & Payment of Bills – Discussion/Action** – P. Jensen made a **Motion** to pay the bills with a temporary holding on the check for Marine Biochemists (pending contract revision); second by D. Malek, motion carried with T. Day opposed.

**Executive Session** – At 8:28pm, J. Mann 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 continue into closed session under 19.85 9(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. 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 8:55pm, J. Mann made a **Motion** to go back into open session; second by T. Casey, 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.

**Additional Harvesting Operators Hiring – Discussion/Action** – T. Casey made a **Motion** to hire John McAbee as a Harvester Operator based on his application submitted for harvesting; second by D. Malek, motion carried with T. Day opposed. T. Casey will train John.

**Adjourn** At 9:06 D. Malek moved to adjourn; second by T. Casey, motion carried.

Respectfully submitted,

John R. Mann

ESLMD Secretary