

EAGLE SPRING LAKE MANAGEMENT DISTRICT  
REGULAR MEETING  
August 20, 2019, 2019

Unapproved Minutes

Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD) to order at 7:02pm. Other Commissioners in attendance were Tom Day, John Mann, Tom Casey, Town of Eagle Representative Don Malek, Waukesha County Representative Chuck Wood, and Bookkeeper/Administrative Assistant Gina Krause. The board welcomed Nancy Wilhelm, our new member, replacing Matt Thew. Residents Nick Wambach, Jeff Prokop, Mark Krause, Debra West, and Greg Himebauch were present.

**Election of Officers** – Chairperson, Secretary, and Treasurer were to be elected. After polling the current officers, who all agreed to continue with the same positions, Tom Day moved to elect the same officers as the previous year: Pete Jensen – Chairperson, Tom Casey - Treasurer, and John Mann – Secretary; seconded by Don Malek. Motion carried.

**Approval of Minutes** – T. Day made a **Motion** to approve the minutes of the July 16, 2019 meeting as presented; seconded by D. Malek, motion carried.

**Announcements and Upcoming Meetings** –

- Chairperson Jensen will be meeting with Amy Barrows, senior planner for the Waukesha County Parks and Land Use Department to discuss discrepancies between our Dam Failure Analysis map and the flood plain maps of the county.
- Chairperson Jensen will be meeting with the Waukesha Parks and Land Use Department to pick the color to paint the weed harvester shore conveyor.
- The Town of Eagle monthly meeting is on August 21, 2019 and Chairperson Jensen plans to be there.

**Public Comment** –

- Debra West of Jack's Bay Road asked what constitutes a property being part of the Lake Management District. It was explained that if a property is within the boundaries of the district as defined by the ESLMD and approved by the town and county, then that property is considered within the district. Those boundaries were approximately described by T. Day: County highway E to the east, county highway LO to the north, Touhy Road to the west, then southeast through the marsh (some DNR property) past and including Jack's and Mary's Bay, to the county line. Ms. West was questioning whether the district included non-riparians, which it does. Some additional discussion continued about which businesses were included.

**Old Business**

- **Weed Harvesting/Collection/Chemical Treatment** –Eel Grass going to seed compared to previous years T. Day pointed out that he has not seen as much Eel Grass going to seed compared to previous years, suggesting that it may be behind schedule. Also, on August 7<sup>th</sup>, T. Day and members of The Nature Conservancy took twenty samples of Eurasian Water Milfoil from various spots on the lake and in the channel going to Lulu. These samples will be analyzed for specific species of EWM or a hybrid thereof. This will help us determine whether the type of chemicals we are using to treat the EWM are the most effective. Our cost for this study is \$500.
  - The Aquatic Growth Online Survey was introduced at the annual meeting and Chairperson Jensen has seen six responses so far. J. Mann pointed out that there needs to be aquatic invasive species identifying information added to our website.

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- **Clean Boats/Clean Waters Program** – T. Day commented that we only have two more weekends in the season. The Nature Conservancy summer intern has concluded her assistance on Fridays and reported that the work she did was beneficial. Fridays were busier than previous this year.
- **Carp Initiative/Fishery Issues** – Nothing to report.
- **Weather Station and Website** – Nothing to report.
- **Wambold Dam/Kroll Outlet Issues** – Graef, the company that is working on the engineering specifications, spent six or seven hours inspecting and testing the concrete within the dam structure and suggested that the prior repairs may not have been done properly. P. Jensen described the repair procedures that would be followed and said that Graef estimates the cost will be approximately \$7,000 to \$10,000 but that there are significant unknowns once the repairs begin that could expose us to greater costs. P. Jensen handed out a list of potential contractors and will be doing a public notice in the Waukesha Freeman. Once we have DNR approval P. Jensen will proceed to get bids. A motion was made by J. Mann to accept the plans and proceed with bids upon receipt of DNR approval, seconded by T. Casey. Motion carried.
  - **Kroll boat launch** - Our recommendation to close the launch to public use was accepted at the annual meeting (8/3/2019) and P. Jensen has put up a barrier and taken the other steps to complete the process. The Waukesha County Sheriff Department has asked if they can still use the launch for their body recovery dive team. P. Jensen agreed that that was an appropriate use. D. Malek asked what the permitted uses were. P. Jensen repeated: We can allow three parking events per year, conduct our weed harvesting procedures, launch the fireworks barges, and conduct emergency response activities.
- **Septic Pumping Issues** – P. Jensen observed a company at the launch that was evidently involved in septic pumping on one of the islands. A conversation ensued relating to the challenges involved in getting the septic tanks pumped on the islands and also the notice from Waukesha County that is supposed to go to residents every three years. C. Wood described what Pretty Lake was pursuing to deal with septic issues, perhaps including a private community septic system.
- **Status of Succession Planning/Back up Positions and Proposed Workload Distribution**– Chairman Jensen welcomed N. Wilhelm to the board and thanked Matt Thew for “all the years of his service”. He continued by outlining the things he will be doing – reviewing documents for our attorney, participating in an upcoming deposition (both P. Jensen and T. Day), updating the various documents due to board member changes, an orientation exercise of our Emergency Action Plan (in early November), bid requirements for the upcoming dam project, etc. Areas where chairperson Jensen thinks others can step in are: the deputy dam operators will be asked to take over monitoring and adjusting dam flow, maintenance on our properties, writing process manuals similar to the dam operator’s guide, asking T. Casey to utilize Quicken to process checks and track expenses and also contacting UW for help in outdoor lighting education. Additional areas include managing harvesting, buoy handling, etc. “ T. Day said he would be responsible for removal of the buoys this fall. Conversation continued about various other tasks that will need to be handled and perhaps finding new ways to get things done. Gina will start preparing a bookkeeper/administrative assistant process manual that will include a detailed listing of items to be completed each month. T. Casey, Nancy Wilhelm and Gina will meet together to go over the basics of the job.
- **Proposed Workload Distribution Discussion** – See above.
- **Lake Patrol** – D. Malek reviewed the patrol report covering July 16 through August 19, 2019. According to the report, a total of 85.5 hours of patrol time was recorded, with 72.5 hours spent patrolling and 13 hours on administrative duties. There were 16 boat stops, 6 citations, and 6

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written warnings. They also gave a total of 13 verbal warnings and assisted 4 vessels. The patrol received 4 complaints from residents. New emergency lights will be installed, paid for by the Eagle Springs Yacht Club.

- **Truck Acquisition** – Nothing to report.
- **Fireworks Review/Set date for 2020** – Conversation included barge use, with a possibility of a barge donated by a resident, and who would help clean up afterwards. T. Day wanted to be sure that Bill Paine was thanked for his help this year. A special thank you to Dave Anschuetz who donated his dam operator pay towards next year's fireworks.
- **Annual Meeting Review** – Chairperson Jensen thanked the nominating committee and others for their help. T. Day had one suggested modification to the meeting minutes, which was accepted. N. Wilhelm and D. Malek congratulated P. Jensen for his excellent presentation and handling of the meeting.
- **Discussion/Approval of Kroll Event Parking Policy** – P. Jensen presented the suggested Kroll Event Parking Policy. Discussion followed, with T. Day not thinking that we should limit the number of events. P. Jensen explained the rationale for the policy guidelines. Motion to accept the policy, with amendments was made by T. Casey, seconded by D. Malek. Motion carried.
- **Other** – T. Casey indicated that he would like to modify his approach to the lighting ordinance and focus on street lights provided by WE Energies. Chairperson Jensen asked T. Casey to write a proposal for the next meeting.

**New Business**

- P. Jensen discussed two claims for damage caused by weed harvester operators and how a claim must be processed and introduced a "Release for Damage to Property". Discussion followed about the repairs that were necessary and that the Release needs to be used and reimbursement must be made to the party that experienced the damage. Motion to settle the Gram's claim for repairs to their boat lift, for \$170 was made by J. Mann, seconded by D. Malek. Motion carried. A second claim involving damage to Dave Byrnes outboard motor was described and discussed and a motion was made by T. Casey to settle the claim for an amount not to exceed \$1423.87, seconded by J. Mann. Motion carried. In other **new business**, Jeff Prokop asked for an update on blue/green algae that was reported to have been the cause of a dog's death, as a result of swimming near the public boat launch. Although the Waukesha county Department of Health and DNR has been involved, no autopsy was performed and the result is uncertain. Signs will be posted warning of the potential danger.
- **Financial Update/Payment of bills** – T. Day questioned a couple of entries which G. Krause will double check. T. Day moved approval of the bills, seconded by D. Malek. Motion carried.

**Executive Session** – At 8:34pm chairperson Jensen announced that we will go into executive session. Motion to go into Executive Session. **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 not reconvene into open session. Second by D. Malek, motion carried with the votes as follows: T. Casey - Yes, T. Day - Yes, P. Jensen - Yes, D. Malek - Yes, M. Thew – Yes, Nancy Wilhelm – Yes, C. Wood – Yes.

- **Adjourn** -At 9:06 pm, T. Day moved to adjourn, second by D. Malek, motion carried.

Respectfully submitted,  
John Mann

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ESLMD Secretary