

Eagle Spring Lake Management District
Regular Meeting
August 18, 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. Bookkeeper/Administrative Assistant Gina Krause arrived at 7:05pm.

Approval of Minutes – T. Day made a **Motion** to approve the minutes of the June 16, 2020 meeting as written, seconded by J. Mann; motion carried.

Announcements and Upcoming Meetings

- The Army Corps of Engineers will be holding a training meeting on methodology and systems HEC -RAS on dealing with dam failure analysis. They will be starting the class around mid-September with an all-day session (9am to 5pm). it will be an excellent class to understand the why's and wherefores of dam failures.
- On August 11, 2020, P. Jensen was credited with 2.0 Professional Development Hours from the Association of State Dam Safety Officials for his attendance and passing a course in Low Level Conduits – What can go wrong, how to inspect, and how to repair?

Public Comment – Debra West commented in regards to her public comments in the June 16, 2020 minutes was not necessary about a blog site on the District's website but was more on the order of questioning if there was a walking quorum. She also mentioned that Todd Gillette's comments during public comments (on 6/16/20) were very good as it pertained to the safety at the public boat launch. However, missing was Gillette's comment about the DNR owning donated property on South Shore Drive, and that is where they wanted to put a kayak launch.

Election of Officers – P. Jensen turned the meeting over to John Mann to start the election process for Chairperson. J. Mann asked for nominations for the position of chairperson; N. Wilhelm nominated P. Jensen. J. Mann called for additional nominations, there were none; J. Mann made a **Motion** to close nominations and cast a unanimous ballot for P. Jensen; second by D. Malek, motion carried with P. Jensen and T. Day abstaining.

P. Jensen called for nominations for secretary/treasurer; Don Malek made a nomination to elect N. Wilhelm to position of secretary, and T. Day nominated T. Casey for treasurer; there were no objections. Therefore, Peter Jensen will remain Chairperson, Nancy Wilhelm will hold position of Secretary, and Tom Casey will remain Treasurer.

Old Business:

Weed Harvesting/Collecting/Chemical Treatment

Approval Resolution 2020-06 Aquatic Plant Survey/Update Lake Mgmt. Plan – T. Day brought the question forward whether we are going to be applying for 1 grant or 2 grants. We will be approving this as two separate resolutions with the headings being changed to Resolution 2020-06 Plant Survey and 2020-08 Update of Lake Management Plan. T. Day made a **Motion** to approve Resolution 2020-06 Plant Survey and 2020-08 Update Lake Management Plan, second by D. Malek, motion carried.

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Aquatic Plant Survey/Approval of Bid Specs – There were no bids specs to present for approval. We are using Southeastern Wisconsin Regional Planning Commission (SEWRPC). Since the chemical treatments are ineffective in Pickeral Bay, P. Jensen stated we need to look at alternative method for the control of EWM in the bay. The preliminary grant application must be in by 9/2/2020.

Lake Management Plan (LMP) - Topics of concern that could be included in the update of our LMP are: the septic tank issues, climate change effects on our lake, public boat launch traffic increase with Covid-19, our current litigation and ownership of the dam, weather data analysis, etc.

John Mann asked the question what is the objective of the Lake Mgmt. Plan. T. Day responded it is to provide the history of the last 10 years (what has taken place from 2011 to present) and what issues there are for the next 10 years. It should be a working document for the Board and the Lake District in terms of issues we should be working on.

On August 25, 2020 at 10am there will be a DNR teleconference meeting with Heidi Bunk of the DNR, Tom Slawski from SEWRPC, T. Day, T. Casey, and Gina to further work through the process of getting preliminary grant applications in draft form to be submitted to the DNR by 9/2/2020.

If anyone has any further comments on this, they need to contact Gina by end of the week (8/22).

Conveyor Painting - T. Casey has notified the painter that he will not be able to start painting until after the harvester comes out in October. T. Day hopes that the harvester will be out by the last week in September. It will be approximately the second week of October when painting can start.

Wambold Dam/Koll Outlet Issues

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 now 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 Engineering as they have done work for Wruck, and are currently representing Wruck in 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 (i.e. GRAEF, Findorff, CH2M Hill, and others). P. Jensen will re-draw the dewatering plans.

Septic Pumping Issues

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Letter Approval to Waukesha County – The Board reviewed the draft letter to be sent to Waukesha County regarding the septic issues that remain. T. Day expressed he wanted the report alphabetized. P. Jensen stated we can do this ourselves. T. Day stated that he wants to be working off the same set of documents as the county. P. Jensen stated we could request a reference number for each listing. We have asked for this before and they have not complied. At a Waukesha County meeting 8-9 months ago, T. Day mentioned the subject of which properties have holding tanks? They responded they are not going to identify which of these has a holding tank on the property. With a holding tank resident are required to pump or it is going to leak out onto the ground or back up into the home. C. Mommaerts stated that Waukesha County is preferring that lake properties have a holding tank. She is working with Pretty Lake and School Section lake who are also experiencing issues, and she recommended we all need to work together. N. Wilhelm hopes we can start communications with other lakes experiencing similar issues.

J. Mann made a **Motion** to send the letter as amended (cc Lake Districts and Dale Shaver and add alphabetization back into letter) to Waukesha County; second by T. Day, motion carried. C. Mommaerts will continue to help us with our current Issues with Waukesha County's septic program.

Fireworks Review and Set Date for Next Year – After conversation with Spielbauer Fireworks the dates they do have available for 2021 are June 26th with a rain date of July 10, 2021. J. Mann made a **Motion** to contract with Spielbauer to perform our display on June 26, 2021 with a rain date of July 10, 2021; second by N. Wilhelm, motion carried.

Other – D. Malek commented even though Lake Patrol was not on the agenda he has brought copies of the lake patrol report for everyone to read at their leisure. A copy of the lake patrol report will be available on the District's website <http://www.eaglespringlake.us/eagle-spring-lake-management-district/library/lake-patrol-reports/>.

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

Executive Session – At 8:23pm, D. Malek made a **Motion** 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 T. Day, motion carried with the votes as follows: Tom Casey – Yes, Tom Day - Yes, Peter Jensen - Yes, Don Malek – Yes, John Mann – Yes, Nancy Wilhelm – Yes, and Chris Mommaerts - Yes.

Adjourn At 9:15pm, D. Malek moved to adjourn, second by J. Mann, motion carried.

Nancy Wilhelm
ESLMD Secretary