

Eagle Spring Lake Management District

Regular Meeting

August 16, 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 Chris Hinz, Tom Day, John Mann, Nancy Wilhelm, Town of Eagle Representative Don Malek, and Waukesha County Representative, Chris Mommaerts. Lake residents Nick Wambach, Jeff Prokop, and Bookkeeper/Administrative Assistant Gina Krause were also present.

Approval of Agenda – T. Day commented that he was expecting Septic Issues and Dam Failure Analysis/Closed Session to be on the agenda. D. Malek made a **Motion** to approve the August 16, 2022 agenda as written, second by N. Wilhelm, motion carried with T. Day opposed due to above topics not being on the agenda.

Approval of the June 21, 2022 Board Meeting Minutes – D. Malek made a **Motion** to approve the June 21, 2022 minutes as amended, second by J. Mann, motion carried. Due to absences at the June 21, 2022 Board meeting, both C. Hinz (not a board member as of 6/21) and N. Wilhelm (on vacation 6/21) abstained from voting.

Approval of the July 6, 2022 Board Meeting Minutes – T. Day made a **Motion** to approve the July 6, 2022 minutes as written, second by N. Wilhelm, motion carried. Due to C. Hinz not being at the July 6, 2022 Board meeting and not a Board member at that time, she abstained.

Announcements and Upcoming Meetings

- There were two EMS response calls to lake residences in the last several weeks.
- There will be a Town of Eagle Board meeting on August 17, 2022.
- Both the Wambold and Kroll Buildings have been cleaned up.
- If anyone has a corded drill, channel lock pliers, and wire cutters that they are no longer using, the District would gladly accept them as a donation.
- On August 25, 2022, the National Weather Service will be holding an interagency warning team workshop at Aurora Summit.
- Waukesha County Health Department is going to be offering free Narcan training on August 29, 2022 at the Delafield Public Library from 1:30pm to 2:30pm. Upon completion of the training, you get a free overdose kit.

Public Comment - There was no public comment.

Weed Harvesting/Collecting/Chemical Treatment

- 1) **Requirement for Updated Guidance for Weed Harvesting and Disposal/Discussion**
Tom Casey is willing to continue working on Guidance manual to assist harvesting operators. It is anticipated that a preliminary draft of the guidance will be completed by the next meeting for Board review.
- 2) **Truck Repairs** – The truck was taken to Matt's; however, the truck wouldn't make the same noise while there. If truck starts to act up again, operators have been instructed to take it straight over to Matt's so he can correctly identify the issue.

Clean Boats/Clean Waters – T. Day commented it has been a little slow (most likely due to the weather), and there are 3 weeks left until Clean Boats/Clean Waters is done for this year.

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Carp Initiative/Fishery Issues Discussion – T. Day’s conservative carp count for this year is 303 carp in the dumpster. This includes all the carp captured during the DNR’s electro-shocking carp survey (3 sessions of electro-shocking).

Dumpster at DNR Launch Discussion/Action - P. Jensen expressed concern over the effectiveness of the dumpster. He questioned if we should support using the dumpster/the carp program. We need to see what the DNR’s report/findings are going to be from their carp survey. P. Jensen stated he has observed another computer in the dumpster (it is not to be used for electronics, household garbage, etc.). T. Day expressed that the program has been effective in removing carp from the lake. C. Mommaerts stated that she has not heard any of the other lakes she works with (school section and pretty lake) even discuss carp issues in their lake. She will inquire as to what those lakes have to say. D. Malek made a **Motion** to table this discussion until the September meeting; second by N. Wilhelm, motion carried.

Weather Station and Website – P. Jensen has submitted a request to Milwaukee School of Engineering (MSOE) and we are anticipating to hear by the end of September as to what areas/topics they have decided to use in their studies.

Wambold Dam/Kroll Outlet

- a. **Construction Progress Report – Discussion** – P. Jensen commented that we are still waiting for the steel.
- b. **Building Preparation for Construction - Discussion** - Building is cleaned. The few remaining pieces of equipment that are used by the fire department will remain at Kroll and be last to be moved.
- c. **Rip Rap at Wambold Site – Discussion/Action** – P. Jensen commented that one of the pieces of the wooden shoreline has deteriorated. He will bring a couple options with prices for the Board to review at the next meeting. No permits are needed for rip rap, and Michelle Hase with the DNR has been notified and has given us the go ahead to place rip rap.

Water Patrol Report – D. Malek presented the Lake Patrol report from the period of July 21, 2022 through August 15, 2022. During this time there were 29.5 patrol hours on the lake with 7 boat stops resulting in 4 citations, and 2 written warnings, and 5 verbal warnings given. One vessel was assisted. The full lake patrol report is available on the District’s website at eaglespringlake.us. J. Mann questioned as to what we can do to give the lake patrol officers the same authority as they have as police officers. J. Mann will work with P. Jensen to draft up a request to the Town of Eagle.

Legislative/Regulatory Issues – The DNR has pulled the revised NR107/109 legislation from the Natural Resources Board agenda.

Fireworks Update

- 1) **Fireworks Set Up Guide Discussion/Action** - P. Jensen presented a draft Fireworks Setup Guide for future use by the volunteers helping out with the show.

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Dry Hydrant Update – Discussion – We are waiting for steel for the project. It is anticipated that we should have the supplies by next week and will then be able to start work on the repair of the dry hydrant.

Financial & Contract Operational Guidance Discussion/Action – P. Jensen presented a series of bullet points on how to handle contracts or discussions. Comments are to be presented and Nancy and Gina will put it into a more useable document.

Skills Inventory Survey Results Discussion/Action – A list of various aptitudes (i.e., performing simple audits, basic carpentry, operating heavy equipment such as loaders, bobcats, and computer repair, etc.) were listed on sheets that were distributed at the Annual Meeting. This has given us several people who may be able to help us out on small projects. We are going to distribute the sign-up skills sheet to the Eagle Spring Lake Yacht Club members to see if we can get a larger group and/or further assistance for those who were not at the meeting a chance to sign up.

Annual Meeting Review – Discussion – Annual meeting went well, there were 37 residents in attendance. T. Day questioned as to what was meant by downstream work. P. Jensen explained that it is not necessarily downstream work, it is if we have to do a spillway capacity report. There are various levels of that report; one is just a simple update of all our calculations, another is if we have to calculate the backflow pressure on our discharges and how that affects things. P. Jensen feels that based upon our discharge structure, that the downstream backflow pressure should not be an issue to us, but it could greatly influence the price of our study. T. Day commented that he thought it had to do with the dam failure analysis. P. Jensen clarified that the dam failure analysis says what we have to release, and the spillway capacity report says what you can release, and then you compare the two and see where you are at.

T. Day commented that this was the 3rd year in a row, after the Board saw the budget to be presented at the Annual Meeting, that P. Jensen made some changes, and T. Day did not support either one. T. Day commented that he added the receipt of \$3,000 incoming grant monies for Clean Boats/Clean Waters which is a grant that we had not even applied for yet. Historically, we do not list grant receipts until we have actually received the grant. Also, the \$10,000 to the Dam Maintenance fund was taken out. This was a fund that was set up 4-5 years ago and was set up to help offset costs of a loan on the dam repair (less that we would have to borrow). P. Jensen responded that we showed the \$3000 for Clean Boats/Clean Waters since it would be what we would be getting if we get the grant. If we do not get the grant then the decision needs to be made if we do the Clean Boats/Clean Waters program at all. Since we have already started working on the dam repairs, it makes more sense to show it as an expense rather than going into fund account that we would remove the monies from anyway.

Jeff Prokop had a few comments as to the complicatedness of the budget, and got some reassurance of some information that he was looking for in budget at the annual meeting and missed.

New Business

- a) **Fair Labor Standards Act Compliance – Discussion/Action** – P. Jensen commented about there being a difference between public employees and private employees. Basically, you cannot have an employee volunteering to do work that is the same type of work that they are already doing. P. Jensen stressed to the Board that we need to be vigilant as to what we are asking Gina to do. For anything the Board asks her to do, be it research or making copies, we have to pay her for this. If she is making copies for the all the Board members because it is needed is one thing but if she is making copies for just one Board member this could be an issue. There would have to be a valid reason as to why one member would be getting things printed when the rest of the Board is not. We have to take a look at what the salary the Board members gets per year and what it is supposed to be for and maybe rather than a salary it needs to be a stipend. T. Day explained that he does not have a computer and nor does he care to have a computer. He explained that he does not have great keyboard skills, etc. He stated that he does keep his paper copies and refers to them occasionally. P. Jensen stated that the issue is that Gina is running copies for T. Day and she cannot volunteer to run these copies for him. P. Jensen explained running off the meeting minutes, agenda, etc. for the whole Board is fine. J. Mann offered to make copies for T. Day. T. Day declined John's offer and stated that it is not fair to him. T. Day stated that Waukesha County does send him hard copies and he will talk with the county to see what is common practice for them.
- b) **EPA Grant Application Acid Rain/Precipitation Monitoring – Discussion/Action** – P. Jensen stated that there is a grant that we could apply for to be part of a program to monitor acid rain. It would start January 1, 2023 and they would supply us with a high-end Ph meter, and all the buffer and testing solutions we need for us to test the lake once a month. P. Jensen stated that he would do the testing. N. Wilhelm made a **Motion** to apply for and accept an EPA Grant; second by D. Malek, motion carried.
- c) **Board Member Responsibilities – Discussion** – This was discussed under Fair Labor Standards and N. Wilhelm will draft up an HR Policy change.
- d) **Revisions to Inspection, Operation and Maintenance Manual (IOM) – Discussion** – Once the dam repair is completed we will need to update our IOM manual. The only changes will be the change of names of our district representatives (removal of Tom Casey and addition of Chris Hinz).
- e) **Revision to Emergency Action Plan (EAP) – Discussion** - The only changes will be the change of names of our district representatives (removal of Tom Casey and addition of Chris Hinz). A total revision will be done once the new gates are in.

Financial Update & Payment of Bills – Discussion/Action – D. Malek made a **Motion** to pay the bills; second by N. Wilhelm, motion carried.

Adjourn - At 7:58pm D. Malek moved to adjourn; second by N. Wilhelm, motion carried.

Respectfully submitted,

John R. Mann

ESLMD Secretary