

Eagle Spring Lake Management District
Regular Meeting
April 24, 2023

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 Day, John Mann, Nancy Wilhelm, and Town of Eagle Representative Chris Mommaerts, and Waukesha County Representative, Lance Matthews. Due to medical difficulties, Commissioner Chris Hinz was excused. Lake residents Jeff Prokop, Barb Pinekenstein, Sandra Shorr, Steve Muth, and Bookkeeper/Administrative Assistant Gina Krause were also present.

Approval of Agenda – N. Wilhelm made a **Motion** to approve the April 24, 2023 agenda as written, second by J. Mann, motion carried.

Approval of the March 21, 2023 Board Meeting Minutes – T. Day made a **Motion** to approve the March 21, 2023 minutes as written; second by N. Wilhelm, motion carried.

Announcements and Upcoming Meetings

- P. Jensen distributed an email to C. Hinz and L. Matthews pertaining to the upcoming aquatic plant identification training to take place in June. Anyone else interested in going is to let Pete know and he will forward them the information. Gina and Nancy requested a copy be sent to them.

Public Comment – Lake resident, Jeff Prokop reported that he had lots of help getting the buoys in the water and gave a special thank you to Chuck Kuiper, John Rageth, Dave Anschuetz, and Tom Day for their help in getting all the buoys in the water.

Aquatic Growth Harvesting/Collecting/Chemical Treatment

- Updated Guidance for Weed Harvesting and Disposal/Discussion** – P. Jensen is expecting two aquatic plants booklets (pictures of aquatic plants). One set will be kept on the harvester and the other set will be kept with our files.
- Harvester and Conveyor Launch – Discussion** – We anticipate that the harvester/shore conveyor will be put in the water approximately the first week of June. Heidi Bunk (DNR) will come out and ride with our harvesting operators and see our harvesting operation in action.

T Day made a comment about an article in the NALMS Spring Edition of Lakeline Magazine that dealt with invasive species in the Great Lakes and Canada. Specifically Starry Stonewort taking control over Eurasian Water Milfoil and suggested that if we have another year like last year (no Eurasian Water Milfoil), we may need to take a closer look at the bottom of our lake for Starry Stonewort.

Clean Boats/Clean Waters Status – Discussion/Action

- Hiring Status – Discussion/Action** – Gina reported that all interviews have been submitted to Tom Day. There are 6 candidates ready for hiring approval; four of them were call back to work from last year and 2 new hires this year. P. Jensen stated that the Board needs to go thru all the interviews before we can hire anyone. It was explained to Pete that the program starts up opening fishing weekend (May 6). J. Mann commented that it was always the supervisor Tom Day's responsibility to go through the interviews and determine what is needed. P. Jensen informed the Board that they will now be going through the interviews and hiring. P. Jensen allowed the 6 to be hired for 30 days and then the Board will go through the interviews next month and determine if they all stay or who stays and who goes.

T. Day commented that starting in June, The Nature Conservancy (TNC) will be staffing the boat launch on Fridays and their staff will be paid with TNC funds/grant funding.

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P. Jensen mentioned the during one of the Wisconsin Lakes Conference small informal discussion groups, the conversation was about the Clean Boats/Clean Water Program. Some people engaged in a contractor (a hiring agency) to take care of staffing. They charge \$700 for the administration of giving you the staffing you want, they take care of the paying, take care of the insurance, take care of it all. They will run it up to the 200 hours or the \$4,000 of grant funding you get.

As mentioned earlier there will be a WDNR aquatic plant identification workshop in June (the course is free).

We have permission from the DNR to build a weather proof bin at the public boat launch and put it in the place where the dumpster was.

Carp Initiative/Fishery Issues Discussion – There were no updates.

Weather Station and Website – The weather station website has been transferred over to the new server.

Eagle Spring Lake Web Site & Email – Status Report – N. Wilhelm summarized some of the things she learned about getting volunteers involved in the website at the Lakes Conference. N. Wilhelm gave a special thank you to Colleen Voves for the new logo. The new logo is what will be used on our website, letter header, etc. It is anticipated that the email will be down for 12 hours when the transfer from 1 server to the new server is made.

Wambold Dam/Kroll Outlet

MSOE & DNR Class/Tour – Report/Discussion - P. Jensen stated that the final phase of construction is expected to start on May 8, 2023. Weather permitting the final grading will be done. The remaining electrical work has been completed. In place of them putting a sealer on the concrete floor and they will purchase us an epoxy paint (with the grit in it) that we can apply to the floor. P. Jensen volunteered to apply the epoxy paint. In order to be certain, we have a dollar amount for our budget, T. Day asked P. Jensen to convert his 5% landscaping construction left to finish the project, that was mentioned in his newsletter article, into a dollar amount. P. Jensen replied that the 5% is an estimate. Gina assured Tom that she has included the cost of what is left on the contract/change orders commented in the budget. P. Jensen assured Tom this is the final costs. T. Day inquired about the concrete cracks in the wing walls. P. Jensen reported that Collins says it is covered in the performance bond with Hunsinger and Terra, and what remains to be determined is if it is structural or cosmetic, and how they are going to fix it. T. Day spoke with a contractor who saw the cracks and he speculated about cracks being a possible foundation problem or not enough rebar to hold it together. He asked to see the plans to look at it more closely. P. Jensen will get Tom a copy of the plans that were used. Tom also requested a copy of the report from 2021 on the spill at the Wambold outlet. T. Day was instructed to send P. Jensen an email of all the documents he wants to see and he will provide them for him. Due to budget restraints the removal of the remaining trees is being held off until next year; they were not part of the original contract.

Legislative/Regulatory Issues Discussion – Senate Bill 209 proposed changes to increase the funding for law enforcement officers training (including water patrol officers). Under current law, reimbursement to a political subdivision for annual recertification training must be at least \$160 per officer. This bill would double the reimbursement to at least \$320 per officer. In the state budget bill, there is a proposed change regarding permit fees for dam work/reassignment. The fee we would have to pay for permits to work on the dam would also double (\$250 to \$500).

P. Jensen mentioned at the Lake Conference there were discussions on the desire to change legislation within Wisconsin State Statutes Chapter 33:

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- Chapter 33.22(1) to change the current \$2,500 limit to \$10,000 limit allowing for a higher limit for a mandatory bidding process for large projects.
- Chapter 33.28 to change the quorum limits for the lake districts that went from a 3 elected person board to a 5-person elected. This would make sure that the quorum be the majority of board members.
- Chapter 33.30(2)(a) – Deals with the annual meeting written notice being mailed at least 14 days in advance of the meeting to all electors within the district whose address is known or can be ascertained with reasonable diligence, to all owners of property within the district at the owner's address as listed in the tax roll and to the department. We would like to see a change that would allow posting of the notice and information on the official website of the Lake District and on one public notice location. Publication in the newspaper is expensive and may not reach all those it was intended for.
- Chapter 17.13 – This law has to deal with a person who may have become incapacitated. It would change to include lake districts.

Septic Update – Discussion/Action – C. Mommaerts gave a brief explanation of what transpired with a letter to the DNR. P. Jensen heard at the lake conference that other lakes are using their sanitary powers to enforce septic compliance. T. Day commented that the last spreadsheet from the county showed that there were approximately 50-60 residents that were not compliant and if they were compliant, it was not showing it as that either.

CTH E Parking Updates – Discussion – C. Mommaerts shared her letter showing some of the others in Waukesha County getting no parking ordinance/signs for the same safety reasons that we are experiencing on CTH E or for no safety reasons (i.e., they didn't want parking there). The county continues to deny our request for no parking signs on CTH E.

Newsletter Update – Discussion – P. Jensen brought the extra newsletters to the meeting and the newsletters have been mailed. He explained that there is now a new process that the mailing of the newsletter has to go through. We have to do address matching which allows us to send them out at a cheaper publication rate. The address has to be set up for complete automated mailing. We now have a permit for publication rate mailings.

P. Jensen talked about a company called LPI Communications who could print our newsletter in color for free of charge with the condition that we let them solicit advertising in our newsletter. We would have to sign on with them for a minimum of 2 years and would have to put out a newsletter at least 4 times a year. In return they want to be able to solicit advertising in our newsletter. It would mean a 16-page newsletter would give us 13 pages and they would use the other 3 pages for their advertisements.

T. Day questioned Gina if she was able to complete the newsletter within her 8-hour estimated timeframe. Gina replied that no she was not able to do the newsletter in the 8 slotted hours given to complete the newsletter due to the clip art and editing of articles, it took her 10-11 hours, however, she only charged the district for 7 hours of time. When T. Day questioned as to why only charge for the 7 hours, she commented that if she gave her actual time spent, it would conclude to P. Jensen once again taking away what work she does do, since that seems to be the trend we are following now. P. Jensen assured the Board that now since Minuteman Press has seen the newsletter, they can type set it in 4 hours. He will have to get a formal estimate for our next newsletter on what it would take to type set the whole thing. T. Day attempted to make a Motion to pay Gina for the time she had put into the newsletter (10-11 hours) not the estimated hours; the motion was denied by P. Jensen due to it was not on the agenda as an action item. T. Day requested it be put on the next month's agenda.

2023 Fireworks

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- a) **Tying up Loose Ends – Volunteers – Setup/Take down assignments, permit, etc. – Discussion** – P. Jensen commented that Fire Chief Scott Kugel has signed our fireworks permit. P. Jensen will be contacting all those residents that volunteered to help with the various tasks needed during set up and take down of the display. P. Jensen will drop off the required (copy of permit and certificate of insurance) to the Town of Eagle. P. Jensen was contact by a company called All Time Favorites that does laser light shows and special effects. It would be an option other than the actual fireworks show that may be more environmentally friendly to our lake.

Surplus Property (Lift/Pier) Update – Discussion – The lift is being advertised for sale on Craigs list. Two persons are interested in the pier.

New Business

Pay Scale Adjustment – Bookkeeper/Administrative Assistant Discussion/Action – T. Day made a **Motion** to increase Bookkeeper/Administrative Assistant pay to \$26.25 per hour (\$1.00 increase), retroactive as of March 1, 2023, second by J, Mann, motion carried.

School Section Lake Report – Discussion – P. Jensen met with some of School Section Lake commissioners. The county owns the dam on their lake.

Wisconsin Lakes Convention Report – Discussion – P. Jensen talked about a session he attended on blue-green algae. The Department of Health is the only agency that has authority to issue any kind of warnings on a blue-green algae and they only do it for public beaches. They are tracing back the cause of blue-green algae which may be linked to the misuse of fertilizers. Another topic was a presentation by Michael Engleson (Executive Director with Wisconsin Lakes) regarding lake capacity. They are working with the DNR to come up with a better way to determine the boating capacity of a lake. The types/speed of the boats being used should also be considered. Many lakes have implemented a mid-day slow-no-wake.

DNR Grants/Projects/Conservation Programs – Discussion/Action – Also while up at the Lake Convention P. Jensen had the opportunity to discuss reforestation with one of the state foresters. This has lead P. Jensen and N. Wilhelm to the idea that we should consider getting grant funding to help pay for part of a project of restoring the ski channel property. Due to easement restrictions, we can't have anyone driving there. The access to the property would remain via boat only. We would take approximately 4 acres of the property and remove the buck thorn and other invasive species. There is 1 DNR grant that provides funding up to \$10,000.00 and another foundation that would do fund matching of up to \$5,000. . We would need approximately \$20,000 to initially start the project. It may be beneficial to have DNR's Heidi Bunk come out and look at this along with others that specialize in this area give their opinions. P. Jensen proposed to get the experts out there and give their opinion of what we would need to do.

Lake resident, Jeff Prokop expressed his concerns that this could lead as an avenue that DNR or others may use this to attempt to shut down the ski channel if people are parking their boats in the ski channel. J. Mann stating that we have to remember this is not going to be a do it once and we are done sort of thing. This is going to take commitment and we may be removing invasives for years. N. Wilhelm made a **Motion** to continue pursuing further research of reforesting the property (with no commitment at this time); second by J. Mann, motion carried with T. Day opposed, due to we have some other important issues that need to be addressed/budgeted for and we are not doing that. It would have to brought up at the Annual Meeting and given budget approval.

Buoy Installation – Discussion/Action – T. Day gave his thank you to Chuck Kuiper, Jeff Prokop, John Rabeth, and Dave Anschuetz for their help putting in the buoys. Tom reported that we need more chains and clamps for the buoys and we need to do an inventory on the buoys. We may be in need of a stump buoy out towards Smith Island and need to check if we have an idle speed buoy. T. Day

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mentioned that once the harvester is in the water, those buoys that need adjusting can be done easily with the harvester.

Water Patrol – Discussion

- a) **Boat Launch for Season** – P. Jensen and Tom Casey will attempt to get the lake patrol boat in the water this week.

Realtor/New Resident Lake Package – Discussion/Action – P. Jensen presented a draft document (a question-and-answer type of document) of various information about our lake district. This document could be given to realtors when selling homes on the lake.

2024 Budget Workshop – Part 1 of 3 – Discussion – P. Jensen requested an extra column that would show the expenses within the same line item in the receipts area of the budget (just for the workshop). P. Jensen lead the Board through page 1 – receipts and page 2 Administrative Expenses & Aquatic Plant Expenses then sporadically through the rest of the budget. Next month the Board will return to the budget workshop with new copies of the proposed budget with the changes made that were discussed, and continue to refine the budget as needed.

Financial Update & Payment of Bills and 1st Quarter Report – Discussion/Action - N. Wilhelm made a **Motion** to pay the bills; second by J. Mann, motion carried. The Board briefly went over the 1st Quarter report with T. Day reminding the Board that we will need to deal with the shortfall at year end of 2023 and in budget year end of 2024.

Executive Session– At 9:10pm P. Jensen announced we are going into closed session. T. Day questioned as to why Gina was not sitting in on closed session; she has always sat in on closed sessions. T. Day attempted to make a Motion for the Board to allow Gina to sit in on the closed session, and was denied by P. Jensen because it was not on the agenda. At 9:17pm the Board went 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 involving Waukesha Circuit Court Case Number 2021CV001294 in which it is or is likely to become involved. The Board did not reconvene into open session.

At 9:50pm the meeting was adjourned.

Respectfully submitted,
John Mann
ESLMD