

Eagle Spring Lake Management District  
Organizational Meeting  
August 15, 2023

## Approved Minutes

**Peter Jensen, Chairperson, called the meeting of the Eagle Spring Lake Management District (ESLMD)** to order at 6:33pm, and led with the pledge of allegiance. Other Commissioners in attendance were Tom Day, Chris Hinz, Nancy Wilhelm, Tom Tynes, Town of Eagle Representative Ryan Hajewski, and County Representative Lance Matthews. Lake residents Greg Himebauch, John Mann, Nick Wambach, Jeff Prokop, and Bookkeeper/Administrative Assistant Gina Krause were also present.

**Approval of Agenda** – N. Wilhelm made a **Motion** to approve the August 15, 2023 agenda; second by T. Tynes, motion carried.

**Approval of the July 18, 2023 Board Meeting Minutes** – T. Day made a **Motion** to approve the July 18, 2023 minutes; second by N. Wilhelm, motion carried. T. Day commented that he did not receive an emailed copy of the lake patrol reports as promised per the minutes. P. Jensen will check and resend the reports.

### Announcements and Upcoming Meetings

- The Next Town of Eagle Board Meeting will be held on August 16, 2023.
- P. Jensen will notify the Wisconsin Lakes (Lake Tides) of our three new commissioners, Lance Matthews, Tom Tynes & Ryan Hajewski and get them on our mailing list.
- Wisconsin Lakes 2024 Convention theme will be centered around the 50<sup>th</sup> anniversary of Chapter 33 being published. There will be a limit of 350 people that can attend. Registration is open and you may want to register now.

**Public Comment** – Lake resident Dave Anschuetz requested his email being read for the residents and property owners. Gina read his email for him. He was questioning as to why we don't have a policy of; one title, one tax bill, one vote. Anyone who is a single owner of a property like Tom Day has his voting power reduced by 50%. There were no other comments.

**Aquatic Growth Harvesting/Collecting/Chemical Treatment** – P. Jensen along with Tom Casey took Heidi Bunk (DNR) on a tour of the lake with the harvester. There appears to be more hybrid milfoil in the lake. Heidi mentioned that Oconomowoc Lake is also experiencing a change in milfoil growth, and are finding better results by just trimming the tops of the plants and it stops growing at that point and time. T. Tynes commented that Mondays are the worst in Jack's Bay and the folks at the end of the bay get the greater share of the uprooted plants; and questioned if we are limited on picking up floaters? P. Jensen explained that we can pick up floaters, however, the harvesting operators are restricted from going in between the piers and other areas that are tight to operate in. We are encouraging everyone to take care of their own area around their pier (up to 30 feet out from shore). P. Jensen will discuss this with Tom Casey and see if we can get the harvester in Jack's Bay on Mondays to clean up some of the problems in the bay.

**Clean Boats/Clean Waters Status – Discussion/Action** – P. Jensen commented about an email from a Marcette Anderson who complained about people leaving trash

at the boat launch and then accused those working at the boat launch of telling people to leave their trash there. P. Jensen did contact Lance (DNR) about the situation and he did come out and clean it up. Employees staffing the boat launch are now wearing a safety vest while working. UW Stevens Point (our T-shirt suppliers) are looking into having safety color T-shirts with the appropriate reflective striping for 2024 summer. C. Hinz is willing to work with training next year.

N. Wilhelm mentioned that she has had some people complain that the boating direction map is on the backside of the kiosk and not on the front where it needs to be seen. P. Jensen will discuss this with Lance (DNR) to get use on the front side of the kiosk or similar remedy. T. Day presented to the Board a copy of the forms used in the Clean Boats/Clean Water Program and went through the process that is done with each boater that comes to launch their boat. Forms included the survey sheet which is a guide for discussion, as well as, a fill in the blank form for data, a handout which has a directional map of the lake with several of the ordinances on it, a handout for those going to Lulu Lake which reminds to reverse their motor and helpful behavior when on shore, and if fishing, a card of our special fishing regulations.

### **Carp Initiative/Fishery Issues Discussion**

**Possible Liability on Use of Lake District EIN and Divestiture Filings** – T. Day reiterated that the Lake Preservation Group is not using the Eagle Spring Lake Mgmt. District's EIN number and never did use it.

**Weather Station and Website** – There were no updates.

**Eagle Spring Lake Web Site & Email – Discussion** – The website is up and operational. Gina will leave her laptop for P. Jensen to pick up on Thursday so he can switch the email from one server to the other.

### **Wambold Dam/Kroll Outlet – Discussion**

**Dam Operators Guide Update** – P. Jensen announced the Dam Operators Guide has been distributed to dam operators for review.

**Tuckpointing and General Repair Report** – There are some general repairs needed on some bricks that need tuckpointing work at both sites and where you can look through the foundation at Wambold.

### **Other Dam Related Updates and Issues**

- **Laitsch Dam DFA Conservancy District Overlay** – Laitsch did a Dam Failure Analysis, and the county that handles the zoning on that area, took anything in the inundation zone and put it into a Conservation District.
- **Waterville Dam** – There was an unregistered transfer of the dam gates to the Village of Summit that never had a DNR permit with it.

**National Dam Repair Cost Survey** – A national survey where they look at the cost to bring our nation's infrastructure up to date. For Wisconsin it is 1.8 billion dollars to bring all Wisconsin State dams into compliance.

### **Legislative/Regulatory Issues Discussion**

- **Possible State Funding Bill** – There appears to still be a chance (although slim) that there will be funding for Lake/Sanitary Districts. There is no idea of what we may be able to use the funding on if we did qualify.

- **Waukesha County Floodplain and Shoreland Zoning Ordinance Changes –** P. Jensen handed out a summary of the July 20, 2023 Waukesha County Park and Planning Commission meeting. There used to be a combined joint Flood Plain and Shoreland/Conservancy Zoning Ordinance. The County is now taking that ordinance and breaking them apart into two separate ordinances (one Flood Plain and the other Shoreland/Conservancy). When FEMA did the Flood Plain maps, any island properties were put in the flood plain (they did not care what the elevation was). The County views the island properties being in the flood plain, as a computer error due to it was done with other lakes as well.
- **Flood Zone Mapping District AE Lake Islands Map Amendment Support –** The island issues (properties in flood plain) have been discussed with Michelle Hase (DNR). It appears when the maps were approved in 2014, it was determined you are automatically in the flood plain if there is no fire truck access to that particular property. Rather than hiring a surveyor, the island properties may be able to do a map amendment much cheaper with the use of existing topographic information.
- **Septic Update – Discussion –** A local contractor notified P. Jensen that he has been asked to bid a holding tank on one of the island properties. We are not sure which property it is.

**CTH E Parking Update – Discussion -** There was a bicyclist that was injured on County Highway E on Saturday.

#### **Buoy Status Compliance Update – Discussion/Action**

**Request for Jack’s Bay Slow No Wake Buoy -** There was a request for a slow-no-wake buoy at the entrance to Jack’s Bay. T. Day said there was a buoy that did float out into the lily pads and has been put back into place. T. Tynes said it is more of a problem of boaters racing around in Jack’s Bay. The two buoys there should be enough, we need to get registration numbers of violators and pictures.

- **Report of South Island Submerged Obstruction –** T. Day said Nick Wambach looked for it when on his kayak. A better option would be to take the harvester out there on a nice calm day and since you are higher up, look down into the water to see what may be causing an issue. P. Jensen stated that no one should be going fast within 100’ of the island.

**Water Patrol Discussion –** P. Jensen was uncertain if there was a Lake Patrol report but if there is one, he will send it out like he did the last one.

#### **Annual Meeting Review – Discussion/Action**

- **Review of Draft Minutes –** A Draft hard copy of the annual meeting minutes was presented to the Board. The Board will review and bring comments/changes to the next meeting.
- **Final Approved Budget Distribution –** A copy of the Approved 2024 Budget will be emailed to the Board.

#### **New Business**

**Treasurer Report on Improved Efficiency - Discussion/Action –** T. Tynes has started to look at some of the financial documents. Before changing software, the

Board should discuss it first. P. Jensen asked for another monthly report like the quarterly reports but done monthly.

**Committee Creation and Appointments – Discussion/Action** – P. Jensen stated that he and Nancy have been listening to presentations on this for the past two years. UW Stevens Point has a program called capacity building (the process of getting more people involved and building leadership in a group). The easiest way to build capacity is by to develop committees within the group that report to the Board, provide advice, do research, to advise the board and give you expertise on many issues. P. Jensen commented that we don't need a river management and a lot of other things. This is a tool that has proven effective for other organizations. He has broken it down into 7 committees. N. Wilhelm stated she has contacted some of the lake residents and discussed this idea with them. C. Hinz asked what is the goal with forming the committees. P. Jensen said it will depend upon the group and what project they are going to work on. Some groups may only meet once or twice a year and others more active. The committee can run themselves; they have the opportunity select their own Chairperson, they can take referrals from the Board on some issues, they can research it and report back to the board. N. Wilhelm made a **Motion** to establish these 7 standing committees for the Eagle Spring Lake Management District; second by T. Tynes, motion carried with T. Day abstaining. T. Day commented that this reminds him of the old school board committees. He has a feeling this may cause problems making timely decisions, and possibly some people not being challenged enough and losing interest. Therefore T. Day will be abstaining from voting on this. Greg Himebauch asked if they were taking questions from the floor. P. Jensen stated he would take just one question. Therefore, Greg Himebauch passed on asking his question. R. Hajewski questioned if the committee would be doing any of the work. P. Jensen explained that they are only advisory and would not be doing any of the work themselves. C. Hinz asked how people are going to be assigned to these committees. P. Jensen explained that he has gone through the questionnaires from the annual meeting and has contacted some of the people. He has a group of people to start filling the seats on these committees. T. Tynes stated it is just a group of people working on a particular task that may get this done faster than just 1 person. P. Jensen appointed the following people to the selected committees as follows:

1. Personnel & Management Committee – Barbara Pinekenstein, Nancy Wilhelm, and Suzanne Erickson. With no objections moved onto next committee.
2. Finance & Budgeting Committee – Tom Tynes, Tony Hofeld, and looking for a third. With no objections moved onto next committee.
3. Buildings & Equipment Committee – Tom Casey, Harvey Kuehl, and Lance Matthews. With no objections moved onto next committee.
4. Environmental Protection, Preservation Committee – Cecilla Lorenz, Chris Hinz, Pam Meyer, Alfred Krusenbaum, Kristin Koeffler. With no objections moved onto next committee.
5. Marketing, Capacity & District Involvement – Nancy Wilhelm, and Colleen Voves. With no objections moved onto next committee.
6. Dam Operations and Safety - Peter Jensen, Dale Brugger, Todd Gillette. With no objections moved onto next committee.

7. Nominating Committee – Dale Brugger. Greg Himebauch withdrew his position on the nominating committee and declined to be on the Nominating committee. Jeff Prokop also respectfully withdrew his position on the nominating committee. Therefore, with no other volunteers, the appointment of the Nominating committee will be tabled until the September meeting.

Greg Himebauch expressed his feelings; the Board has handled all the positions of these committees beautifully in the past and does not approve of these committees being established. P. Jensen stated that all the committees will have to follow open meeting laws. C. Hinz commented that having to follow all the open meeting laws does make it more complicated and therefore there should be a formatted form that gets filled out at each committee meeting.

T. Day mentioned that he did not see septic issues being addressed in any of these committees. P. Jensen commented it may be covered under environmental. We will find more things to add as we go along. C. Hinz ask to make a nomination to have Tom Day on the Environmental Protection, Preservation Committee. Tom Day respectfully declined the offer to be on the committee. R. Hajewski questioned, when are we going to be asked to look at these or form these committees, is the formalization of these going to be at the next meeting or when? P. Jensen explained, we have approved these committees.

**Purchase of Vostro Computer for Web Design – Discussion/Action –** N. Wilhelm is going to turn over her laptop to T. Tynes for the Treasurer position. P. Jensen explained he has a Vostro computer (consisting of a rebuilt computer, large screen monitor, a printer, back up hard drive, 16 GB of memory and extras) for approximately \$400. This would be a computer we could use to move from web designer to web designer. N. Wilhelm stated that it was impossible to use her laptop when working on the website, she needed a big workstation and a big monitor. T. Tynes questioned what he is supposed to do with the laptop that N. Wilhelm is handing over? P. Jensen said it was to put all financial information on so it is kept in one computer. T. Tynes was surprised that we were not storing information on a cloud. He wanted to make sure that it was not requirement of being treasurer to have all information on a machine and did not appear to be interested in using the laptop. P. Jensen recommended that we approve the use of at least \$400 toward getting N. Wilhelm a computer with large screen display for working on the website. N. Wilhelm said if we are going to be working off a cloud as a place to store all our information/files she would rather table this topic till a later meeting.

**Waukesha County Damage Assessment Program & Implications – Discussion –**

P. Jensen explained it has been approximately 2 years since we had our last major storm. In 2021 we did a quick assessment around the lake to see if we could get any federal or state aid; Waukesha County did meet the threshold. We learned a lot through the process, and Waukesha County now has a program (with the use of a GIS program) called Assessment 123. It should be as easy as taking a picture through your phone, sending it in and all the data is calculated in the background. It has tax assessment records, etc. If in the future we were to incur a big storm with great damage, we could easily train a couple of people to go around the lake and take pictures with their phone and send them in.

**Payment of Bills** –T. Day asked as to why there was two separate check detail reports. P. Jensen explained the need for a check detail report 1 week before the meeting for key people to study. It is to allow a greater time to study the report. Any Board members interested in getting the early report can get one. T. Day stated that he is interested in getting any reports that others get. Gina asked where are we planning to find the funds for the legal bills; we budgeted \$10,000 and we are over \$21,000. P. Jensen replied we will have to discuss this at the next meeting. C. Hinz made a **Motion** to pay the bills; second by N. Wilhelm, motion carried with T. Day opposed (due to Collins Engineer not showing what they did on the invoice).

**Executive Session** - At 8:07pm John Mann requested to be allowed to sit in on the closed session since he is a named defendant in this case. P. Jensen explained that notice has been sent to our attorney of the new board members and its successors. Chris Hinz will be listed as Secretary and John will be taken off. By consensus the Board agreed that John Mann would be allowed to sit in on the closed session for as of right now he maybe still a defendant in the case. N. Wilhelm 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 R. Hajewski, motion carried with the votes as follows: Lance Matthews – Yes, Nancy Wilhelm – Yes, C. Hinz – Yes, Peter Jensen - Yes, Tom Tynes – Yes, Tom Day – Yes, and R. Hajewski – Yes.

**Executive session-** Peter Jensen, Chairperson, called the executive meeting of the Eagle Spring Lake Management District (ESLMD) to order at 8:10pm. Other Commissioners in attendance were Tom Day, Chris Hinz, Nancy Wilhelm, Tom Tynes, Town of Eagle Representative Ryan Hajewski, and County Representative Lance Matthews and John Mann. First motion was made by Nancy Wilhelm and seconded by Tom Tynes. At 8:50 motion to adjourn was made by Nancy Wilhelm and seconded by Chris Hinz.

Christine Hinz

ESLMD