

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, Chris Hinz, Nancy Wilhelm, Tom Tynes, Town of Eagle Representative Ryan Hajewski, and Waukesha County Representative Lance Matthews. Lake residents Jeff & Janet Prokop, John Mann, Tracie Kuehl, Cecelia Lorenz, Barb Pinekenstein, Matt Thew, Nick Wambach, Pat McGuire, and Bookkeeper/Administrative Assistant Gina Krause were also present.

Approval of Agenda – A Motion was made by N. Wilhelm to approve the November 14, 2023, agenda as written; second by T. Tynes, motion carried.

Approval of the October 17, 2023, Board Meeting Minutes – It was explained that the hydraulic leak with the harvester was with food grade hydraulic fluid. Also explained was that the QuickBooks software package cost in the motion for software should reflect a not to exceed limit of \$1,620 as we may come in lower if we do not purchase a payroll subscription. C. Hinz made a **Motion** to approve the October 17, 2023, Board meeting minutes as edited; second by N. Wilhelm, motion carried.

Approval of the October 26, 2023, Extra Board Meeting Minutes –T. Day made a **Motion** to approve the October 26, 2023, minutes as written; second by N. Wilhelm, motion carried.

Announcements and Upcoming Meetings

- A call was received about a German Shepard puppy that jumped out of a car at the laundry mat near the corner of LO and CTH E and ran away. Note: After meeting findings, the puppy was found and returned to its owners.
- The Jefferson County Sheriff's Department is looking for a man named Kevin Anderson who is wanted for a double homicide and arson. If seen do not approach and call the police department.
- The DNR waterways program is proposing to reissue several statewide general permits for projects in wetlands and waterways. There will be a public virtual informational hearing on November 15, 2023, at 1:30pm.
- Tentative dates of August 12-13, 2024, have been set for a national dam emergency training program.
- Froedtert/Medical College of Wisconsin are sponsoring a stop the bleed program (a free CPR training program).
- The next Town of Eagle Board meeting will be held November 15, 2023, at 6:30pm with a premeeting budget hearing at 5:30pm.
- **Public Comment –** Public comments included some of the following:
 - There were concerns with the lake patrol being defunded and hopes it could be mutually funded in the future.
 - Lake residents were encouraged to attend the Town meeting on 11/15/23.
 - Would like to see public comments taken later in the meeting (primarily after all the major action topics have been discussed) to allow a chance to comment on what has been discussed.
 - A public records request has been made twice with no replies or records given. They were thinking there may be a link not working on the website.
 - Disappointment of the aquatic plant harvesting operators' capabilities and management thereof.

Clean Boats/Clean Waters Status – Discussion/Action

SeaTow Foundation Lift Jacket Discussion – There is a grant for this program and would supply free life jackets (up to 6 of each infant, youth, and child). A **Motion** was made by N. Wilhelm to apply to the SeaTow Foundation to be part of this program (at no cost to the district); second by T. Tynes, motion carried.

Carp Initiative/Fishery Issues Discussion – A student from the University of Wisconsin is studying mudpuppies and he has found them downstream of the Kroll outlet.

Weather Station Discussion – There were no updates.

Eagle Spring Lake Web Site & Email – Discussion – There were no updates.

Wambold Dam/Kroll Outlet – Discussion

Confined Space Plan Compliance – Discussion – We are fully compliant with our confined space plan that is now in place.

Dam Operator Compliance NFPA 1670 – Discussion – Both deputy dam operators along with the dam operator have completed required training courses and are compliant with NFPA 1670.

Well Regulation NR 812 Update – Discussion – The state of Wisconsin is tightening up the rules for wells in a floodplain. There is also concern on regulation of well distancing to a landfill. Shallow point wells are being phased out.

Legislative/Regulatory Issues Discussion –

Resolution 2023-09 in Support of HR 5104 & S.3111 – Discussion/Action – N. Wilhelm made a **Motion** to approve the passage of Resolution 2023-09 Reauthorization Act of 2023 and S.3111 to amend the national dam safety act; second by C. Hinz, motion carried with T. Day opposed.

Status of Wisconsin SB140 & AB 136 – Discussion – No action needed on this topic (dam safety program); it is in the process of passing.

Position on Wisconsin AB 222 and SB 222 – Discussion/Action – SB 222 did pass the Senate, but they were removed before passing the funding for flood control & buy outs and no funding was allowed for sanitary/lake districts. N. Wilhelm made a **Motion** to communicate with the legislators that we would like sanitary and lake districts to be included in the language so that funds would be allowed for funding to us if ever needed; second by C. Hinz, motion carried.

Buoy Status Compliance Update – Discussion/Action – Gina has re-submitted (via email) the Waterways permit application to Kyle Laughlin (DNR) to be processed or forwarded on to whomever is now in charge.

Treasurer’s Report on Improved Efficiency/Accounting, Payroll and Cloud Software – Discussion/Action – This topic will be discussed later under the topic of Financial Update and Payment of Bills.

Floodplain Identification Correction for Island Properties Update – Discussion – A deadline of November 20, 2023, has been given to the Island property owners to get their paperwork filled out and returned.

Update 2021 CV001294 ESLMD vs Wruck – Discussion – The Judge ruled a motion to seal the documents in this case. Progress is being made to bring this to an end, but no further details can be given due to the sealed documents.

New Business

Report on Open Records Compliance & Training – Discussion – We should be able to maintain a mailing list that will not be available on a public record request. A lake resident has requested public records but has not been replied to and has been unable to obtain such records and has inferred that the link on the website is not working. The approved minutes will be reuploaded to the website for access rather than handled as an open records request.

Protection of Critical Infrastructure Data – Discussion – The update of the Emergency Action Plan is being updated and put under the protection of critical infrastructure data plan and anticipated to be completed by the end of the month.

Town Budget & Water Patrol -Discussion/Action – Lake patrol is a matter that will have to be discussed with the Town of Eagle. We anticipate that we will need some sort of patrol for our 4th of July display. Our insurance will dictate what kind of patrol is needed.

Report on Potential BRIC Grant Funding for 2025 – Discussion – Building Resilient Infrastructure and Communities (BRIC) may have available grant funding that we could use on our past dam repair projects. You can apply for funding for projects performed up to 3 years prior.

Monthly Report - Budget Amendments – Funding of Legal Fees – Discussion/Action – P. Jensen requested more time to go over the monthly report and will bring back the findings of the latest data at the next meeting. T. Tynes briefly went over his findings in financials. We have a few items that were over budgeted in terms of income and under budgeted as an expense which left a few items of concern until further information was obtained. The loan proceeds and expenses were expected to all be accounted for in 2022, however, work was not completed until spring of 2023. This did influence the outcome of the budget on those line items (groups). Overall, the accounts are more in balance than the numbers first appear to suggest.

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

Treasurers Report on Improved Efficiency/Accounting, Payroll and Cloud Software – Discussion/Action - There remains a glitch with Ryan’s access to One Drive, everyone else’s access is working fine. T. Tynes will investigate and try to find a solution to the problem.

Adjourn – At 7:30pm, N. Wilhelm made a **Motion** to adjourn; second by R. Hajewski, motion carried.

Christine Hinz
ESLMD