

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Ron Peterson (Village of Big Bend)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
Francis Stadler (Village of Big Bend)
Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Any representative from the Town of Waukesha

Also present: Jim Ritchie, Tim Lizotte, Kelly Van Beek or the WDNR and Dan Treloar of Kenosha County.

At 1:06 PM, 01/10/14, Chairman Al Sikora called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the November 15, 2013 meeting were reviewed. It was motioned by Francis Stadler and seconded by Chad Sampson that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for November and December 2013 was reviewed. In summary we started with \$102,471.42 in our money market account. We made a payment of \$10,060.75 to Graef Engineering toward the GIS mapping survey. We received interest payments of \$16.51 and \$15.70 leaving us with a final balance of \$92,442.88 there were no real changes to the grant funds sheet and we are waiting for the paperwork to be completed for the Mukwonago Culvert Removal project and the Big Bend boat launch retaining wall projects. Francis Stadler asked if the \$1400 had been added onto the Big Bend boat launch retaining wall and Jim Pindel stated that it had been added. Al Sikora questioned the \$239.90 for website hosting and Jim Pindel pointed out that this was for the last two years. It was motioned by Francis Stadler and seconded by Alan Barrows that the Treasurers Reports be approved as corrected. The report was approved unanimously.

Election of Officers for Calendar Year 2014:

After minimal discussion, Francis Stadler motioned that we retain the present Officers and the motion was seconded by Doug Koehler. The motion (vote) carried unanimously.

Old Business

- a) Mukwonago River Restoration within Rainbow Springs – Benjamin Heussner was not present. Jim Pindel pointed out that Benjamin Heussner emailed a presentation complete with many high quality photos which he forwarded to all the commissioners. Then Jim Pindel stated that there has been a lot of activity regarding this project recently. Jim said that he received an invoice from the Kettle Moraine Natural History Association (KMNHA) for the remaining balance of the \$50,000 we allotted to this project. We expect that the KMNHA probably doesn't have the \$15,277.62 to pay this bill. Even though it has been our practice to not make the final payment toward a project until all the paperwork has been submitted and the project can be closed out; Jim Pindel motioned that we make this final payment to the KMNHA so they can pay the invoice to the WDNR. The motion was seconded by Alan Barrows and passed unanimously. Once the invoice is paid all that is missing to close out the project is the proof of payment which Benjamin Heussner will have to provide. We will issue a check to the Natural History Association as soon as possible.

- b) Fox River Partnership Summit – Tom Slawski stated that they have nearly all their speakers locked in and they are close to having their final program worked out and will have it available for our next meeting. Al Sikora assured Tom that he will help him set up a PayPal system for people to pay their attendance fee.

- c) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel reported that he had heard from Geoff Parrish of Graef Engineering and made the following report.
 - Many areas of minor erosion were noted, some of this could be considered normal river activity.
 - Ten areas of moderate erosion were found which will need to be addressed.
 - Comparison of aerial photographs from 2000 and 2010 shows that the river has changed its meander to some extent. There were areas of likely erosion and possible erosion.
 - Four farm fields were found with no to minimal buffer adjacent to eroding sections of river bank.
 - Two farm fields were found with no to minimal buffer adjacent to stable sections of river bank.
 - One area of cattle management was found immediately adjacent to river on land sloping toward the river.
 - 48 areas of the invasive species phragmites were mapped.

- Graef will prioritize the areas of erosion and phragmites and provide a GIS map indicating each of these sites with an associated table of what was found at each of the sites.

Jim also stated that he had requested that Graef make a presentation at our next commission meeting to show and explain the results of the survey. Barb Holtz asked that now that we know the location of these sites if we shouldn't send out RFP's (request for proposal) to the owners involved so they could come to us to request assistance with resolving the problems. After some discussion it was decided that after we get the GIS map we, probably with the help of the counties, will have to find out who the owners are. Since Graef will prioritize the locations we would most likely attack them in order of importance.

d) Big Bend boat/canoe launch retaining wall – Ron Peterson said that he had contacted the contractor and he was not sure how many if any lien waivers would be necessary. Ron said he didn't know if before and after pictures were available, but it was pointed out that Francis passed around paper copies of before and after pictures at previous meetings. Ron and Francis were asked to provide digital copies of these pictures so they could be put on our website. Ron said the project was complete except for the fence along the top to prevent someone from falling off the retaining wall.

e) Vernon Marsh flowage restoration project – Jim D'Antuono. Jim D'Antuono introduced Tim Lizotte (Wildlife Management Supervisor for Southeastern Wisconsin) who made a Power Point presentation showing the work that has been done in the Vernon Marsh. Tim introduced Kelly Van Beek who was hired in September to fill Brian Glenzinski's position after Brian took a position with Ducks Unlimited. Tim said that the project has been going on for about 3 years and is close to being completed. Tim showed an aerial photo that displayed the position of the Refuge and Main pools with the Fox River meandering around them. Back in the early 1960's the WDNR wanted to develop some enhanced waterfowl wetland management opportunities by creating dykes or berms to section off areas to be flooded and then under control lowered to control the habitat. The main pool is where they have had issues and needed to have some work. The entire area is just less than 500 acres and Mill Brook comes through and is impounded to create the pools. The dyke has experienced erosion and storm damage but has provided some really good wetland habitat. What they have found is that the two pools have been acting as separate impoundments and have not drained off through filtering wetlands as designed. The impoundments have been kept in a half drawn down state since 2009. Because of this drawn down state the cattails have taken over. Tim showed a slide depicting a rather normal spring time event where the water level in the pool and the Fox River were about the same and so water crossed over the dyke carrying soil into the Fox River. This demonstrated that the dyke was not high enough and the spillway was not big enough to handle normal spring water situations. Most of the money provided by the SEWFRC was used to build the channel that diverts the water away from the Fox River and directs it into the wetland where it is filtered and drains

off under control. Tim provided pictures of the Swamp Devil Machine that was used to cut its way through the cattails and marsh to create a channel for water to flow between the two impoundments. The Swamp Devil Machine is owed by the US fish and wildlife service. They will have to come back in spring and finish grade and seed the dyke because it is not up to standard everywhere as it should be. The entire project cost about \$300,000 and the SEWFRC contribution of \$20,000 got them started with the creation of the channel between the two pools. Tom Slawski asked what was the primary goal of the project and Tim said it was waterfowl production but it was noted that erosion control into the Fox River was also a consequential goal.

New Business

- a. Wood Drive Erosion Control Project – Chad Sampson_Chad said that there was nothing new to report and they would probably have the design ready for bid next week. When asked Chad said that he didn't have a cost estimate at this time.
- b. Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he and Jim Pindel attended the Town of Burlington board meeting last night and that they approved a MOU to become part of our commission. The vote was not unanimous with one person voting against joining. They asked us when they need to appoint a commissioner and we told them it would probably be a couple years, since we had to go to the legislature and get the state statutes that define us changed. The dissenting vote was from a board member who could not be convinced that we did not agree with the City of Waukesha returning Lake Michigan water back to Lake Michigan. Tom said that our next target is the City of Burlington and he will be contacting them shortly. Tom then said that after we finish going south to the Illinois border we would start heading north. Jim Pindel then informed Tom that the commission during our deliberations coming up with the new Implementation Plan decided to go south to the Illinois border but not to go north because of the large municipalities in that direction. Also the impetus to go south was to get contiguous with the Fox Waterway Agency of Illinois so that we could apply for federal funding together.
- c. Consideration of how we operate with a larger membership base: Jim Pindel pointed out that we had agreed on some changes in the past, most obviously was the change to go to one commissioner and one alternate commissioner per municipality to keep the size of the commission manageable. He asked for any ideas or input from the commission and since none were forthcoming we moved on.
- d. Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said that he had a documentation package prepared for Alex Seifert the land owner between the bridge and the WE Energies property including the cost share agreement and estimated cost as well as one for

We Energies. The working agreement will outline the process of how we are all going to work together throughout the project. So now we are at the point of getting this agreement of how we will work together. Alan said that he has filled out the application for the DNR permit but has not submitted it yet. Alan said that he sees us as having three cost share agreements one for the counties right of way, one for Alex Seifert's property and the third for the WE Energies property. The project will still be handled as one project with a single contractor doing all the work. Alan pointed out the Alex Seifert and WE Energies are not willing to pay any money at all, so we will have to vote on paying 100% cost share by the commission. The final proposal to the commission should come during our next meeting. Dean Falkner pointed out that WE Energies had spent a considerable amount of money to improve the landscape near the power poles but was not willing to pay more for the lands outside of this area. Alan pointed out that there have been other projects in the past where several owners were involved but all the work was accomplished by a single contractor.

- e. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim D'Antuono said he really didn't have anything to report except that the City's application was being reviewed. Jim did mention that it has been reported that the state of Michigan has said there is no way they will pass on the diversion. Don Scott pointed out that there was a report that the City had over projected the amount of water needed. Francis Stadler said that he heard an alternate to Lake Michigan water was to drill additional shallow wells along the Fox River to get more water to dilute the deep aquifer water. Jim Pindel added in that he thought the best solution was for the City to come up with a way of removing the radium from the deep aquifer water.
- f. Consideration of purchasing a Three Panel Backboard for table top display purposes: Alan Barrows set up the three panel display board in the back of the meeting room. The panel is two sided and cost only \$160 instead of the \$300 we had budgeted. Alan stuck some of the display items we used for the Fox River Summit on the display to give us an idea of what it would look like in use. Alan said that he would like to solicit more pictures from the commission so that we could bring it up to date for the next Summit. He also proposed the idea of having a brochure holder on the display panel where people could help themselves to a small say three fold description of some of the projects we have accomplished. Al Sikora mentioned that Waterford has their Home and Commerce show coming up in early March and that we could pay to display in this show to advertise who we are and what we do.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Tom Slawski said that he had not heard anything to report.
- b) SEWFRC Website – Al Sikora said that he had nothing to report regarding the website. But did remind everyone he is looking for photos and short biographies to go along with them.
- c) Highway 164 Construction update: - No one from the WWMD was present. Jim Pindel said that he and Chad Sampson had attended a meeting this last Monday attended by the WDOT, WWMD, Racine County, and the WDNR. After a period of time where everyone said that they were not responsible for the large bloom of silt that discharged into Tichigan Lake after a 4” rainfall in October, it came down to what was going to be done to prevent future erosion into the lake. It was decided that Racine County (namely Chad Sampson) would try to install a vegetative buffer where the farmland to the northeast sheet flows rather dirty water down to where it eventually flows into the ravine that flows into the lake. The county would also revisit the ravine itself to see if anything has happened there that needs to be repaired or adjusted. The WDOT will review the slope of their ditches and possibly install from one to three new check dams to slowdown the water flow to the ravine. At the end of the day if these changes do not alleviate the problem then there most likely will be a new storm water abatement project that we might be involved in. Chad added that when the emails started flying around in October, he went out and studied the site. His conclusion was that a major factor in the large amount of sediment that was washed out was due to the fact that the highway had just been completed and the ground that had been disturbed hadn’t had time to settle out. Given some time the ground would settle and the vegetation would grow in holding the material in place. The timing of the 4” rainfall just after the project was completed was very unfortunate.

Correspondence –

- a. 11/18/13 Email from Jim Pindel to Paul Kling advising he use Jeff Thornton as a resource to educate the WWMD membership about the Waukesha waste water diversion away from the Fox River
- b. 11/19/13 Email from Jim Pindel to the WDNR stating our opposition to the Waukesha diversion
- c. 11/20/13 Email from Jim Pindel to all commissioners with a list of bullet points to be used to send letters of opposition to the WDNR regarding the Waukesha diversion
- d. 11/20/13 Email from Jim Pindel to Milwaukee Journal Sentinel stating our opposition to the Waukesha diversion, after email from Randy Meier stating Journal Sentinel looking for comment.
- e. 11/27/13 Email from Jim Pindel to all commissioners with two additional bullet points regarding Waukesha diversion.

- f. Email from Town of Burlington stating that we are on their 1/14/14 agenda.
- g. 12/24/13 Email from Jim Pindel to Benjamin Heussner concerning what has to be done to complete the Rainbow Springs paperwork so we can close out the project and make the final payment.
- h. 12/27/13 Email from Alan Barrows with information needed to order the three panel display unit.
- i. 12/6/13 Email from Jim Pindel to John Marek (Town of Waukesha) requesting the appointment of a commissioner to SEWFRC

Miscellaneous Issues –

Jim D'Antuono said that he had a discussion with Doug Koehler and that they had a meeting with the City of Waukesha Parks group and there is a dam on a pond west of the Fox River that the Parks group would like to abandon. This project would be similar to what we did on the Mary Kossik property a couple years ago. The Parks department will be looking for dam abandonment money and other sources of funding. So it appears they will be coming to us for funding and they want to accomplish this project this summer.

It was motioned by Chad Sampson and seconded by Ron Peterson that the meeting be closed. The motion passed unanimously.

Meeting Closed at 2:20 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
February 14 at 1:00 PM. (Meeting Location: Town of Vernon
Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI
53103.)**