

**Commission members present:**

Greg Kessler (Town of Waterford) (Chairman)  
Ron Peterson (Village of Big Bend)  
Jamie Soneberg (Village of Big Bend)  
Randy Craig (Town of Vernon)  
Jim D' Antuono (Wisconsin DNR)  
Don Scott (Town of Vernon)  
Chad Sampson (Racine County)  
David Kopp (City of Waukesha)  
Jeff Thornton (Southeastern Wisconsin Regional Planning Commission)  
Jim Pindel (Town of Waterford) (Co-Secretary/Treasurer)  
Mary Pindel (Town of Waterford) (Co-Secretary/Treasurer)

**Commission members absent:**

Barb Holtz (Town of Mukwonago)  
Howard Garvens (Town of Waukesha) (Vice-Chairman)  
Al Sikora (Village of Waterford)  
Alan Barrows (Waukesha County)  
Dale Fennel (Village of Mukwonago)  
Shelley Tessmer (Town of Waterford)

Also present: Dick Kosut WWMD, Jim Ritchie, Craig Helker, Maureen McBroom and Brian Glenzinski WDNR

At 1:05 PM, 2/5/10, Chairman Greg Kessler called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

**Minutes** from the December 4, 2009 meeting were reviewed. It was motioned by Dave Kopp and seconded by Jamie Soneberg that the minutes be approved as submitted. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer's Report for December 2009 was reviewed. Jim Pindel pointed out that we had gone into the red by \$15.22 on our non-reimbursable expenses due to the payments to the Waukesha Freeman and the Racine Journal Time to pay for the publication of our proposed 2010 budget and announce the December 4, 2009 public hearing. Dave Kopp motioned to accept the Treasurers Report for December and Chad Sampson seconded the motion. The treasurer's report was approved. The Treasurer's Report for January 2010 was reviewed. The only real change from the December statement was the interest made on our money market account which brought us out of the red for our non-reimbursable expenses. Dave Kopp motioned to accept the Treasurers Report for January and Jamie Soneberg seconded the motion. The treasurer's report was approved.

**Old Business**

- a) Schmidt & Canton's Island Demonstration Erosion Control Project. (active)  
Shelley Tessmer was not present. Jim Pindel reported that Shelley indicated in a

voicemail that she had a call from Chad Sampson regarding annual inspection of the site. Chad then said Racine County will do an annual inspection of the site which will include an evaluation of the effectiveness of the erosion control methods. Chad also said that Shelley requested a cost share document from him that she could provide to the landowners to indicate exactly what they needed to contribute. Chad had prepared the document and gave it to Jim & Mary Pindel just prior to the meeting so they could get it to Shelley. Jim Pindel pointed out that when the landowners provide their 10% cost share of \$514.81, this money will be deposited in our money market account and will add to the funds available for grantable projects.

- b) Boat/Canoe Launch in Big Bend (active) – Jamie Soneberg said that the Village of Big Bend just received approval from the WDNR for the project. Now the next step is to put the project out for bid, which should happen in March.
- c) Grand Drive/ Buena Park Project (active) – WWMD Dick Kosut stated that they are in the process of evaluating the project and checking on some items and he will be ready to make a more extensive report at our next meeting.
- d) Idlewood Drive Project (active) – WWMD Dick Kosut said that this project was on hold for the time being due to the ground water situation. Apparently the contractor applied a layer of clay over the filtration bed. A letter has been sent by their engineers instructing the contractor that the situation must be fixed by May 10, 2010. If the situation is not resolved by that time the WWMD will go to the contractor's insurance company (this was a bonded project) to get the funds needed to get this work done by some other contractor. The bottom line is that the contractor did not do the job according to the plan and specification. The problem appears to be confined to the east end of the filtration bed. Once the ground thaws out, soil samples will be taken to determine the extent of the area that needs repair.
- e) Phantom Woods Road Channel Enhancement (active) – Barb Holtz Barb Holtz was not present and so no report was made.
- f) Mukwonago Shoreline Stabilization Project (active) Dale Fennel Dale Fennel was not present and no one else had anything to report.
- g) Kossik Stream Restoration Project (active) – Jim Pindel stated that he sent Mary Kossik an email to notify her that we have included the stone for channel lining and the restoration seeding and planting at a 10/90% cost share in our 2010 budget. Additionally the email listed the documentation we would require from her for reimbursement. These items include a copy of the DNR permit, a copy of the construction contract, copies of invoices and verification of payments. Jim D'Antuono said that Mary Kossik has not submitted a permit application with design as of yet. Jim D' Antuono said he would follow up on this point to see if the DNR has an application from her and if not, he would contact her to see where

she is in the process.

- h) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows was not present and no report was made.
- i) Vernon Wildlife Area Flowage Restoration Project (pending) – Brian Glenzinski said that at the last commission meeting he attended he reported that he was applying for a \$75,000 grant from the American Wetlands Conservation Act. Through some miscommunication between Ducks Unlimited and the US Fish and Wildlife Service the application was never registered on time. Since this money is not available the plan now is to roll these required funds into a larger North American Wetlands Conservation Act (NAWCA) grant. Brian said they are applying for a \$1,000,000 grant which will be used mostly for land acquisition but some of it will be reallocated to the flowage restoration project. Brian also reported that the DNR had over allocated the funds available from the state waterfowl stamp account and so he has been asked to delay receiving the \$95,000 from this account until fiscal year 2012, which starts in July 2011. Brian said that he had asked Jim Ritchie if we could extend ENUM-16 through fiscal year 2012 and indicated that Jim Ritchie said this would be difficult if at all possible. Jim Ritchie clarified the situation by stating the ENUM-16 is due to expire on June 30, 2010 and that he expected us to apply for and receive an extension of the ENUM until June 30, 2011. However he did not think we could extend into fiscal year 2012. It is our expectation that all current projects will be concluded and paid for by June 30, 2011. Brian then went on to explore ways in which he could use our \$20,000 contribution in calendar year 2010 (the calendar year being our fiscal year) like buying \$20,000 worth of rock which will be needed for the project, stage it for now at the construction site and then install it later when the actual work is done. When it was pointed out that the project must be completed for us to apply to the DNR for reimbursement, Brian suggested possibly developing a smaller sub project that could be completed and use up our \$20,000. When asked by Chad Sampson, Brian said that the large NAWCA grant is due March 5, 2010 and he should know if his project was accepted for funding by August. The consensus of the commission was to sit tight and wait for the different grant possibilities to unfold. Brian asked that we send a similar letter as the one we sent to the US Fish and Wildlife Service for the NAWCA grant that was refused for the new larger grant he is now applying for. We said we would send the letter. Jamie Soneberg motioned that after the letter of support is sent to the US Fish and Wildlife Service this project be tabled until August. Don Scott seconded the motion and the motion passed unanimously.
- j) Vernon Wildlife Area Stream bank Stabilization Project (pending) – Brian Glenzinski said that this project is proceeding as planned. The DNR's storm water engineer is proceeding with the design and he expects to go out for bids this spring. The work should be completed this summer. Brian also said that they will start preparing the area by removing the buckthorn this winter already.

**New Business**

- a) Frame Park Creek Watershed – Craig Helker (WDNR Water Resources Biologist) Craig passed out copies of his presentation to the commissioners present. Craig started out by explaining watershed planning. The federal Clean Water Act requires water resources monitoring in Wisconsin. The WDNR has the responsibility to go out into all of its streams and report back to the federal government on the quality of our streams. The mechanism used to report to the federal government is the 305B report which reports the status of all the waters in Wisconsin. The report summarizes whether the waters are meeting their potential or are they impaired. A list of the impaired water bodies has to go to the federal government every two years. With all this data gathered the DNR is required to target a watershed and generate an implementation plan to correct the problems. Wisconsin Administrative Code NR 121 governs this sort of activity and dictates what goes into the watershed plan. The watershed plan requires the determination of the condition of the waters based on sound science, identifying waters that do not meet water quality standards, identifying stakeholders and possible resources for implementation and defining management actions. There are numerous watersheds in the state of Wisconsin and they have decided to target specific ones, which include the Frame Park Creek and its tributaries. Frame Park Creek is a small 1.5 mile stream with tributaries that flows into the Barstow impoundment in the city of Waukesha. A number of sampling efforts were performed on Frame Park Creek including fish community, habitat, sediment and toxicity levels. The DNR has listed Frame Park Creek as an impaired body of water and it has been listed as such since a report in 1965. As the watershed plan moves forward Craig will be looking to the commission for comments on the plan they are drafting. The draft document of the plan will be available for everyone to monitor at <http://dnr.wi.gov/org/water/condition/wtplans/index.htm>.
  
- b) 2011 SEWFRC Budget or alternate means of funding for the Commission. Greg Kessler said that he intends to work on this need in the immediate future. Jim Pindel passed out a copy of a very preliminary draft copy of a proposed 2011 budget showing the supposed structure of what the budget would look like if we have funding from the state in ENUM's, and both Waukesha and Racine county through county appropriations. Greg Kessler pointed out that we need to approach the county executives and make ourselves known. We need to establish a strategy, which has not been discussed at the commission level. Greg hoped that the new implementation plan being developed by SEWRPC would give us something tangible to present to the county executives. Jamie Soneberg pointed out that we need to move fast for 2011 because the counties are already working on their 2011 budgets. Jeff Thornton pointed out that we need to make ourselves known to the county executive and present documentation such as the brochure developed by the SEWRPC for the bus tour to them. Also we need to point out the framework as developed by the state legislature for how we were supposed to be funded. Chad Sampson said he thought it was important for him to at least work in a budget item for the commission even with a zero balance to get us

established on the county budget. Chad also said there were different Federal and USDA programs that might have funds available for us to utilize. Greg Kessler said that he would meet with Chad Sampson representing Racine county and Alan Barrows representing Waukesha county to set up a strategy on how to approach the county supervisors. Jamie Soneberg pointed out that we need to introduce ourselves to the local town and village boards so we can get some visibility and grass roots support.

### **Reports and Updates**

- a) Update of SEWFRC Implementation Plan –Jeff Thornton reported once the ice has melted they will go out and monitor some of the shoreline issues that still exist and then move forward with the plan.
- b) Waterford Dam Restoration – Chad Sampson Chad Sampson said he has been working with Public Works to get updates. They had applied for a grant to do extensive work on the dam but it was not granted. They are finishing up a scour study of some of the areas around the abutments of the dam. The county has been in contact with the DNR concerning the timing of the work and the level to which the water has to be dropped and the length of time the water level will be lowered. The project is still planned for mid to late 2010. Chad also mentioned that recently some of the gears within the dam broke and have been repaired. Randy Craig asked why the water level of the River is higher now than is usual and Chad said he would present this question to the engineers to see what they say.
- c) Mukwonago River Basin Protection Plan – SEWRPC Jeff Thornton reported that this plan is back on the front burner and has to be finished by June. It is planned to have a draft of the document by March. The draft of the plan was on SEWRPC's website but was lost when they experienced a server failure. As more information becomes available Jeff will bring it to the commission.
- d) Barstow Impoundment Project – Jim D'Antuono said that Craig's report on the Frame Park Creek Watershed covered the activity on the impoundment. It was decided to change the name of this project to the Frame Park Creek Watershed because this is the work being accomplished which directly affects the impoundment.
- e) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said there was nothing to report from the agency at this time because of the holidays and a death of one of the agency members. Jeff said that at the last meeting he attended the FWA asked that they be kept abreast of the activities of the City of Waukesha water utility regarding discharge of clean wastewater into Lake Michigan instead of the Fox River. Jeff said that a draft of the request for Great Lakes water was available on their website and Jeff sent them an email to alert them of this fact. Currently the City of Waukesha is utilizing ground water

cleaning it and discharging it into the Fox River. If the City uses Lake Michigan water it will be required to return its discharge to Lake Michigan. During dry periods of the year this could result in a significant reduction in water flow in the river. .

- f) SEWFRC Website – Al Sikora was not present and no report was made.

**Correspondence –**

- a) 12/15/09 Email from Jim Pindel to Mary Kossik stating that we will fund the cost of 90% for the stone for channel lining as well as the restoration seeding and planting for the Kossik Stream Restoration project. Mary responded the same day thanking us for the help.
- b) 1/21/10 Email from Maureen McBroom (WDNR Storm water Specialist) requesting time at our 2/5/10 meeting to present the Frame Park Creek Watershed project.

**Miscellaneous Issues –**

Jamie Soneberg requested an agenda item for next meeting regarding adding a water level gauge back into the Big Bend Village area. There was some discussion that this gauge should be a modern automated gauge station that would be accessible on the internet.

A motion to adjourn the meeting was made by Randy Craig and seconded by Chad Sampson, the motion carried.

**Meeting Closed** at 2:07 PM

**NEXT OFFICIAL MEETING WILL BE Friday, March 12, 2010 at 1:00 PM.** (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Respectfully submitted by Jim & Mary Pindel