

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Andy Buehler (Kenosha County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Jim Schneider (Village of Waterford)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Jessie Medrow standing in for Jim Bergles (City of Burlington)
Wayne Jensen (Village of Rochester)
Andrew Lois (Town of Wheatland)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ken Miller (Town of Waukesha)
Rachel Sabre (Wisconsin DNR)

Also present: Katelyn Bratz Town of Mukwonago and Dan Treloar Kenosha County.

At 1:00 PM, Chairman Dean Falkner 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 January 13, 2017 meeting were reviewed. Barb Holtz pointed out that she was not listed as absent from the meeting. Jim Pindel pointed out that Katelyn Bratz was listed as the representative of the Town of Mukwonago so the minor omission was overlooked. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Jim Schneider. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the January 2017 treasurer's reports. We started the month of January with \$33,180.21. We received \$5.64 in interest bringing our Money Market account to a balance of \$33,185.85. The only change to the non-grant funds was the \$5.64 in interest resulting in the net non-grant funds available being \$22,448.08. It was motioned by Alan Barrows and seconded by Doug Koehler that the treasurer's report be accepted. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski pointed out that it was exactly 21 days until the summit, which of course is March 10th. Tom said that the final

speakers were signed up and the program and agenda were set. Tom said he has about 75 attendees signed up so far and there was an obvious lack of attendees from the commission. Tom said this number of attendees at this date was encouraging and was hoping that we might exceed the normal attendance of about 120. Tom made a pitch to the commissioners to get the word out and promote attendance. Tom said he has 2 paid exhibitors, Michael Schwar and Applied Ecological. Tom pointed out especially to the new commission members that we reimburse commissioners the \$35 attendance fee. Jim Pindel added that he thought that alternate commissioners should be reimbursed as well. Jim pointed out that what the alternates would learn and the networking they would experience would make them better and more knowledgeable members of the commission. Jim Pindel motioned that we extend the reimbursement to the alternate commissioners and the motion was seconded by Alan Barrows. Francis Stadler asked how will the alternate commissioners know that they will be reimbursed, since only 1 alternate commissioner was in attendance. Jim Pindel said he would get an email out or just add a note to the “mark your calendars” email sent out right after our meetings. Alan Barrows pointed out that the Friends of the Pewaukee River are reimbursing their members who attend to encourage attendance.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that since our last meeting another set of paperwork has passed through all the different organizations that are involved in the project. Alan said he thought that all the paperwork has been signed by all the participants. Alan said that he contacted the contractor and asked him to avoid the last week in June because he will be out of town for training that week. Actually Alan would like the project completed by the June 30th deadline for ENUM-20. The next step will be a preconstruction meeting which should happen in April. Alan said he will have diggers hotline go through the property before the preconstruction meeting to make sure there are no surprises.
- c) Wood Drive Erosion Control Project – Chad Sampson said that he sent (emailed) all the documentation for the Wood Drive and Malchine Farm field to Jim Pindel, so the projects should be complete and closed out. Jim Pindel said that he received the emails from Chad but the documentation in both cases was only 1 page long and he noted that that page in one case said page 1 of 15 and the other email had a similar indication that more should have been there. Chad also said that he indicated that more after photos would be sent and Jim Pindel said that he read that in Chads emails but had not received the additional photos. Chad said that he would resend all the documentation and photos and this time if Jim Pindel doesn't get the complete package he will call Chad to advise him.
- d) Malchine Farm field Erosion Control –This project was covered in the Wood Drive project above.

- e) ESR Project disposal sites environmental impact: No one from the WWMD was present. Jim Pindel said that there had been a meeting regarding the low hazard waste at the disposal sites, but he was not able to attend. Jim also said that there was a public meeting to be held by the WDNR to discuss the disposal of dredged materials by the WWMD in the three disposal sites. Jim Pindel did not remember the date of the meeting, but on the next day (2/18/17) Jim forwarded the email notification to all the commissioners which stated that the meeting will be held at the Town of Waterford Hall at 5:00 PM on February 23, 2017. Jim Ritchie pointed out that this was one of the last steps in the permitting process.

- f) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he told their department to get the paperwork together so that they could get the rest of the grant funds from the SEWFRC. The project cost was \$25,000 and we provided a \$12,500 cash advance to help them get started and we are still holding the final \$12,500 waiting for completion of the items required on the cost share agreement. Doug said he will continue to push the City to get the paperwork out. Alan Barrows explained that the project was originally headed up by David Burch who made the presentation to our commission to get the funding and at that time he was an employee of Waukesha County. Since then David has retired and is still involved in the project representing the Park Foundation. Dean Falkner asked if there was someone else that needed to be contacted to get the job done. Alan said that it is still probably David Burch who is still working for the nonprofit Park Foundation to improve the property owned by the City of Waukesha.

- g) Graefenauer Shoreline Restoration (Tree Removal): Alan Barrows said that the tree removal, which is phase 3 of the project, has been completed. However Alan has not seen any invoice for payment from the contractor. Once Alan gets the invoice he will again provide a proof of project completion document and we should be able to close this project out. Alan said that he spoke to Tom Graefenauer today and he was very pleased with the work that had been done.

- h) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn was present but Jim Pindel spoke up saying that Katelyn had provided all the documentation to him and he needs to organize and review it and then send it off to Jim Ritchie for final approval.

New Business

- a) How do we handle interpretations of Wisconsin State Statutes regarding:
 - 1, Can we expand our jurisdiction to include the Mukwonago watershed without the municipalities and counties.
 - 2, Can we include a municipality without its county
 - 3, How do we interpret "residents of the river county".
 - 4, Do we have to pay to publish our budget & public meeting notice?
 - 5, Are we bound by the Open Meetings Law?
 - 6, Should we hire an attorney?

- Jim Ritchie said that it has taken awhile but he now has a meeting scheduled with the WDNR's lawyer this coming Thursday in Madison to get our questions answered. So we should hear the results at our March meeting.
- b) Mukwonago Park Shoreline Restoration – Alan Barrows said that the project will be done by one of their new landscape architects who works for Steve Brunner, her name is Vicky Jensen. She is the one who will be working with the WDNR to pull the permits for the shoreline restoration. The plan is to get the work completed before the swimming season starts which is probably sometime in June.
- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald. Rebecca Ewald was not present. Jim Pindel said that he prepared and signed a Cost Share Agreement and delivered it to the Village for Rebecca. Rebecca indicated that the village president would sign the agreement after it was reviewed by the board.
- d) Aquatic Invasive Species (AIS) Summit: Kathy Aron. Jim Pindel said that he forwarded an email from Kathy to all the commissioners stating that the summit was successful and he advised Kathy that all she needed to do was provide an invoice showing that she paid more the \$300 and some proof of payment and we will give her a check for the \$300 we agreed to. Tom Slawski said that SEWRPC attended the summit and has provided draft minutes of the summit back to Kathy Aron and Craig Helker of the WDNR. And now SEWRPC is working on summarizing the results of the summit to report it back to Kathy, Craig and everyone else.
At this point Jim Ritchie mentioned on a related topic that the \$3000 that we committed for the AIS detection, prevention and outreach for Waukesha County helped in getting WDNR grant funds for this 3 year project. Alan Barrows added that they were able to obtain a total of \$10,000 from sources like us and lake management groups to help fund Brad Steckart's work for the next 3 years. Alan said that they are working with SEWRPC to develop a strategic plan for this AIS program. They have maps of every water body in Waukesha County and listing of the known current locations of invasive species in those water bodies.
- e) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that this was a topic for the future and so we will not belabor the point now.
- f) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that with all the work he has been putting in on the summit he has not been able to focus on gauges. Tom said that after the summit he will look into it and that there will be a speaker at the summit from NOAA and they monitor their gauges looking at flood prediction and other things. Tom said that he talked to them

about partnering on some new gauges, but the problem always comes down to the fact that we can fund the cost of the gauges and installation but cannot fund the maintenance and monitoring. We need to find someone who can cover these ongoing charges.

- g) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Dean Falkner said that this topic might well be resolved at our next meeting after Jim Ritchie meets with the WDNR lawyer this coming Thursday.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski
Tom Slawski said that he had nothing new to report. However Joe Keller and some of his staff will be attending the summit and this should give us an opportunity to network with them.
At this point Tom Slawski asked if we intended to have a display at the summit and Alan Barrows said that we would. Tom asked if it showed the new and expanded area of jurisdiction. Alan said that he intended to get the map laminated so it stands up better. Tom said he would send the newest and best copy of the map to Alan, which will be laminated. Dan Treloar pointed out that if the display board listed the Town of Salem and the Village of Silver Lake, they no longer exist and have combined themselves into the Village of Salem Lakes. Jim Pindel asked Dan Treloar to send him contact information on the newly formed Village of Salem Lakes, so he could contact them and ask them to appoint a commissioner for our commission.
Dean Falkner then asked on a related issue, what is the status of the SEWRPC survey of the expanded territory of the commission. Tom Slawski said that he saw the emails from us indicating that we generally agree with what SEWRPC is proposing and so now Tom will have to formalize the proposal and draft it into a letter that he will send to Dean for signature. Dean will get 2 copies of the letter; he should sign one and send it back to Tom. Tom said that even though he intended to wait until later in the year to do the survey, there is preliminary work which can be done. He said that Clement Abongwa of Kenosha County has done some preliminary surveys and has identified some areas of erosion. This work includes some cross sections and identifies road crossings. Tom said that he wanted to incorporate the age of these structures in report after the survey. If for example a bridge was due for replacement it would affect the priority of the projects to be undertaken. SEWRPC will study Clément's work and keep it in mind when they do their survey. Jim Pindel said that he will add the survey to the agenda under New Business, so we keep it in mind.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the City has hired an engineering firm to design the pipelines to and from Lake Michigan as well as to work on easements and other technical details. This work will take many months. On a related issue, Jim Ritchie said that the City of Waukesha has just completed a

renovation of their water treatment plant. He was there for a plant tour and was very impressed with the technology and scale of the project. The City received a clean water grant from the WDNR, which Jim Ritchie oversees just as he oversees our grants. As part of that responsibility Jim does some inspection tours of the facility. Jim Ritchie said that it was about a \$40,000,000 project and is just about complete.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Rebecca Ewald was not present. Alan Barrows said that the next meeting of the Water Trail group will be held next Tuesday at the Waukesha County Administration Building. Alan said that he thought that the Village of Waterford people intended to talk to the City and County people about extended the Water Trail north into Waukesha.
- d) SEWFRC Website – Al Sikora was not present but Alan Barrows said that there is an interactive map of our area of jurisdiction on the website which was still showed the old boundaries. He said he will update this map in the near future.

Correspondence –

- a) 1/19/17 Email from Jim Pindel “Mark your calendars” for today’s meeting
- b) 1/25/17 Email from Kathy Aron stating that the AIS Summit was a success
- c) 1/31/17 Email from Dean Falkner with corrected calculation for suspended solids in the Fox River.
- d) 1/31/17 Forward of flyer for 2017 Fox River Summit
- e) 2/06/17 Forward of flyer announcing keynote speakers for 2017 Fox River Summit
- f) 2/06/17 Email from Jim Pindel with final allocations of ENUM-20 grant funds
- g) 2/06/17 Forward of email with attachments regarding Wisconsin’s 2016 water quality report.

Miscellaneous Issues –

At our last meeting, during miscellaneous issues, Rebecca Ewald of the Village of Waterford suggested that we develop a resolution and send it to all our member municipalities requesting them to send resolutions to their legislators asking for increased funding for our commission.

Jim Pindel provided paper copies of a Preliminary Draft of Resolution No. 01-2017. Jim went on to review the resolution which started by stating we are a duly constituted government body with responsibilities to protect and enhance the Fox River for recreational use and boating safety for its member river municipalities. It then goes on to point out that when Governor Scott Walker signed SB 548 into law we added 1 new county and 6 municipalities to our membership increasing our area of responsibility by 70%. It also went on to point out that the last grant we received ENUM-20 in the 2015-2017 state budget was all used up (allocated) by December 2016 leaving us to operate for

the last 7 months of the budget cycle without any grant funds available. Barb Holtz point out that the resolution mentions the Town of Salem and the Village of Silver Lake which no longer exist. Jim Pindel said that is what is specified in the state statutes and said that he would just add a comment in parenthesis stating that they are now the Village of Salem Lakes. Alan Barrows asked Jim Ritchie if the SEWFRC was listed in Governor Scott Walker's state budget. Jim Ritchie said that he looked at it and didn't see anything but in the past our grant funds were added by the legislature when it worked on the budget. Jim Ritchie said that if he learns anything he will send it to Jim Pindel who will advise everyone else.

Francis Stadler expressed concern that the new county and municipalities have not brought any projects to us for funding and thought that if they don't show any need this might hurt our chances at additional funding. The municipalities present stated that they were still in a learning mode and getting a feel for how we operate. Jeff Lang said that the town of Burlington had things that needed to be fixed but was aware of the much greater need of help for erosion control and storm water abatement down stream of them. Dan Treloar said that Clement Abongwa of Kenosha County had at least \$2,000,000 worth of streambank restoration projects under study or in design. So it looks like the need is there and just hasn't come to the surface so far. Dean Falkner said that the survey that SEWRPC will conduct this coming summer will identify many places where erosion control is required along the Fox River, just as the survey by Graef Engineering did in Waukesha and Racine counties. Dean pointed out that identifying the locations is the first step then we have to address designing the fix and getting buy in from the land owners before we can apply grant funds to fix the situation. Dean said he is using Michael Schwar to engineer some of the problem areas in Waukesha County so we can approximate the costs. Dean emphasized the fact that controlling the erosion is proactive instead of the reactive measures by the WWMD and the FWA of dredging the silt out. After some discussion it was pointed out that we are about to get to our budgeting process and at that time we need a list of identifiable projects from everyone including the new membership. This list of projects with estimated costs will be used in the letter requesting support that Jim Pindel sends every budget cycle to our legislators in an attempt to get appropriate funding. It was motioned by Jeff Lang and seconded by Jim Schneider that we approve the resolution with the clarification of identifying the Village of Salem Lakes. The motion passed unanimously. Jim Schneider said that he hoped that all the municipalities would use our resolution to form their own resolutions and send them to their legislators to get us the support we need. Jim said that is what the Village of Waterford will do.

It was motioned by Jeff Lang to close the meeting and seconded by Jim Schneider to end the meeting and the motion carried unanimously.

Meeting Closed at 1:58 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
March 24, 2017 at 1:00 PM. (Meeting Location: Village of
Waterford Hall, 123 N. River Street Waterford, WI 53185)**