

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Jon Grove standing in for Chad Sampson (Racine County)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Alan Barrows (Waukesha County)
Jim Ritchie standing in for Jim D'Antuono (Wisconsin DNR)
Tom Slawski standing in for Jeff Thornton (SEWRPC)
Doug Koehler (City of Waukesha)
Barb Holtz (Town of Mukwonago)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Dean Falkner (Village of Mukwonago)
Shelley Tessmer (Town of Waterford)

Also present: Brian Glenzinski WDNR, Ron Barker of Fox Waterway Agency, Dan Treloar of Kenosha County, Dan Dickinson representing himself and Violet Razo for the Village of Mukwonago.

At 1:04 PM, 3/09/2012, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the February 3, 2012 meeting were reviewed. It was motioned by Alan Barrows and seconded by Randy Craig that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for February 2012 was reviewed. In summary we started with \$30,821.85 in our money market account and made \$11.61 in interest resulting in a final amount of \$30,833.46 It was motioned by Randy Meier and seconded by Don Scott that the Treasurers Reports be approved. The reports were approved unanimously.

Old Business

- a) **Mill Creek gully erosion repair project (active)** – Alan Barrows reported that the he had received an update from Leif Hauge stating that he had already obtained the permit from the WDNR. Concerning the schedule, in March he will be expecting the county zoning permit, in April he will start the bidding process, in May he will conclude the bidding process, in June he will obtain the zoning permits from both the

Town and County, in July our funding will become available and he expects to start construction in August. August was chosen because it has the highest probability of being dry. Jim Pindel provided a cost share agreement for this project, which was signed by Al Sikora and passed to Alan to be signed by the proper authority at Waukesha County.

New Business

- a) Fox River Partnership – Tom Slawski of the SEWFRC reported that he has recently been made the President of the Southeast Wisconsin Fox River Partnership. This partnership began through WDNR efforts back in the late 1990's. The group has progressed along and has recently ceased its activities. Tom is here today to solicit funds from the commission for a Fox River Summit planned for next winter. The summit would be like a one day seminar focused on relevant issues with special speakers. One of the benefits of the Fox River Partnership is that its boundaries are defined by the watershed whereas the FRC's boundaries are limited to the participating municipalities in the middle of the watershed. There is a lot of potential for future collaboration among member organizations. The Partnership has its own budget which presently has \$1200 in it. The Partnership has been successful in doing a number of projects most notably the "Recreational Use Map" which is in wide spread circulation. The summit would be geared at fostering integrated water resource management locally among counties and potentially between states. The summit will probably be held locally in Racine County. Historically most of the efforts of the partnership were focused on the upper portion of the watershed. The effort will be to revitalize this group and generate activity throughout the entire watershed. When the topic of funding the Summit came up it was stated that something of a formal request with some written description of what constitutes the summit would be needed so that the commission could vote on accepting the project. Jim Pindel explained that when he generated the agenda, knowing that Tom was requesting funds from the commission, he would have placed his presentation after the next agenda topic of assigning qualifying points to our project acceptance criteria. As such the commission did not vote on funding the Summit, but a simple \$5000 funding request should not take much time to address in an upcoming meeting. Alan Barrows asked if the Partnership was a non-profit organization and Tom said yes that it was a 501 C3 organization.

- b) SEWFRC Project Evaluation Point Assignment – Jim Pindel Jim Pindel passed out paper copies of a PowerPoint presentation explaining where the qualifying point system came from, suggesting point allocations and possible minimum point values required for acceptance of a project by the commission. After reviewing the ten qualifying parameters for a project, the suggested point assignments were reviewed, discussed and amended in that the value assigned to the parameter "Does the proposed project have a good likelihood of successfully meeting the project objectives" was increased in importance from a value of 5 point to 8 points. This modification made the maximum number of qualifying points for a

project 55 points instead of the initial suggested 52 points. After some discussion it was motioned by Don Scott as a starting point that the norm (or standard operating procedure) for accepting a project would be that it meets the qualifications of “Does the proposed project meet the objectives of the FRC Implementation Plan” and “Does the proposed project have a good likelihood of successfully meeting the project objectives” as well as scoring at least 28 qualifying points. The motion was seconded by Ron Peterson and was passed unanimously. It was also the consensus of the commission that these point values be reviewed in a years’ time to see if they need to be adjusted after we have had the opportunity to have employed them on some real proposed projects. The qualification criteria and assigned point values are listed below:

Award Category	Points Assigned
Does the proposed project meet the objectives of the FRC Implementation Plan	10
Does the proposed project meet the need for actions in a plan other than our Implementation Plan	5
Does the proposed project assist in local decision-making or formation of a strategy to protect the quality of the Fox River ecosystem.	5
Does the proposed project protect critical riverine ecosystems or special concern, threatened or endangered species and/or habitat	8
Does the proposed project enhance the knowledge and understanding of the Fox River ecosystem	4
Does the proposed project make use of all the available funding sources, including the acquisition of non-FRC funds	4
Does the proposed project have a level of support from other affected management units or organizations	4
Does the proposed project have a good likelihood of successfully meeting the project objectives	8
The completeness and degree of detail of the Project Application	4
The first time applications of a project by the applicant	3
Total	55

- c) Mukwonago River Restoration within Rainbow Springs – Brian Glenzinski Brian provided a handout to the commission which outlined the location of the project, the sponsor “Kettle Moraine Natural History Association”, the permits required, the storm water and sediment control tactics employed, a description of how the project will be implemented and an estimated budget. Also attached to the handout was an aerial photo of the entire project area depicting the location of the

seven culverts to be removed and four photos of the existing culverts. Brian used a PowerPoint presentation to explain the project specifics. Having listened to our discourse regarding project qualification points, he noted that this project was exactly in line with our acceptance criteria. Brian stated that the State had purchased the Rainbow Springs property some three years ago and this is not the first attempt to reclaim the golf course portion on the property. The project sponsor "Kettle Moraine Natural History Association" raises funds by selling ice, fire wood and other items on state forest lands. This association is very good at leveraging their funds to obtain grant funds from other organizations. It is likely that any funds we provide for this project will obtain matching funds from some other organization. The culverts on the river are definitely an impediment to navigation and stream bank stabilization is required in many areas. Additionally the project will enhance fish and wildlife habitat as well as protect water quality on the river. The presentation included aerial photos going back to 1941 and showed the progression of changes made especially by the construction of the golf course. Brian said that the plan is to completely remove five of the culverts and replace two of them with bridges. There is a master plan being written for this property and will be completed in December. The two bridges will be required to gain access to the main land area. The main goal of the project is to restore the original channel of the Mukwonago River. The work done on this project will not have any effect on the upstream or downstream properties. Addressing the project budget, Brian pointed out that the FRC would be the first contributor to the effort and he was asking for \$75,000. The budget broke down to \$60,000 for removal of the culverts and stream bank stabilization and \$220,000 for the two bridges. The question came up if we could commit more funds than we have available from the upcoming ENUM and the answer was no. However it was suggested by Brian that if we were to say commit \$50,000 to the project we could list the shortfall of \$25,000 as a potential or unfunded project in Waukesha County and hope to get county funding in their next budget cycle. Barb Holtz made a pitch favoring the project based on the quality of the Mukwonago River ecosystem in her municipality. Several commissioners expressed reservations regarding paying for the two bridges being proposed. The problem is that without the bridges or culverts a large area of the Park would be landlocked and generally unusable. If large D shaped culverts are installed to permit access to the land they would prohibit navigation, so it may be that bridges are needed for navigability. It was motioned by Alan Barrows that we commit \$50,000 for the removal of the seven culverts and stream bank stabilization with the contingency that the river is navigable upon completion of the project. The motion was seconded by Randy Meier and passed by all except Francis Stadler who abstained from voting.

- d) Runoff improvement projects – WWMD No one from the WWMD was present, but Jim Pindel said that he had heard from Paul Kling of the WWMD this morning before the meeting who updated him on the situation regarding their projects. The WWMD has identified five remaining runoff projects the Birch/Cedar Lane project estimated at \$75,000, The Tichigan Drive/ Channel Road project estimated at \$80,000 and the Riverside Drive project estimated at

\$85,000. There are two other projects that they identified which need further investigation and so there is no estimated cost for these two projects which are the Elm Island Bay project and the West of Loomis Road Drainage project. The Birch/Cedar Lane project is at the north end of Tichigan Lake where water rushed down into the lake carrying sediment with it. The Tichigan Drive/Channel Road project amounts to about 20 locations where water flows quickly downhill into Tichigan Lake, Conservancy Bay and the Fox River. The Riverside Drive project requires erosion control at about 10 locations where water rushed down from the high ground to the west between houses on the west side of the street. Jim said that Paul Kling has recently accepted the position of major projects coordinator for the WWMD and was still evaluating each of these sites and would eventually involve Engineering Contractors and get more exact cost estimates before the WWMD brings these projects before the commission for funding. All of these projects are in Racine County and will be listed in our 2013 budget as preliminary probable projects to be funded to the extent possible in the 2012-2013 timeframe.

- e) Consideration of expanding the Commission's jurisdiction south to the Illinois boarder Dan Treloar of Kenosha County was present and stated that there had been correspondence back and forth between Jeff Thornton and himself regarding a Memorandum of Understanding (MOU) between Kenosha County and the FRC. Dan said he presented the motion to Jim Kreuser the Kenosha County Executive who signed the MOU wholeheartedly and looks forward to the partnership with the Fox River Commission. The next step will be to get the affected municipalities along the river in Kenosha County to generate and sign MOU's so that we can present them to the state legislators in an attempt to get the Wisconsin Statues amended to include Kenosha County and the river municipalities within the jurisdiction of our commission. Dan also made up a resolution submitted to the County Planning Commission and the County Board for their approval. Dan concluded by saying that they are working on it and expect that we will be able to partner up in the future.

At this point in new business, Francis Stadler brought up a project from the Village of Big Bend for a situation at the Boat/Canoe Launch that we helped to fund couple years ago. At first it was not totally clear whether the project is to replace an existing creosoted timber wall or just to increase/replace the rock riprap protecting the wall. Francis then clarified the situation saying that the Village Engineer said that the wall did not need replacing. The detail provided only lists estimates for the volume and cost of rock riprap. The estimated total cost of the project is \$9,000 and 90% of this project will be listed as a potential project in the 2013 budget for Waukesha County.

Reports and Updates

- a) Eco-System Restoration Project (Waterford Impoundment) – Jim Pindel reported that there have been meetings between Graef (the engineering company hired by the WWMD to prepare the preliminary dredging permit application) and the WDNR regarding the number and location of the sites for sediment sampling.

- Jim also stated that the WWMD on its own has investigated possible grant and funding possibilities and had met with the funding experts at Graef to identify all possible assistance for paying for this large project. Some of the funding options discussed were Tax Increment Financing (TIF), Harbor Assistance Grant, WDNR grants, FEMA grants, opportunities from the Army Corps of Engineers and the possibility that some of the silt could be processed and sold.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker the Executive Director of the FWA was present and said that much has not changed since he made his last report at our February meeting. Ron mentioned that one of their current dredging projects will result in the creation of a 17 acre park. Ron thanked us for the Wisconsin topsoil they will use to make the park. The unseasonably winter made it difficult for them to do much stream bank stabilization this year. The dredging activities will be shut down soon for the fish spawning season. Ron said that he was looking forward to our extending our jurisdiction down to the Illinois border so we could talk with one voice when applying for federal assistance.
- c) SEWFRC Website – Al Sikora said that he had no updates on the website except that he had made the changes to the section concerning how to apply for a project as requested at our last meeting.

Correspondence –

2/7/2012 Email of Kenosha County MOU sent to Jeff Thornton by Dan Treloar. The MOU is the cooperative agreement between Kenosha County and the Fox River Commission.

2/7/2012 Email from Jeff Thornton to Dan Treloar suggesting that the next step would be to invite the Kenosha County river municipalities to attend our next FRC meeting and encourage them to sign similar MOU's concerning cooperation with the FRC.

Al Sikora said that he had received a phone call from Al Cellarius from the Golden Bay Subdivision regarding the Golden Bay retention ponds. Al Sikora reminded the commission that back in 2004 the commission partnered with the Town of Waterford to dredge those ponds and do some shoreline stabilization. Bob Langmesser headed up this \$50,000 project back in 2004. Al Cellarius contacted Al Sikora wanting to make a presentation to the commission regarding sediment buildup in these ponds, because we already had a full agenda for this month's meeting Al asked Mr. Cellarius to wait until our April meeting to make his presentation. These retention ponds do filter out sediment that would otherwise run into Tichigan Lake. This presentation will be a line item in our next month's agenda. Alan Barrows pointed out that there are state standards for retention ponds that require at least three feet of depth to prevent scouring every time there is a rain event. So Alan pointed out the presenter should advise the depth of water above the silt so that we can decide whether this is water quality or aesthetic issue. If there is an outlet

pipe from the pond then the sediment depth would have to be three feet below the pipe depth.

Miscellaneous Issues –

There were no additional miscellaneous issues.

Francis Stadler motioned to end the meeting and the motion was seconded by Randy Meier, the motion passed unanimously.

Meeting Closed at 2:07 PM

NEXT OFFICIAL MEETING WILL BE Friday, April 13, 2012 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)