

**Commission members present:**

Al Sikora (Village of Waterford) (Chairman)  
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)  
Robert Bartholomew (Town of Vernon)  
Chad Sampson (Racine County)  
John Soneberg (Village of Big Bend)  
Shelley Tessmer (Town of Waterford)  
Dean Falkner (Village of Mukwonago)  
Ken Miller (Town of Waukesha)  
Randy Meier (Town of Waterford)  
Tom Slawski (SEWRPC)  
Michelle Scott (Wisconsin DNR)  
Jim Ritchie (Wisconsin DNR)  
Mary Pindel (Town of Waterford – Alternate)  
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

**Commission members absent:**

Alan Barrows (Waukesha County)  
Francis Stadler (Village of Big Bend)  
Doug Koehler (City of Waukesha)

**Also present:** Barbara Barron, Don Barron of the WWMD, Michael Schwarz of Stoney Point Hydrology, Katelyn Bartz and Geoffrey Bishop of Natures Classroom.

At 1:02 PM Chairperson 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 February 19, 2016 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Dean Falkner. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer’s Reports for February 2016 was reviewed. In summary we started the month with \$86,107.56 in our money market account. We made one payment to the Fox River Partnership of \$2,750 as a cash advance for the 2016 Summit. We received an interest payment of \$13.24 leaving us with a final balance of \$83,370.80 at the end of the month. The undedicated grant funds left in ENUM-19 & 20 amounts to \$158,312.29. The March 2016 Treasurer’s Report was then reviewed with the only changes being an interest payment of \$14.16 increasing the Money Market Account balance to \$83,384.96. Ken Miller asked why the interest income was so low and Jim Pindel answered with the fact that we only get interest rate of 0.002 % on our money market account. It was motioned by Shelley Tessmer that the treasurer’s report be accepted and it was seconded by Randy Meier. The motion carried unanimously.

**Old Business**

- a) Fox River Partnership Summit: Tom Slawski said that he has changed the date for the 2017 Summit to March 10, 2017. Tom also said the Summit went well and he had received plenty of positive feedback. Tom said that they will be doing some work on his (Fox River Partnership) website, but for now all the presentations are posted on the Fox River Ecosystem website. Tom will work on the paperwork necessary to close out the grant project hopefully by the next meeting. He is already starting to plan for the 2017 Summit. When asked Tom said that the attendance was about 125 people and the highest attendance was on the second year at about 142 attendees. However now with the expansion of our boundary, Tom is optimistic for even greater attendance. Shelley Tessmer motioned that we fund the 2017 Summit at \$5,500 again and the motion was seconded by Dean Falkner. The motion passed unanimously.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows was not present and Dean Falkner said that WE Energies said that if we covered all the costs they would be willing to go ahead with the project. Jim Pindel reminded the commission that we had already agreed to cover 100% of the cost at an earlier meeting when Alan Barrows said that this is the only way the project could be done. Jim Pindel said that the project needs to be completed by 6/30/16 so that it can count against ENUM-19, where we expected it to count for the last years. Dean said that the bid documents were ready and so they need to get things rolling soon. He said that he will get together with Alan Barrows to get things going forward.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler was not present and John Soneberg said that he had nothing to report.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he and his staff had a preconstruction meeting with the landowners on March 25<sup>th</sup>. One of the landowners had quite a few questions and concerns that were addressed. Chad said that they are ready to go and expects construction to begin soon. One item that has come up which could cause a delay in getting started; because some of the funding for these projects comes from the Federal Government, Chad had to submit a cultural resources form and now he has to wait to see if there are any archeological sites on the properties. If any area is denoted as an archeological site, then they might have to modify the design to not disturb these areas. The deciding body has 30 days to respond and that limit will expire in about 2 weeks. Chad added that the conditions on site are pretty wet, so this concern has not resulted in any overall delay. He still expects to get started around early to middle May.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.

- f) Waterford Impoundment ESR Project Dredging Permit: - Don Barron reported that they have received the plans from Super Mix and had given them to Graef Eng. for review and now the plans are back at Super Mix and he is waiting for a final response from them. Besides waiting on the finalization of the Super Mix plan they are waiting on signed lease agreements with the two farmers on whose land the pipeline will traverse. A formal lease agreement was developed. If either of the farmers will not sign the lease agreement, then they will be forced to use the alternate route along STH 20. This would be a more difficult and expensive route because the DOT is demanding that the pipe be run underground. Don said that they expect to resubmit the permit application in early May and he was reminded that it had to be completed by June 30<sup>th</sup> in order to apply to ENUM19. Don pointed out that they have no control over the time it takes for others to respond, but still expects to get it done before the deadline. After that they will go out for bids to see exactly what the project will cost. Shelley Tessmer asked if a liner was required at the Super Mix site and Don said it was recommended. Don asked Chad Sampson if he has heard anything regarding this project at the Super Mix site and Chad said that the site is due for a conditional use permit review in May and he will be at site visiting Jack Pease regarding this project. Don asked Chad to advise him of anything that occurs regarding this project.
- g) Schuetze Playground Storm Water Abatement: - Neither David Burch or Alan Barrows were present so no report was made.
- h) Graefenauer Shoreline Restoration: Alan Barrows was not present and we know from his report at the last meeting that work is already in process.

### **New Business**

- a) Nature's Classroom Institute of Wisconsin & Montessori School Presentation for a new project: Geoffrey Bishop the executive director of the Nature's Classroom Institute spoke to this issue. He said that they had purchase 3 parcels of land along highway E in the Town of Mukwonago with some of the land extending into the Town of Eagle. They have already started work restoring the land by cutting down all the invasive species on one hillside and planting about 20 acres of agricultural field into pollinator prairie. Their intension is to continue removal of invasive species around their property and planting native vegetation and trees. Geoffrey also said that they have begun construction of a new Montessori school on the property. Eventually they intend to build a residential environmental science school on the property. Their present base of operation is along highway J. Geoffrey said that their objective is ecological and environmental education along with traditional academics. At this time they have about 3500 students. Their intension is to eventually restore the entire new property along highway E to native, natural prairies as well as oak and hickory savannas which will work well with their overall educational objectives. Shelley Tessmer asked if they were

introducing any wildlife like pheasants to the property and Geoffrey responded that they had no intention of adding wildlife but that there were deer, turkey and coyotes already present. Jim Pindel commented that most of the discussion concerned woodlands and prairies and asked if this work would affect the ground water or runoff into any streams or waters that flow into the Fox River. Geoffrey said that there are two tributaries on the property that flow directly into Jericho Creek that flows into the Mukwonago River which flows into the Fox River. Geoffrey said that the work on the woodlands and grasslands will work as a natural filter to clean the water flowing from the property. Geoffrey said that the invasive species that presently exist inhibit the rain water from penetrating the ground and resulting in runoff. The native plantings they will install will stabilize the soil and allow for deeper penetration of the water into the soil. Geoffrey said that one of the streams on the property was a navigable waterway that runs directly into Jericho Creek. Jim Pindel asked if there was any evidence of silt or erosion on the property and Geoffrey said that was a little evidence of erosion. Geoffrey went on to say that with the planned construction they have some of the money they are requesting is for erosion prevention during these construction phases. Geoffrey went on to say that during the cutting of invasive species like buckthorn the process used converts the buckthorn into mulch which covers the cut area and helps to prevent erosion. Shelley Tessmer asked if they were planting any willows along the stream banks and Geoffrey said they were not and only planting native species. Barb Holtz said having the adjacent farm to their property, she had a conversation with Geoffrey in which she mentioned to him that the initial proposed project went into the Town of Eagle where we presently cannot use grant funds. Additionally the map didn't show property lines and she thought that the project crossed over their property line along the southern edge. Geoffrey said that they modified the project area, eliminating the area that extended into the Town of Eagle. Jim Pindel mentioned that he received the modified proposal the day before and email forwarded the modified proposal to all the commissioners this morning. When asked Geoffrey said that they were looking for a grant to help with the total project cost of \$32,110.00 to complete the restoration including cutting invasives, rain gardens, and planting of native grasses and trees, as well as a seed slinger and a rototiller. Jim Ritchie said that he somewhat agreed with Jim Pindel's comments that the project had to show some direct benefit to the Fox River like improved water quality or erosion prevention. Katelyn Bartz also of the Nature's Classroom asked if they needed to provide documentation showing water quality or erosion control enhancements to help qualify for a grant. Tom Slawski added that the addition of grass buffers or buffer zones along the creeks or tributaries on their property would be grantable features. Dean Falkner asked if there were other grant programs that would be more applicable to this project and Jim Ritchie said that there are more grant programs for water quality than land management, but he would look into it. Chad Sampson said that the USDA had some land conservations grant programs available and that the Nature's School should look into them. At this point Barb Holtz stated that in the future we should require grant applicants to provide maps or proof of municipal boundaries and property lines to be sure that the projects

exist within their and our boundaries. In the end it was decided to put a decision on grant funds off to at least the next meeting at which time the Nature's School might provide more documentation on the benefit of their project to the Fox River. Chad Sampson said that the Nature's School should review our implementation plan on our website to look at ways their project might support our plan. A copy of our cost share agreement and our project acceptance criteria were given to Geoffrey for his reference.

At this point Shelley Tessmer brought up the point that at the Summit she heard that FREP received \$9.5M in federal grants and that they had done several 9-Key Elements Plans. Shelley is investigating this possible resource stream with the Fox River CAUSE group to possibly move forward with the 9-Key Elements Plan for the WWMD to help get federal funding for the dredging of the Waterford impoundment. Shelley said that the WWMD has spent a lot of time and taxpayer's money on sediment sampling and the dredging permit application and it would be a terrible waste if this all went to waste because of funding for the dredging project. Shelley thought that some of the research done on the dredging permit application might be used in the 9-Key Elements Plan.

On another new topic Shelley pointed out that Tom Slawski sent around the information regarding \$260M available through the Regional Conservation Partnership Program. Each 501c3 organization that applies is limited to \$10M. Shelley was looking at this program for potential funding for the WWMD dredging project. The application is 47 pages long and the due date for applications is May 1, 2016, not allowing us enough time to apply. Shelley also thought that using the information gained at the Summit that freshwater clams have difficulty surviving in deep silt or impoundments in general as part of our application might be helpful. Shelley also mentioned that at the Summit she learned that impoundments are phosphorus traps and possibly the dredging could be justified as a phosphorus reduction activity. Don Barrons pointed out the Graef Eng. estimated that 1,000,000 lbs. of phosphorus will be removed during the dredging of the Waterford impoundment. Shelley said she would talk to Chad Sampson and Tom Slawski after the meeting to further pursue these two initiatives.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel said that he received an email from the Village of Rochester saying that they had appointed a commissioner to the FRC. I told her that the new commission would not meet until July. I forwarded this email to all the existing and future municipalities and counties so that they might get the idea they should make appointments as well. I then heard back from the Town of Burlington and I related that same information to them. Jim also said he will send out an email to all the present and future commission members telling them that they must appoint a commissioner and hopefully an alternate commissioner before the July meeting.

At this point Jim Pindel brought up a point that he felt needed addressing. He

- motioned that the commission does not expand in any new directions or approve any projects that would be within the new expanded territory, until the new commission county and municipalities are on board. The motion was seconded by Shelley Tessmer and passed unanimously.
- c) Review of SEWFRC Implementation Plan Figure B-3: Alan Barrows was not present but Jim Pindel passed around a copy of the “Construction and Planting Certification” document that Alan provided. Everyone seemed to be agreeable with its content and format. At our next meeting when this agenda item comes up we should vote on adding this project closing document to the Cost Share Agreement as well as to consider adding Barb Holtz’s requirement of proof of property ownership and placement of municipality boundaries on the agreement.
  - d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – This agenda item was covered earlier by Shelley Tessmer under new business.
  - e) Review of the Preliminary draft of the 2016-2017 SEWFRC Budget: Jim Pindel passed out copies of a spreadsheet that itemized all the details of the budget as well as providing the logic used to make estimations. This is the first budget based on the new fiscal year starting on July 1 and ending on June 30<sup>th</sup> of the next year. The budget spreadsheet first itemized all the non-grant actual and estimated income and then all the actual and estimated expenses. The result was a net non-grant available fund of \$26,206.42 after our next fiscal year. Next the budget spreadsheet covered the grant income and expenses. In this area an error was noted that the proposed cost of the Mainstream Survey of the new stretch of the commission area should have been \$27,000 and was listed as \$11,200. This change will be made to the spreadsheet and all the subsequent dollar values will be adjusted accordingly. The budget spreadsheet then covered the individual income and expenses for all three member counties, with total expenses of \$136,905.47 in Racine county \$119,253 in expenses in Waukesha county and \$14,216.79 in expenses in Kenosha county. When reviewing the Word document of the budget as it would be published in the newspapers, Jim Pindel pointed out that he revised some of the opening wording to comply with the new state statutes. Also when it came to the point of whether to include the Anticipated Potential Grant Fund Project, it was a consensus that we include them including the \$2,000,000 for the Waterford impoundment dredging project. It was motioned by Randy Meier that we approve the preliminary proposed budget with the correction to the proposed cost of the Mainstream Survey of the new area in our jurisdiction and the motion was seconded by Ken Miller. The motion passed unanimously.

### **Reports and Updates**

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that Joe Miller the Executive Director and at least one other board member showed up for the Summit. Jim Pindel said that he had some communication with

- Joe Miller the executive director of the FWA. Jim said he encouraged Joe to attend some of our meetings, but advised him that this meeting when we discuss the details of the upcoming meeting might be more of a business meeting, so he might want to wait for the next meeting. Jim said that he added Joe Miller to the list of people we cc: with all of our invitations to the FRC meetings. Shelley Tessmer asked if the FWA was a nonprofit and was told that they are a statutory entity in the state of Illinois. Tom Slawski also said that their jurisdiction is only the waterway and not the watershed. Tom also said that their mission statement and objectives are in line with ours.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that he had nothing new to report. Michelle Scott said that she requested an update from Madison but had not heard from them before the meeting.
  - c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Jim Pindel said that he had communication with Rebecca Ewald who was considering making a presentation to the commission for funding for a survey of the Fox River downstream of the Waterford dam. Jim said that he told Rebecca that the survey the commission was planning from the Waterford dam to the Wisconsin-Illinois border would most likely provide all the information she was looking for. Jim did say that he requested a list (one liner/bullet points) of what they are looking for, so that we could make sure we were providing all the information necessary.
  - d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point. He asked Jim Pindel to email him a copy of the Acceptance Criteria for Projects, so he could add it to the website.

### Correspondence –

- a. 02/22/16 Mark your calendars notification for SEWFRC meeting on 4/1/16
- b. 02/26/16 Notification that Governor Walker will sign SB 548 on 3/1/16 and inviting any and all to attend
- c. 03/03/16 Email of the letter to the Great Lakes Compact opposing the Waukesha diversion.
- d. 03/10/16 Forward of an email from CIC & SEWRPC that Waukesha diversion is not necessary. Tom Slawski corrected this statement saying that the letter saying that the diversions was not necessary was from CIC and only forwarded by SEWRPC.
- e. 03/11/16 Response from Great Lakes Compact thanking us for our letter of comment opposing the Waukesha diversion.
- f. 03/11/16 Email with our SEWFRC presentation to be given at the 2016 Summit, looking for comments and corrections.
- g. 03/16/16 Email forward from Barb Messick naming and explaining the Core Development Team for the Fox River Water Trail

- h. 3/26/16 Email from Alan Barrows with the proposed “Construction & Planting Certification” document attached.
- i. 3/29/16 Email from Tom Slawski with information regarding USDA Announces \$260 Million Available for Regional Conservation Partnership Program
- j. 3/29/16 Email from Tom Slawski stating the deadline for the above program is 6/15/16 not allowing much time to get ready.
- k. 3/30/16 Email from Village of Rochester that they have appointed a commissioner.
- l. 4/1/16 Email from Jim Pindel with March 2016 Treasurer’s report attached.
- m. 4/1/16 Email from Jim Pindel with revised presentation materials for the Natures Restoration Proposal.

**Miscellaneous Issues** –

There were no new miscellaneous issues.

Shelley Tessmer motioned that the meeting be closed and Ken Miller seconded the motion that passed unanimously.

**Meeting Closed** at 2:37 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,  
April 29, 2016 at 1:00 PM. (Meeting Location: Town of Vernon  
Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI  
53103.)**