

Commission members present:

Al Sikora (Village of Waterford) (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)
Jeff Thornton (SEWRPC)
Barb Holtz (Town of Mukwonago)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Don Scott (Town of Vernon) (Vice-Chairman)
Jim D'Antuono (Wisconsin DNR)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
Shelley Tessmer (Town of Waterford)

Also present: Bob England, Al Cellarius and Jerry Bonomo from the Golden Bay Subdivision.

At 1:04 PM, 4/13/2012, 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 March 9, 2012 meeting were reviewed. It was motioned by Randy Craig and seconded by Francis Stadler that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for March 2012 was reviewed. In summary we started with \$30,833.46 in our money market account and made \$11.97 in interest and a payment of \$600 to Waukesha County for the Highway ES launch stone resulting in a final amount of \$30,245.43. It was motioned by Randy Meier and seconded by Ron Peterson 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 there wasn't much to report at this time. He did say that the Waukesha County Department of Public Works is now interested in doing the work themselves. Alan had hoped that Jim Ritchie would be present to find out whether the project had to be put out for bids if the county did the work themselves. Alan also said the Leif Hauge

is working on obtaining the zoning permit from the county. Alan said that they were still planning on an August construction phase. When asked if anyone had signed the Cost Share Agreement, Alan said that Dale Shaver had signed it and offered to get a copy to Jim Pindel for our records.

b) Mukwonago River Restoration within Rainbow Springs – No one from the WDNR was present to address this project. It was reported to all that Brian Glenzinski had changed jobs within the WDNR and had moved to Madison WI. Barb Holtz reported that work had already begun on removing the culverts in Park, we were surprised by this activity since grant funded work cannot start before the new grant goes into effect July 1, 2012. Alan Barrows said he would check and did not believe that a county permit had been issued and Jeff Thornton stated that he thought that there were other project funds available which could be spent before our funding is involved.

New Business

- a) Fox River Partnership – Jeff Thornton recapped the report made at the last meeting by Tom Slawski that Tom 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. Tom was here to solicit \$5,000 from the commission for a Fox River Summit planned for early this fall. The summit would probably be like a one day seminar focused on relevant issues with special speakers. The Partnership has its own budget which presently has \$1200 in it. The summit will probably be held locally in Racine County, which is sort of centrally located to draw people from both Wisconsin and Illinois to the meeting. After some discussion on how the Summit meets some of the commission's objectives, it was motioned by Barb Holtz and seconded by Randy Meier that we support the Summit by providing the \$5,000 requested by Tom Slawski. The motion passed unanimously. It is expected that this \$5,000 would come from the new grant funds.
- b) Golden Bay Retention Ponds Sediment Problem – Al Cellarius of Golden Bay provided handouts to the commission covering his presentation. The first page was an aerial photo showing how the ponds located in Golden Bay subdivision service the run off from not only their own subdivision but also from Golden Meadows Subdivision, the Town of Waterford Park and an adjacent farm field. The run off from the sediment retention ponds flows into Tichigan Lake. Now this run off is clear clean water. There are two upper ponds and two lower ponds that provide water filtration and sediment collection before the water enters Tichigan Lake. The project that the commission was involved in back in 2004 was the mechanical dredging and lining of the two lower ponds. Al said that these two ponds were still in good condition with very clear water. Al provided aerial views of the upper two ponds with water depth data showing that the ponds

that originally were 25 feet deep have filled in to depths varying from less than 6 inches to 10 feet. So generally there is about 15 to 20 feet of silt to be dredged out. The sediment level in one of the upper ponds is higher than the outlet dam height so sediment is being delivered from this pond to the lower pond. In the other upper pond the sediment level is a few inches below the top of the dam and so the sediment is presently being retained in this pond. Although most of the sediment collected in the ponds comes from Golden Meadows subdivision and the Town of Waterford Park, it is Golden Bay subdivision's responsibility to purge the ponds of sediment periodically. Over the last three years most of the aquatic life has been lost in the upper ponds due to the shallow water levels causing freeze outs. Al said that the two quotes for mechanical dredging came in at over \$100,000 each and so they were inclined to go with hydraulic dredging at a cost of \$46,350. If the 69 Golden Bay residents pay equal shares of this expense it would come to \$672 per home owner. The dredged sediment from the hydraulic dredging method is stored in fiber bags which allow the water to leak out and return to the ponds. Al asked that the commission cover 90% of the hydraulic dredging cost and that the Golden Bay subdivision would be responsible for the other 10% as well as any other additional charges including hauling away of the sediment after it has dried out. Al said that they hoped to implement this project either late this fall or early next spring. Francis Stadler asked how much sediment has collected in the lower ponds since they were cleaned out in 2004. Al said he had not measured it but the ponds were clear and in good condition. Francis said that he was concerned about getting involved in an ongoing maintenance issue. When asked if the costs they have collected included the cost of getting DNR permits, Al said that they were advised by the dredger "Organic Sediment Removal Systems, LLC" that permits would not be necessary since these were private ponds on private land. Alan Barrows commented that the permitting process for hydraulic dredging is a lot simpler than for mechanical dredging. Jeff Thornton said that he suspects that a Chapter 30 WDNR dredging permit would probably be required since the ponds connect to and supply Tichigan Lake. Barb Holtz asked why Golden Bay subdivision hadn't contacted the Town of Waterford to create a tax district to get the maintenance cost shared by the larger group of people who supply the sediment to the ponds. Al said it was mentioned to Bob Langmesser and Bob felt it would be hard to impose an additional tax on people at this time due to the economy. When several of the commissioners expressed concern that this would be an ongoing maintenance issue that we would have to address periodically, one of the Golden Bay representatives said that when the ponds were built 15 years ago the houses in Golden Bay and Golden Meadows subdivisions were not built and so the ponds had to absorb all the construction sediment. Now all the subdivisions are built up and so the rate of sedimentation should be less. As we were trying to wind down the discussion, Jim Pindel read an excerpt from an email he received from Jim D'Antuono this morning suggesting that we put off voting on this project until Jim Ritchie has an opportunity to review the project and determine if it is grant eligible. At that Bob Bartholomew motioned to table this item until next meeting and the motion was seconded by Francis Stadler. The motion carried unanimously.

- c) Runoff improvement projects – WWMD No one from the WWMD was present, and so no report was made.
- d) Consideration of expanding the Commission’s jurisdiction south to the Illinois boarder Jeff Thornton stated that now that we have a Memorandum of Understanding (MOU) with Kenosha County, the next step would be to involve the individual municipalities in Kenosha County in subsequent MOU’s. Jeff pointed out that the upcoming Fox River Partnership Summit would be a good opportunity to involve these municipalities in our commission. After that we will have to get involved with our legislators to get the State Statutes amended to include the Kenosha County municipalities. Jeff suggested that we organize a meeting with the proper legislators sometime this summer to advise them of our intentions. Al Sikora suggested that we invite the appropriate legislators to the Summit, so they know what we are up to.
- e) Proposed 2013 Southeastern Wisconsin Fox River Commission Budget: Jim Pindel provided a two page worksheet to the commission which itemized our income starting with the carry over into 2012 and adding in all the interest accumulated in our Money Market Account for 2012 and 2013 resulting in a total non-grant income of \$35,933.28. The total expenses including website hosting, notification of our public hearing and the cost of the Highway ES boat/canoe launch stone was equal to \$1,038.34. Then adding in the \$200,000 we receive from the new RBA-ENUM in July we have a total of \$235,933.28 of income minus committed expenses of \$76,038.34 giving us a “Future Project Reserve Balance” of \$159,894.94 available for grant projects and operating expenses. The final published budget will show a balanced budget of \$235,933.28 in income and expenses of the same \$235,933.28. When the question came up about whether to list the Golden Bay Retention Ponds as a possible known unfunded prospective project a discussion ensued regarding this project. There was a fear expressed that this might start a president of maintenance of subdivision retention ponds, and that it was more appropriate for those who cause the silt to maintain the ponds. It was pointed out that there is no public access to the ponds so that the general populous had access to fishing or boating. From the photos provided it appears that there are no shoreline buffers or any attempt to minimize the flow of sediment into the ponds. It seemed to be the overall sentiment of the commission was that it would be more appropriate for the commission to spend money on minimizing the flow of sediment into the ponds than routine maintenance cleaning of the ponds. Al Sikora pointed out that depending on the decision of Jim Ritchie and Jim D’Antuono we may not even be able to get involved. The point was made that this project if we get involved may not merit the full 90% cost share. And so it was decided to not add this project to the 2013 budget. Getting back on agenda it was motioned by Randy Meier to approve the proposed budget and the motion was seconded by Francis Stadler. The motion was approved unanimously. Jeff Thornton asked if the next step would be to present this budget to the Counties and Jim Pindel stated that Al Sikora and himself

presented the 2012 budget to the Racine County Executive and the head of the planning and development department and would be willing to do the same thing for Waukesha County. Alan Barrows suggested that we make a similar presentation to Dale Shaver of Waukesha County. Jim and Al said they would be willing to meet with Dale Shaver.

Reports and Updates

- a) Eco-System Restoration Project (Waterford Impoundment) – Jim Pindel reported that there are likely meetings between Graef (the engineering company hired by the WWMD) and the WDNR, but he is not aware of any meetings or communications regarding this project.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that he has nothing to report today.
- c) SEWFRC Website – Al Sikora said that he had no updates on the website except that he was keeping it up to date.
- d)

Correspondence –

3/15/12 Email from Al Sikora requesting putting Al Cellarius on the agenda for the April 13th meeting regarding the Golden Bay Subdivision retention ponds sediment problem

3/26/12 Email from Jim Pindel to all commissioners and friends of the commission listing all known potential new projects. Asking if there are any other projects to be listed on the 2013 Budget.

3/26/12 Email from Kurt Peot stating that the Village of Mukwonago has a stream bank stabilization project that they would like to be considered by the commission.

3/27/12 Email from Violet Razo of Ruekert-Mielke stating that the Village of Mukwonago stream bank stabilization project is estimated to cost \$102,500. She also asked what she needs to do, to be considered.

3/28/12 Email from Jim Pindel to Violet Razo explaining project requirements and also stating that due to limited resources we might not be able to pay a 90% cost share portion.

4/03/12 Email from Brian Glenzinski stating that he has accepted a new position in the WDNR and will be moving to Madison. Someone else will take his place on the existing Rainbow Springs project.

3/21/12 Email from Marie Kumershek with attached letter of appointment from the Town of Vernon for Bob Bartholomew.

Approximately 3/22/12 Mary and Jim Pindel attended a town hall meeting with Mary Lazich and thanked her for sponsoring the commission in the last state budget and asked if she would do the same in the upcoming state budget. She said she would and advised us to get Dave Craig involved as well.

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 2:20 PM

**NEXT OFFICIAL MEETING AND PUBLIC HEARING
WILL BE Friday, May 18, 2012 at 1:00 PM. (Meeting
Location: Big Bend-Vernon Fire Station #3, W233 S7475
Woodland Lane, Big Bend, WI 53103.)**