

**Commission members present:**

Al Sikora (Village of Waterford) (Chairman)  
Don Scott (Town of Vernon) (Vice-Chairman)  
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)  
Benjamin Heussner standing in for Jim D'Antuono (Wisconsin DNR)  
Dean Falkner (Village of Mukwonago)  
Mary Pindel (Town of Waterford – Alternate)  
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

**Commission members absent:**

Randy Craig (Town of Vernon)  
Robert Bartholomew (Town of Vernon)  
Randy Meier (Town of Waterford)  
Doug Koehler (City of Waukesha)  
Shelley Tessmer (Town of Waterford)

**Also present:** Bob England, Al Cellarius and Bob Langmesser from the Golden Bay Subdivision and Violet Razo of Ruekert/Mielke.

At 1:08 PM, 5/18/12, Chairman Al Sikora called the Public Hearing to order.

The only order of business was the review of the Southeastern Wisconsin Fox River Commission Proposed Budget for 2013. The proposed budget was read for the record. Al Sikora asked the non-commission attendees if they had any questions or comments concerning the proposed budget. Bob Langmesser representing Golden Bay Subdivision spoke asking that we give consideration to dredging the ponds in Golden Bay subdivision in the budget. Bob was advised that the Golden Bay project was a line item in the regular meeting agenda and so discussion on this topic was put off until then. Al Sikora then asked three times if there was anyone who wanted to speak in favor of or against the proposed budget.

There were no comments from the Public concerning the budget.

The Public Hearing was closed at 1:15 PM.

At 1:16 PM, 5/18/2012, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

**Proposed Budget for 2013** - The first order of business was to approve the Southeastern Wisconsin Fox River Commission Proposed Budget for 2013. It was motioned by Dean

Falkner and seconded by Alan Barrows that the proposed budget be approved and the budget was approved unanimously.

**Minutes** The minutes from the April 13, 2012 meeting were reviewed. It was motioned by Chad Sampson and seconded by Ron Peterson that the minutes be approved. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer’s Report for April 2012 was reviewed. In summary we started with \$30,245.43 in our money market account and made \$10.81 in interest resulting in a final amount of \$30,256.24 Francis Stadler asked for clarification to be sure that the \$30,256.24 that showed up in the money market account and in the non-grant funds was indeed the same money and that we didn’t have twice the \$30,256.24 figure. It was motioned by Francis Stadler 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 county was working on obtaining permits from the Town of Waukesha. The project is still on schedule for execution in August of this year. The county already has the Chapter 30 permit from the WDNR.
- b) **Mukwonago River Restoration within Rainbow Springs** – Benjamin Heussner who has taken this project over for Brian Glenzinski provided the “Preliminary Stabilization and Sequencing Plan” in hardcopy to the commission. Ben stated that so far the project has amounted to a lot of information gathering. He also said that he has applied for the Chapter 30 permit from the WDNR. The permitting process has started and he is working internally with his colleges to formulate a long term plans for the stream restoration as well as the short term project of culvert removal that we are involved in. Ben stated that he has had input from Tom Slawski of SEWRPC on how to implement this project. Starting tomorrow he will be working with a volunteer group of 30 or 40 from Trout Unlimited to remove a lot of buckthorn and other invasive species along the culvert areas. Next week Ben will be working with some youth groups to get them involved in the project to do some stream monitoring to get a baseline on the flows through the two channels of the stream in this area. They will also do some invertibre sampling and habitat measures and stream mapping. Don Scott asked what they were using to spray the buckthorn after it was cut and the consensus was that it was Fairlon which has a blue dye in it so that you can see what has been sprayed or not. Alan Barrows said that the Waukesha County will be working with them in the areas of erosion control and streambank stabilization through their planning and zoning office. The county in a cooperative venture is sharing their plans with the WDNR so that everyone is on the same page. When asked about the timeline, Ben stated that he expected the work to be done as early as this summer. Just for the record, Jim Pindel made sure that Ben was aware of the fact that no money can be spent from our contribution before July 1, 2012 when the new enumeration goes into effect. Before the meeting Jim Pindel gave a copy of our Cost

Share Agreement, signed by Al Sikora to Ben to be signed by someone from the sponsoring group and the given back to us for our records.

- c) Fox River Partnership – Jeff Thornton clarified the fact that the Fox River Partnership is independent of the SEWRPC, but Tom Slawski of the SEWRPC is the President of the Southeast Wisconsin Fox River Partnership. The partnership is made up of regional municipalities and the WDNR and a number of civilian organizations. The objective of the partnership is to promote the Fox River and maintain the quality of the river environment, very similar to the SEWFRC's goals. SEWRPC has been exploring some initial ideas of focus for the summit which is now expected to be held in January or February of 2013.

### **New Business**

- a) Golden Bay Retention Ponds Sediment Problem – Bob Langmesser the Town Chairman of Waterford addressed the commission. Bob started by pointing out that he was the original chairman of this commission and that he had started this organization. Bob explained how state money flows to the commission, which is something we all already understood, but he wanted to make sure that no one thought that the money came from the WDNR. Bob said that he had a lot of trouble getting money from the WDNR and in fact funded the original dredging project for the two lower ponds with \$100,000 of his own money. Eventually after six months he was compensated by the WDNR without any interest. Bob said that the Golden Bay subdivision ponds project had been approved by the commission some years back as part of a drainage district. Water flows from the north from Golden Meadows subdivision, the Waterford Park and farmland north of there. The subdivision developer was required to install four holding ponds in the Golden Bay subdivision. The upper two ponds were to catch the water and overflow into the lower ponds which were settling ponds, providing the runoff of clean water into the wetlands. Bob said that this does qualify as a project we can do, just like the pond on Beach Drive which is on private property and the commission dredged it out. These are both corridors that need to be kept clean, because a lot of water flows through them into Tichigan Lake. Bob said that the two lower ponds that where originally more than 25 feet deep are more than half full of sediment and that just five years ago they were 25 feet deep. After some recommendations on how we should be promoting ourselves with our local legislators, Bob made the statement that the Golden Bay ponds were an approved project by our commission with the sanction of the WDNR, SEWRPC and Racine County. Bob went on to say that dredging these ponds is an eligible project and he didn't know how Jim Ritchie's email could say that it is not. Bob said that anyone who is in the drainage district should be special accessed for the work on the ponds but that only the Golden Bay people have been special accessed for its maintenance and care. After some discussion on how much sediment exists in all four ponds, Bob said that his purpose in coming to our meeting was to make sure that we understood that our money does not come from the WDNR and that we are not locked into a 90% cost share on every project and that this was an

approvable project. The commission was already aware of the fact that our money comes from a line item in the state budget (through the recreational boating authority) and that we have the ability to choose the cost share percentage on a project to project basis. Francis Stadler asked how much it would cost to dredge the ponds and Al Cellarius referred back to his presentation from our last meeting saying that mechanical dredging would have cost in excess of \$100,000 and that they could get hydraulic dredging done for about \$45,000. So then Francis asked if Golden Bay subdivision expected us to maintenance dredge their ponds every five years. Francis went on to say that he has observed in Canada and elsewhere where people have installed erosion control measures to prevent the sediment from being a problem. When Don Scott asked what hydraulic dredging was, Al Cellarius explained that the contractor uses a barge of some sort and sucks up the sediment without disturbing any aquatic or plant life. The sediment can then be pumped onto a farm field or put into sediment bags and allowed to drain out before hauling the dried sediment away. After an off the topic dissertation about the WWMD's ESR project and the work done in Illinois by the FWA, Bob said we can fund this project because it is a farm drainage corridor and not privately owned ponds. After several attempts to find out who owns the ponds, Dean Falkner suggested to Bob that there has to be some other mechanism to spread out the cost of maintaining these ponds over a larger number of people than just those who live in Golden Bay subdivision. Al Sikora made the statement that as is indicated in Jim Ritchie's email that a project is not grant fundable then we cannot proceed further. Al then deferred to Jeff Thornton to see if he could add anything else. Jeff shed some light on the problem, originally the commission received its money through a line item in the state budget, which flowed directly to the commission to do its work, Now the money is channeled to us differently, our money comes through the Recreational Boating Authority (RBA), which has its own criteria for acceptability of projects. In order to get grant funds we must now comply with the RBA's criteria in addition to our own. So we are now dealing with a slightly different pot of money. When we were an individual line item we were in charge of exactly how these monies were spent, but now it comes through a recognized grant program within the WDNR and so we must abide by the rules of that program. This would seem to explain why we could have approved the dredging of the ponds years ago and now cannot do so. Jeff suggested that the Town of Waterford consider a utility district or a storm water utility serving those subdivisions. Alan Barrows asked if there were opportunities in the watershed to eliminate the erosion that flows into the ponds. After a discussion on how historically the erosion came from Waterford Park and construction in the subdivisions, it appears that the present source of most of the sediment is from the farm fields above the subdivisions. Chad Sampson said that Racine county has programs in place to provide conservation practices on farmlands to prevent erosion. Chad volunteered to go with any of the affected people to the locations where the sediment originates at, to look at the application of grass swales and grass buffers and other measures to eliminate the erosion. Chad said that the county is doing 38 such project this year at a cost of over one

million dollars.

- b) Runoff improvement projects – WWMD No one from the WWMD was present, and so no report was made.
- c) 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. Al Sikora asked Jeff for his opinion on where we should start and Jeff indicated Rochester, which is in Racine county. This pointed out the fact that we still don't have all the municipalities in Racine county on line. So the next municipalities after Rochester would be Salem and Burlington, then onto Kenosha County.

### Reports and Updates

- a) Eco-System Restoration Project (Waterford Impoundment) – Jim Pindel reported that there were meetings between Graef (the engineering company hired by the WWMD) and the WDNR, resolving the number of sediment samples to be collected. Eventually it was agreed that 56 samples need to be taken, although this number could be adjusted after seeing some of the preliminary analysis results. Jim pointed out that he had seen just this morning that Jeff Thornton had issued a SEWRPC memorandum regarding this project and so he asked Jeff to summarize his report. Jeff said that the memo was the report on the data gathering that went on last summer. The report included the depth profiles of the sediment and a proposed dredging scheme for not only the main navigational channel but also for the access channels to the main channel. The report also quantified the amount of material to be removed and all this information has been turned over to Graef, the WWMD's engineering consultant. This report is presently on the SEWRPC website and Jeff expects that it will soon be available on the WWMD website.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that the big news from the FWA was that they are now going out for bids for a major upgrade of the Stratton Locks and Dam. The Stratton Dam is the first major dam on the Fox River after the Rochester Dam in Wisconsin. The Stratton Dam provides most of the water depth in their waterway. The project will provide locks that are capable of handling larger recreational watercraft. This project will be put off until after the summer boating season.
- c) SEWFRC Website – Al Sikora said that he had no updates on the website at this time. Francis Stadler made the request that our agenda be available on the website and after some discussion, it was decided to post the agendas on the website, including the one for the next upcoming meeting as soon as it is available.

**Correspondence –**

- a. 4/23/12 US Mail Affidavit of Publication for Budget & Public Hearing from Waukesha Freeman.
- b. 4/23/12 US Mail Affidavit of Publication for Budget & Public Hearing from Racine Journal Times.
- c. 5/07/12 Email from Alan Barrows with signed attachment of Cost Share Agreement for Mill Creek gully erosion repair project.
- d. 5/17/12 Email from Jim Ritchie regarding the grant eligibility of the Golden Bay subdivision ponds.

**Miscellaneous Issues –**

Francis Stadler asked if the correspondence was posted on our website and Jim Pindel said that it was not, but that he could attach the correspondence to the meeting announcement which is usually sent out about 2 weeks before every meeting. This seemed to be agreeable to everyone.

Jeff Thornton informed the commission that next Tuesday he will be making a presentation to all the communities surrounding Lake Winnebago. They are investigating various options for managing that system. One of the options they are considering is forming a commission similar to ours involving the four counties and twenty some municipalities. The meeting will be held next Tuesday at the Menasha Public Library at 10:00 AM.

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

**Meeting Closed** at 2:28 PM

**NEXT OFFICIAL MEETING AND PUBLIC HEARING  
WILL BE Friday, June 22, 2012 at 1:00 PM. (Meeting  
Location: Big Bend-Vernon Fire Station #3, W233 S7475  
Woodland Lane, Big Bend, WI 53103.)**