

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Shelley Tessmer (Town of Waterford)
Randy Meier (Town of Waterford)
Barb Holtz (Town of Mukwonago)
Chad Sampson (Racine County)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Jim D'Antuono (Wisconsin DNR)
Jeff Thornton (Southeastern Wisconsin Regional Planning Commission)
Mary Pindel (Town of Waterford) (Co-Secretary/Treasurer)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Doug Koehler (City of Waukesha)

Also present: Dick Kosut of the WWMD.

At 1:04 PM, 8/26/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Al introduced Randy Meier the new commissioner from the Town of Waterford.

Minutes The minutes from the July 22, 2011 meeting were reviewed. It was motioned by Francis Stadler and seconded by Chad Sampson that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for July 2011 was reviewed. In summary at this time we have \$25,241.29 in our money market account. Of the \$250,000 in the ENUM-16 grant, \$1,761.34 was not spent before the ENUM expired on 6/30/11. When the WDNR finishes paying us for completed projects and we have finished paying for these projects we will have \$30,727.81 left in our money market account. This money can be used for both grant and non-grant purposes as we go forward. Shelley Tessmer motioned to accept the treasurer's report and Randy Craig seconded the motion. The report was approved unanimously. Francis Stadler asked where the \$30,727.81 came from and it was explained that this money was in our Money Market Account from the time that I (Jim Pindel) took over as secretary/ treasurer. This money can be spent for anything the commission decides upon and is available immediately. The \$200,000 we have coming in the State Budget is not available until July 1, 2012. Jim Pindel reminded the commission that we should submit and approve projects before July 1, but that no expenses can be reimbursed if they are incurred before July 1, 2012. Barb Holtz asked what we can do to make sure that we do not have funds left over from our future ENUM's. Barb was advised that we have \$613,000 in pending unapproved projects

which should certainly use up all of the \$200,000. Alan Barrows pointed out that the new implementation plan is much wider in scope including all non-point source water runoff making many more types of projects open to our support.

Old Business

- a) Phantom Woods Road Channel Enhancement (completed) – Barb Holtz Barb Holtz said that Alan Barrows provided a DPW crew to work on the site along with volunteers from the friends of the Mukwonago River as well as a consultant. They made determinations of what plants were good and what plants present were bad for the location. There was one location on the site which was taking the majority of the runoff and this area was fortified by pyramiding three biologists to remedy the situation. They intend to do some additional plantings but the majority of the existing plant life is looking good and doing its job. Alan Barrows suggested that we keep this item on the agenda till fall when they will do some supplemental plantings.
- b) Vernon Wildlife Area Flowage Restoration Project (active) - Brian Glenzinski was not present but Jim D'Antuono reported that he had talked to Brian and that the project was completed and he passed around three pictures that Brian gave him showing the present completed condition of the project. The paperwork has been completed and given to Jim Ritchie for processing our reimbursement. The commissions \$20,000 was spent to dig the channel connecting a large and small section of the marsh and spread the material and seed the area. Jim went on to say that Brian will attend an upcoming meeting with before and after photos to show the work that has been done. It is possible that Brian will come back to the commission after our new allocation is in place requesting funds to other projects in the Vernon Marsh. Jim said we might as well remove this topic from Old Business and Brian will attend with reports when appropriate.
- c) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows reported that everything is in place to install the rock to eliminate the erosion at this location. All he needs is the labor which he will get from the highway operations people. He estimated the work can be done in a few hours. The land owner called Alan recently and is looking forward to seeing the project completed.

New Business

- a) The first point of New Business was consideration of expansion of our jurisdiction south to the Illinois border. Jim Pindel said that at the last meeting he reported that he had received an email from John Roth of Kenosha County stating that they were setting up a meeting with the County Executives regarding their possible role in the Fox River Commission. He went on to say that he would get back to me after their meeting. At this time we have not heard from John Roth or anyone from Kenosha County.
- b) Consideration of new items added to the SEWFRC Implementation Plan:

- **Signed Cost Share Agreement** – after some discussion it was decided that this was a smart business practice, especially when working with individuals, and that our Cost Share Agreement should be fashioned after those of Waukesha and Racine Counties. It was motioned by Shelley Tessmer and seconded by Al Sikora that we incorporate Signed Cost Share Agreements on all future projects. The motion passed unanimously. Chad Sampson and Alan Barrows said they would forward copies of the County agreements to Jim Pindel so he could fashion a SEWFRC agreement form.
- **Chairman and/or Vice Chairman can approve cost overruns of less than \$5000. without commission approval** - After considerable discussion it was decided that for expediency sake during a projects implementation an immediate approval by the authorized individuals was a good thing and so the proposed approval statement was revised to “The Chairman and/or Vice Chairman after consulting with the Treasurer to make sure adequate funds are available, can approve cost overruns of as much as 20% of the total project cost, but not to exceed \$5,000 without commission approval.” It was motioned by Shelley Tessmer and seconded by Don Scott that we adopt this operating procedure. The motion carried unanimously.
- **Opportunity to bid published in Racine Journal Times and Waukesha Freeman** – It was a misunderstanding that this requirement would be forced upon all municipalities, organizations like the WWMD and individuals. The intent was that if a project was sponsored by the SEWFRC directly that it should publish in the two stated newspapers. Realizing that all projects that require bidding have to comply with either the local municipality’s or county’s bidding requirements it was motioned that this publication requirement be stricken from the implementation plan by Shelley Tessmer and seconded by Don Scott. The motion carried unanimously.
- **Project Notes required to document site visits** – It was felt that Project Notes would be redundant if the project manager attended our commission meetings and made regular status reports that are documented in our meeting minutes. It was stated by Jim Pindel that the Signed Cost Share Agreement we are requiring above will include a requirement that regular project reports are made at our meetings or if they are not, then the project manager must provide a written project status report including site visit reports in order to be reimbursed. Jim Pindel is to locate the exact place in the implementation plan where this requirement is listed to Jeff Thornton. It was motioned by Al Sikora and seconded by Shelley Tessmer that we strike this Project Notes requirement from the implementation plan and

incorporate the requirement for status/site visit reports in the Signed Cost Share Agreement. Added to this motion was the requirement for project status photos, especially before and after photos for the website. The motion carried unanimously.

- **Landowners or Project owner to obtain lien wavers** – It was understood that this was a good business practice but was somewhat redundant seeing most or all municipalities and organizations already require lien wavers. So it was motioned by Al Sikora and seconded by Chad Sampson that this requirement be removed from the implementation plan and be written into the Signed Cost Share Agreement. The motion carried unanimously.
- **Figure B-3 Working Agreement for the Installation of Conservation Practices in Waukesha County. Do we want to keep this in Implementation Plan? Do we need one for Racine County?** - Alan Barrows pointed out that this document was the result of cooperative work in the past between Waukesha County and the SEWFRC regarding a TRIM grant. It dealt with how the county is going to administer grant funds for the commission. The document details what is the owner's responsibility, the contractor's responsibility and the land resources commission responsibility. Alan said that he felt that the document should stay in the implementation plan. In light of the fact that we don't have a similar document for Racine County and we might be adding Kenosha County in the future, it was decided that the document should be made generic to apply to any county. Jeff Thornton volunteered to modify the document accordingly. Alan Barrows motioned to accept and include the modified document in the implementation plan and Al Sikora seconded the motion. The motion carried unanimously.
- **Appendix C includes the Interagency Agreements with Waukesha County and the Illinois Fox Waterways Agency.** – The real question is whether we need a similar agreement with Racine County. The discussion went on to say that it would be appropriate but not necessary to have an agreement with Racine County. Chad Sampson said that he would relate this issue to the appropriate people in Racine County.
- **Jim Pindel brought up another 'Operation Practice' that he would like stricken.** – For the last several years we have required two signatures on SEWFRC checks of greater than \$200. The people who sign must have their signatures on record with the bank. Jim pointed out that we review our Money Market account in the Treasurer's Report usually monthly and the bank does not care if we have one or two signatures. It was motioned by Dean Falkner and seconded by Shelley Tessmer that the requirement for two signatures on checks of any amount be removed. The motion passed unanimously.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton said that he had received comments via email from Jim Pindel, Don Scott and Maurine McBroom that will be incorporated in the final revision of the implementation plan. Jeff asked if the commission was in agreement to go ahead and finalize the plan not knowing exactly what will happen in regard to Kenosha County joining the commission. The reference to Kenosha County in the plan is a recommendation and so even if they do not want to join us right now, we can still recommend their inclusion in the future.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that he had no report this month.
- c) SEWFRC Website – Al Sikora also had nothing to report at this time, but he did point out to Randy Meier the new commissioner from the Town of Waterford that we do have a website and he should browse it in order to learn about our activities. Also when the implementation plan is completed there will be a link from our website to SEWRPC's website where the plan will reside probably as an Adobe file.
- d) Waukesha County Farmland Preservation Plan – Barb Holtz and Alan Barrows stated that Waukesha County now has a new Farmland Preservation Plan in place with the state. The plan can be reviewed on Waukesha County's website. Now that this is a completed issue this topic will be removed from future agendas.
- e) Waukesha West By-pass Plan – Jim D'Antuono said that additional work is being done and the environmental assessment is being prepared. Jim said that he thought that they were trying to affect wetlands as little as possible. Jim said that when the plan has advanced to a point where we know exactly what will be done someone else closer to the project could address the commission, so we know exactly what the effects will be on the Pebble Creek/Fox River watershed. Jeff Thornton stated that SEWRPC recommendation was to use existing alignments and not cut new paths through the environment.
At this point Jim D'Antuono asked if the commission had done anything about trying to obtain funding through the county budgets. Jim was advised that we had generated a 2012 budget that was submitted to both Waukesha and Racine Counties on time for the budgeting process. Alan Barrows and Chad Sampson said that they submitted our budget to the appropriate people in their respective counties. Al Sikora advised Jim D'Antuono that he and Jim Pindel met with Racine County Executive and the Director of Planning and Development showing our budget and explaining why we were submitting it in compliance with the State statutes. It is expected that we will submit our budgets to the counties annually and postpone our public hearing meeting to May instead of our usual December meeting when we accept the proposed budget for the next year. This would put our budget cycle in line with the county's budget cycle.

Correspondence –

- a. 7/22/11 Email from Jim Ritchie listing the dates, times and places for Hearings on City of Waukesha Application for Lake Michigan water. This email was forwarded to all commissioners.
- b. 7/28/11 Email from Mike Hahn with a link to the revised SEWFRC Implementation Plan. This email was forwarded to all commissioners.
- c. 7/29/11 Email from Don Scott to Jeff Thornton with recommended changes to the Implementation Plan.
- d. 8/3/11 Email from Marie V. Kumershek with attached letter of appointment for Don Scott through 5/31/12.

Miscellaneous Issues –

Jim D'Antuono asked if there had been any progress toward getting a replacement commissioner for the Town of Waukesha. Jim Pindel reported that his wife Mary had been in touch with Jamie the Clerk of the town, who said she thought one of their board members had been appointed and that she had to confirm that appointment. We will have to follow up with the Town of Waukesha on this issue.

Shelley Tessmer said that she and Chad Sampson visited the Schmidt and Caton Island project site to take pictures and assess the situation. The planted vegetation is doing well but there are invasive species encroaching on the area. The area where we had placed the core fiber log is completely changed due to a large Willow tree that has fallen on this area. The area in which they placed burlap mesh and planted native plant plugs is in full sunlight and is doing very well. The core fiber block that was installed had become very hard and is not as soft as it was when they did the plantings in this area but the plants are doing well. Shelley said that they intend to repeat this site assessment practice for the next two years to wrap up the evaluation process for this project. Chad Sampson added that the drawdown might have made it possible for more plants to grow below the normal high water mark. He said that there is definitely more vegetation this year than last year. The only disappointing section is the coconut log area where the logs have completely disappeared. Shelley added that the buckthorn and honeysuckle are very aggressively spreading on the site. It is not as bad as it was when she started the project but it is coming back. There is significant amounts purple loosestrife encroaching on the island. Shelley and Chad inspected the 300 feet of shoreline where the island owners installed coconut fiber logs and did native plant plantings and reported it was in good condition and looked very nice. Shelley summarized by stating that in the project she spent approximately \$3000 on rock armour for 25 feet of shoreline and about \$1000 for about 75 feet of shoreline which shows that the less expensive solution for shoreline erosion may work as well as the expensive rock solution and look better besides. Chad said he would forward the pictures to Al Sikora for the website.

Alan Barrows pointed out that Waukesha County is working on a shoreline stabilization project at Fox River Park. This is an area where people run their dogs and the county is trying to armour the area so that the dogs can't trash it. Alan said that there is an area just

to the south of the park in the City of Waukesha where erosion is very apparent. He said he does not know who to report this situation to at the City and our commissioner from the City was not present to hear about the situation. Alan suggested that this might be a project we might want to address when we get our new funding next July.

Shelley Tessmer motioned to end the meeting and the motion was seconded by Ron Peterson, the motion passed unanimously.

Meeting Closed at 2:25 PM

NEXT OFFICIAL MEETING WILL BE Friday, October 14, 2011 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)