

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Katelyn Bratz standing in for Barb Holtz (Town of Mukwonago)
Al Sikora (Village of Waterford)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dan Treloar (Kenosha County)
Wayne Jensen (Village of Rochester)
Doug Koehler (City of Waukesha)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Jessie Medrow standing in for Jim Bergles (City of Burlington)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Robert Bartholomew (Town of Vernon)
Ken Miller (Town of Waukesha)
Andrew Lois (Town of Wheatland)
Michelle Scott (Wisconsin DNR)

Also present: Don Baron and Dick Kosut of the WWMD, Rebecca Ewald of the Village of Waterford, Bradley Steckart of Waukesha County and Michael Schwar of Stoney Point Hydrology.

At 1:02 PM, Chairman Dean Falkner called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Jim Pindel passed around a copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the August 12, 2016 meeting were reviewed. It was motioned by Doug Koehler that the minutes be approved and the motion was seconded by Alan Barrows. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the August treasurer's report. We started the month with \$176,1430.37. We made a payment of \$36.69 for the name place holders and received \$29.92 in interest bringing our Money Market account to a balance of \$176,133.59. It was also noted that we are now down to \$90,835.99 of available grant funds. It was motioned by Alan Barrows and seconded by Doug Koehler that the treasurer's report be accepted. The motion carried unanimously.

At this point Jim Pindel passed out a spreadsheet to help explain our situation regarding grant funds. We have \$90,835.99 in undedicated grant funds, \$5000 in undedicated Racine County 2016 allocation and \$26,458.87 in non-grant funds. This gives us a total of \$122,294.86 that we can use for projects. However Jim Pindel pointed out that our operating costs yearly of about \$1000 are considerably greater than the about

\$400 we make in interest income. So we decided to keep the non-grant funds out of the project budget. Without the non-grant funds we have a total of \$90,835.99 available for projects. If we cover the additions and cost overruns of the project that are presently active we are down to \$72,590.27. If we cover all the projects that are on our radar we would be \$103,841.46 in debt. Since we cannot do this we will need to portion out the remaining funds over the projects we accept for grant funds.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said there is nothing new to report.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that there has been a lot of activity and correspondence since our last meeting. Since the last meeting we formalized a final plan. WE Energies accepted the final plan in writing. Alan has applied for the required permits and is now waiting for WE Energies to electronically sign the permit. The contact person at the WDNR has said that she is familiar with the project and will expedite it through the system. WE Energies wanted a letter of permission to go onto their property to do the actual construction. Alan said he got it extended to last till the end of the year. The Village of Mukwonago's lawyer had some concerns with the language in the permission and this has caused a delay with correspondence back and forth. The Village has not signed the permission letter and so the project is hung up, because the Village is the one who will hire the contractor. Alan said that the ball is not in his court right now and the contractor is ready to go. Dean Falkner said that he has been in contact with the contractor who has insurance that he can use to protect the Village and hopefully this will get things moving.
- c) Wood Drive Erosion Control Project – Chad Sampson said that this project is ready to go. Based on the potential loss of CRP funding, detailed in the Malchine project below, Chad requested that we increase the SEWFRC commitment to this project from the present \$6000 by \$11,000 to a total of \$17,000. Chad motioned that we increase our share of the cost of this project by \$11,000 with \$2000 of this amount coming from the Racine County 2016 allocation to our commission. The motion was seconded by Jim Pindel. The motion carried unanimously. . Chad did say that if he gets the CRP funds he would not require the added \$11,000 from the commission.
- d) Malchine Farm field Erosion Control – Chad said that about August 24 he called Kevin Malchine and told him the contractor was ready to start the next Monday. Kevin said he didn't want the contractor to destroy the corn crop in this area. Chad said that he suggested to Kevin that someone might want to corn for silage right now so the crop could be harvested. Kevin tried some other farmers and it did not work out. Kevin finally said he wants us to hold off until the corn is harvested. At that time Chad emailed Jim Ritchie and Jim Pindel asking if we could possibly get another 3 month extension on ENUM-19. Chad never received any feedback. Jim Ritchie said that we could get another, absolutely final,

extension on ENUM-19. Chad asked Kevin when he would like to see the project completed and Kevin said the second or third week in October. Kevin asked Chad to give him a couple days' notice so that he could get the corn off. Chad said there is another problem. The Conservation Reserve Program (CRP) funded through the Department of Agriculture has placed a cap on all its funding and so the portion of this project and the Wood Drive project above may have disappeared. Chad said he keeps getting call from the CRP asking if the project is completed and he doesn't know how to respond to them. Chad did tell them that the projects will be completed but are not finished right now. The CRP told Chad the funds will not be available after September 30th. In light of the possible loss of CRP funding Chad said that the total cost of the Malchine project is \$40,174.50 and presently we have funded \$15,000 of that amount. Chad said he has to request our increasing our contribution from \$15,000 to \$30,000. Chad motioned that we increase SEWFRC's by another \$15,000 with \$3000 of that amount coming from Racine County's 2016 allocation to the commission. The motion was seconded by Jim Pindel and the motion carried unanimously. Chad did say that if he gets the CRP funds he would not require the added \$15,000 from the commission. At this point Jim Ritchie said that he will send a copy of the extension of ENUM-19 to Jim Pindel next week.

- e) Waterford Impoundment ESR Project Dredging Permit: - Don Baron spoke for the WWMD saying that the project has been completely finished and thanked the commission for its support. He said that Jim Pindel gave him the check for the final payment of \$80,880 just before the meeting started. The dredging permit and the Wetlands permit are complete and in hand. The water carriage permit is close to being completed and he expects it to be resolved by the end of next week. The permit at the disposal site is still being worked on and may take a while to get done. The WWMD used the services of the University of Wisconsin – Whitewater to run a survey of the districts riparian owners to get a sense of the support or opposition to the dredging project. There will be a meeting on September 22 to discuss the results of the survey. This meeting will be held at the Town of Waterford Hall. The WWMD's annual meeting will be held on Saturday September 24 at the Waterford High School, with registration starting at 9:30 AM. Don also said that there will be a meeting among the different WWMD subcommittees to work out their priorities. The WWMD asked for help from the SEWRPC who will provide the services of Tom Slawski to run this meeting. Jeff Lang pointed out that there is a DOT meeting for all the counties of the state on that same evening and cautioned that it could interfere with the attendance. Don didn't think that this would be a problem. Chad Sampson asked how many questions were included in the survey by UW Whitewater. Don said the survey was handled by Dave Spurlock of the WWMD and that the survey was short, about 9 questions. Don also said that of the approximately 1000 surveys only about 300 responded. The results of the survey will be announced at the WWMD's annual meeting.

- f) ESR Project disposal sites environmental impact: WWMD. Don Barons addressed this topic in the last point above saying it was being worked on and would take some time to complete.
- g) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he hadn't heard anything about it. He did say that he made David Burch aware of the fact that the project had to be completed by the end of September.
- h) Graefenauer Shoreline Restoration: Alan Barrows said that the project is complete and he walked the site yesterday with the owner. There is still the work to be done on phase 3 which is the removal of some trees. The seeded vegetation is coming up nicely and a pleasant surprise is that some native vegetation like milkweed and some sages are coming up as well. Alan said that Tom Graefenauer had paid his portion of the cost of the project to the contractor. Jim Pindel added that he received a copy of the invoice for Tom Graefenauer's portion of the project marked paid in full and so sent the remainder of the cost of the project (our contribution) to the contractor EC3 in the amount of \$20,191.51.
- i) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn said that they put off the cutting of the brush because of the drought conditions. They were concerned that they might damage the oaks. Katelyn said that they will get the contractor out in the next month now that the weather has turned cooler. The excavating is almost completed. There are a couple areas they decided not to wait, so they bought about \$1000 of plugs out of Natures Classroom funds, so they can start with plants rather than seeds. They are doing another prairie restoration program on their property using funds from the CRP program. Because they are buying the seed for this project and our project from the same supplier, they are receiving a quantity discount, which will save us some money on the cost of seed on our project. Katelyn said she will have the final costs for us at the next meeting. All the rain gardens are in and depending on the date of our next meeting, possibly all the seeding will be done by then.

New Business

- a) Modification of the "Applying for a Project" tab on our website: Jim Pindel stated that he reviewed the "Applying for a Project" tab yesterday and it was exactly as we want it to be. Al Sikora added that he posted the most current version of the Cost Share Agreement that you can link to from this tab.
- b) Mukwonago Park Shoreline Restoration – Alan Barrows said that he tried to get hold of Steve Brunner a couple times this last week but was unsuccessful. So Alan said the project will probably have to be put off this next year. Jim Pindel asked if it could be put off until after July 1st of next year so that we could use funds from hopefully our next ENUM. Alan said that one of the most important elements of this project was the beach itself and he thought that the beach needed to be fixed up before the beach season starts. Dean Falkner asked if the material

cost was the major cost of the project. Alan said that the native plant sod was the major expense and it saves on plant establishment and maintenance costs. With maintenance staff being reduced spending a little more on material costs to save on staff requirements makes sense.

- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald. Rebecca made a PowerPoint presentation which included photos of the existing shoreline, which is east of the Village Hall on the east side of the river. The project consists of 100' of natural stone shoreline restoration and 200' of erosion retaining wall as well as two new public access sites. Rebecca showed the location of the site on an aerial map and photos of an existing dilapidated guard rail and an area where the shoreline is protected by concrete slabs stacked up 8' high. The timing of the project is to do the design work this fall, bid the project out in January 2017 with construction starting in spring of 2017 with completion sometime in summer. The total cost of the project of \$126,122 was broken down into \$16,122 for survey/design/permitting, \$10,000 for stone stabilization and \$100,000 for the erosion retaining wall. Rebecca finished up by showing some slides that depict the Village of Waterford as a "Leader in For River Stewardship." The slides showed the rain garden at Library Park, Whitford Park, the Village Hall Streambank Stabilization project the SEWFRC help finance back in 2008 and one of the new Canoe/Kayak Launches along the Fox River Water Trail. Tom Slawski asked if the design would consider installing some current deflectors to help reduce the strong flow running up against this shoreline. Rebecca said they would consider it and that in fact there is a large rock that somebody moved into place some time ago, which acts as a deflector protecting this shoreline. They are considering adding to this rock making it appear more natural. Jim Pindel informed Rebecca that we have changed out operating procedures and now wait until the next meeting to review the project acceptance criteria and vote on accepting a project. Jim also said that since we cannot possible fund the whole \$126,000 could Rebecca come back with some smaller portion of the project that possible we could afford. Rebecca said she will have more exact costs by our next meeting. So this project will remain on the agenda for next month.
- d) Aquatic Invasive Species detection, prevention and outreach for Waukesha County: Brad Steckart. Alan Barrows introduced Brad Steckart the newly appointed Invasive Species detection/prevention coordinator for Waukesha and Washington Counties. Brad explained the grant he is funded under. Brad is a resource that is 50% shared with each Waukesha and Washington counties. Brad said that in Waukesha County there are 88 lakes of which 14 are located within our area of jurisdiction. Some of these lakes like Rainbow Springs Lake, Lulu Lake, Phantom Lake and others eventually flow into the lower Fox River. Some of Brad's work besides locating and treating invasive species includes educating the public, putting up signage and running the clean boats/clean waters program. Brad passed out a handout in which he addressed each item in our Project Acceptance Criteria showing that he meets each and every one of them. Brad's

work is supported by annual grants or donations from a number of stakeholders. What Brad is looking for from us is a \$3000 grant that would be paid out at \$1000 per year for 3 years. Due to the fact that the other grants Brad receives are state grants we cannot support him with grant funds. So we will have to decide whether to fund his worthy cause from our non-grant funds. This decision will have to be made at our next meeting. Brad's handout also included some PowerPoint slides showing lake association training and involvement and detailed data on where he has accomplished Clean Boats/Clean Waters activities involving 2164 people and 800 boats throughout Waukesha County launches. Brad's handout concluded with a spreadsheet showing the planned budget for the next 3 years. With only one intern his 3 year cost would be \$156,000, with two interns his cost would be \$186,000 and in either case the Lakes Funding he expects is only \$150,000. Alan Barrows explained that one of the main things they intend to do in this next 3 year period is to develop a strategic plan of action for addressing different invasive species when they are discovered. Francis Stadler asked who will do the work of eliminating these invasive species when they are discovered and the answer is Brad will do the work himself or involve contractors or volunteers if need be. Dean Falkner made the comment that maybe we need to set a lower limit on our non-grant funds to make sure we have sufficient operating money. Alan Barrows pointed out that the entire Aquatic Invasive Species (AIS) Program for the State of Wisconsin is being reviewed and will probably be funded in a new way. The present scenario of searching out annual grants from different organizations is clumsy and difficult. Tom Slawski pointed out that prevention is the best means of controlling AIS and what Brad is doing is on the forefront the prevention efforts.

- e) Haynes Grade Stabilization Project: Chad Sampson. Chad made a PowerPoint presentation. The first slide showed a gully going through a woods on Carol Haynes' property. Showing an aerial view Chad pointed out that the water runs down the grade into a ditch along the road and then to a pond on the property. There are erosion issues along the ditch which runs down to the pond. Chad pointed out that the pond is a private pond and is not connected to the Fox River. So Chad questioned whether this project is fundable by us. Chad said that he made some suggestions on things the owner could do herself to alleviate some of the erosion. Chad is looking to rock line the 200' long ravine to alleviate the erosion and has received bids from contractors and the project would cost \$17,000. Chad said that prior to today he thought we were looking for projects and didn't know that we were running out of money, so he intended to ask for 90% of the \$17,000. The landowner is willing to put this project on a back burner for now and so we do not need to consider funding it.
- f) Ranke Barnyard runoff control Project: - Chad Sampson. This project is adjacent to and directly related to the previous project on the Haynes property. There is a lot of manure and animal waste coming off the barnyard running down the road ditch and eventually running into the pond on the Haynes property. Chad said that he visited the farm and talked to the lady who is in charge of the barnyard,

who said she cleans the barnyard daily. Chad said that there was just a little manure in the barnyard and it was much cleaner than many others he has seen. But eventually some of this waste makes its way down the road ditch to the neighbor's pond. What Chad is proposing is installing a 3' catch basin on the Ranke property before the runoff gets to the road ditch. Then run an 18" tile about 200' to an existing pasture where the water can run off and water the pasture vegetation. Beyond the pasture is a 40 acre farm field which will catch any of the water that flows through the pasture, fertilizing it. Chad said he does not have a firm bid on this work but would estimate it will cost in the \$11,000 range. Chad said he was thinking of requesting 90% cost share from the commission but is willing to wait and see how funds fall out on the other projects we are currently considering, like the Village of Waterford East Shore Stabilization. Chad said that the owner of the Haynes Pond had the water tested last year and its E.coli level was 20 time higher than the level that the WDNR allows for swimming beaches. She bought the pond so she and her grandchildren could go swimming and fishing in the pond and now that is not possible. Dean Falkner asked if there were any other funding options available for controlling barnyard runoff. Chad said that he thought to come to us first but now will have to look to other county funding possibilities. Jim Pindel asked if the pollution in the pond was affecting the ground water. Chad said the pond is an abandoned quarry built back in the 1920's or 1930's. The water level in the pond fluctuates quite a bit with the ground water level. However the water well on the property is fine and he has not received and complaints from neighbors.

- g) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that he already has an Adaptive Management Plan in place. He will be looking for controlling sources of pollution and erosion and will be applying for an EPA grant to federally fund some of this work. Dean said that controlling erosion is the biggest thing in regard to bringing the river into compliance.
- h) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have anything to report at this time.
- i) What is happening with the SEWFRC signs? Al Sikora showed the commission one of the large and one of the small versions of the signs. He said all the rest of the signs were in his car and wanted to know who would be the keeper of the signs. Alan Barrows volunteered to keep the signs and Al would pass them over to Alan after the meeting. Al Sikora presented Jim Pindel with a copy of the invoice for the signs in the amount of \$806.12. Jim had given Al Sikora a check to cover this cost before Al picked up the signs. So it is already paid for. Rebecca Ewald asked if she could get one of the smaller signs to put up on one of her projects. One of the small signs was given to her. Then Alan Barrows said that he had other projects that signs would be appropriate for.

- j) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Jim Pindel recounted for the commission that Tom Day of the Eagle Spring Lake Association came to one of our meetings and explained the water sampling program they had instituted some years ago. Now they wanted to expand the number of sampling sites, but for the most part the new sampling locations fell outside of our area of jurisdiction. By watching our website or whatever means Tom Day became aware of the fact that with the changes made to the state statutes we now have the ability to expand our area of jurisdiction by a majority vote of the voting commissioners. Being aware of this desire and the fact that we had not even had a meeting which included the new member commissioner, we made the decision that we would not expand in any new direction until the new commissioners were involved to see if they had any pressing issues (projects) and give them a fair chance to be involved in any decision to include other entities that might be looking to share in our grant funds. Jim Pindel then said that considering the fact that we do not have enough funds to address all the projects that are looking for funding from us in our older existing territory and some new projects must start coming up from the new expanded territory to the south, it doesn't seem practical to expand anywhere else. Dean Falkner then said that the Graef survey we had done a couple years ago outlines at least 30 erosion control projects that need funding and if we have SEWRPC do a comparable survey on the new territory to the south we could have an even greater number of worthy projects. Dean also pointed out that erosion is the greatest contributor to high phosphorus levels in the river making it non-compliant in many locations. Alan Barrows said that Tom Day would want us to annex the Town or Village of Eagle so that our area of jurisdiction covers the areas where he presently and possibly will in the future have his water quality monitoring stations. Alan said that probably the next step would be to get MoU's from the Town and Village of Eagle requesting membership in the commission. The question then becomes who initiates getting these MoU's. For our expansion to the Illinois border, Tom Slawski and Jim Pindel made presentations to the different municipalities, introducing ourselves and encouraging their participation. So the question really comes down to do we want to do this. Alan Barrows said that he will explain this process to Tom Day and the Village and Town of Eagle, so they understand the process. Jim Pindel warned that if they provide their MoU's and come to us with a lot of enthusiasm they might be discouraged by the fact that we don't have any grant funds available at this time. Al Sikora said that he felt from an organizational perspective this is not the time for expansion. Dean Falkner said that Alan should present them with all the facts that we are not in a position to do them much good right now. Dean Falkner said he would also try to get this message to these people. Tom Slawski said that the Eagle Spring Lake group is an active conservation group keeping the Mukwonago River clean, participating in Clean Boats/Clean Rivers program and would make a good partner for our commission. Tom felt that it is more than money and we should consider including them in our commission sometime in the future. Tom Slawski pointed out that the state statutes did not give us any rules to go by only the ability to expand, it doesn't even say that the expansion(s) must be contiguous. In fact Tom

questioned whether we could annex a lake management district and not even the municipalities that encompass it.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski had nothing to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that design work has begun and they have started planning out what permitting will be required for the structures along the way. This process will take months.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Rebecca Ewald said that things are going along great. Their Water Trail group has finalized the criteria for the water trail access sites along the river. They have also made a determination on how they will classify segments along the trail. In Wisconsin we are a little bit ahead of the curve probably just because Rebecca and Barbara Messick have been spending most of their leisure time paddling along different segments of the river gathering data. After paddling through Brookfield and down to the Barstow dam they decided that it might be better to wait for springtime to continue on. One of the problems they encountered was the algae bloom. Rebecca said that they are looking for help from anyone who will paddle between launches and report on the condition of the river and especially what are the conditions of the access points. She said if anyone wanted to or knew of anyone who wanted to participate they should let her know.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a) 08/15/16 Mark your calendars notice for today’s meeting
- b) 08/26/16 Email with link to article regarding Waukesha diversion from Barb Holtz
- c) 09/05/16 Forward of email from Alan Barrows with new plan for WE Energies site.
- d) 09/05/16 Forward of email from Don Baron of the WWMD concerning the Town of Waterford efforts to get state funding for the Waterford impoundment dredging and the comments by the City of Burlington regarding the effects of the Waukesha diversion.
- e) 09/07/16 Email from Dean Falkner with attached permission to go onto WE Energies property.
- f) 09/07/16 Email from SEWFRC to Senator Lazich congratulating her on her retirement and asking for identification and support from our next Champion.
- g) 09/09/16 Email with attached presentation from Rebecca Ewald for the East Shoreline Restoration project in the Village of Waterford

- e) 09/09/16 Forward of an email announcing that Outdoor Wisconsin will do a program featuring the Fox River Water Trail.
- f) 09/15/16 Email from Dean Falkner regarding expansion to the West to include Eagle Spring Lake group.

Miscellaneous Issues –

Jim Pindel said that he received an email note from Commissioner Michelle Scott stating “We had a baby girl on 8/17/16. Her name is Aubrey Cora Scott. She was born at 7 lbs. 10 oz. and 20” long. She said that we are all doing well. Congratulations to her and her family, she is the first sitting commissioner to have a baby.

Jim Pindel said he reviewed the Letters of Appointment for the sitting commissioners. Bob Bartholomew, Lee Manthey, Jim Pindel, Dean Falkner, Dave Brown, Al Sikora and Wayne Jensen have Letters of Appointment on file. Chad Sampson’s letter says it expires on 4/17/17, which should be revised to say forever or until a new commissioner is appointed. Ton Slawski’s letter says his term ends 6/15/16 which needs updating. Dan Treloar, Clement Abongwa, Alan Barrows, Doug Koehler, Barb Holtz, Katelyn Bratz, Ken Miller, Francis Stadler, John Soneberg, Jeff Lang, Jim Bergles and Andrew Lois do not have letters of appointment on file. Jeff Lang said he was told his letter was sent to Jim Pindel on several occasions, so Jim Pindel told Jeff to bring a copy to the next meeting.

Jim Pindel then asked if any of the new commissioners didn’t have a copy of our Implementation Plan and copies were given to Wayne Jensen and Dan Treloar.

When choosing the next meeting date, Alan Barrows said he could not make 10/14/16 but would get an alternate to attend.

It was motioned by Jeff Lang to close the meeting and seconded by Al Sikora to end the meeting and the motion carried unanimously.

Meeting Closed at 3:18 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, October 14, 2016 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)