

**Commission members present:**

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

**Commission members absent:**

Greg Kessler (Town of Waterford) (Chairman)  
Shelley Tessmer (Town of Waterford)

**Also present:** Dick Kosut and Bernd Kampe of the WWMD

At 1:01 PM, 9/17/10, Vice-Chairman Howard Garvens called the Commission Meeting to order. The Pledge of Allegiance was recited. Howard Garvens introduced the new commissioner Doug Koehler representing the City of Waukesha. Roll call was taken and a quorum was confirmed.

**Minutes** from the August 20, 2010 meeting were reviewed. It was motioned by Don Scott and seconded by Howard Garvens that the minutes be approved as submitted. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer's Report for August 2010 was reviewed. Jim Pindel then addressed the SEWFRC 2010 Budget Tracking document he provided to the commissioners. The Budget Tracking document showed the following deviations from the budget, \$514.82 in grant income from the owners of Schmidt and Canton Island, the fact that the Mukwonago Shoreline Stabilization Project Engineering came in \$2,939 under budget, a shortfall of \$223.55 in fourth quarter of 2009 interest, a \$638.92 shortfall in expected 2010 interest and a \$12.95 increase in the 2010 website hosting cost. The net effect is that instead of the \$12,820.42 we thought we had available at budget time for additional grant project including some non-grant funds; we now have \$15,399.75 in total available funds. Jim Pindel pointed out that in July Jamie Soneberg said that the Big Bend boat/canoe launch project was over budget and had requested that the commission pay 90% of the overage amount, which comes to \$13,270.90. Since that time we did not think we could afford paying for the overage, but now with the Mukwonago project has come in under budget, we can afford to pay 90% of the overage. Al Sikora motioned to

accept the Treasurers Report and Ron Peterson seconded the motion. The treasurer's reports were approved.

**Old Business**

- a) Schmidt & Canton's Island Demonstration Erosion Control Project (active) Shelley Tessmer was not present and had not reported anything to any of the commissioners, so no report was made.
- b) Boat/Canoe Launch in Big Bend (active) – Ron Peterson said that the project was in process, everything was going as planned and the project should be completed by November 1, 2010. There was a short discussion concerning whether to fund 90% (\$13,270.90) of the project overrun as requested in the July meeting by Jamie Soneberg. It was pointed out that this project was very much inline with the intent of the Recreational Boating Authority which has provided our ENUM-16 funding and that at previous meetings Chairman Greg Kessler and Jim Ritchie of the DNR expressed a desire to fund this overrun if possible. Al Sikora motioned that we cover 90% of the cost overrun and Alan Barrows seconded the motion. The motion carried unanimously.
- c) Grand Drive/ Buena Park Project (active) – WWMD Dick Kosut said that Chils had been selected to do the project. Work should begin in about two weeks and should be completed in another two weeks.
- d) Phantom Woods Road Channel Enhancement (active) – Barb Holtz Barb Holtz stated that if anyone wanted to see photos of the project they could go to our website where they have been posted. She also pointed out that this project is now listed among the completed projects. The project is completed and there will be continuous maintenance such as weeding from now on. Barb said that she will be working with the town of Mukwonago to provide the required documentation to close out the project. Jim Pindel said he will email Barb with all the documentation requirements.
- e) Mukwonago Shoreline Stabilization Project (active) Jim Pindel said that he had received all the required project documentation from Steve Brunner of Ruekert-Mielke. Jim signed the documentation and mailed it to Jim Ritchie of the DNR, who had confirmed receipt of the documentation. Now we are in the mode of waiting for Jim Ritchie to review this documentation and advise us when it is approved then we can make our payment to the Village of Mukwonago.
- f) Vernon Wildlife Area Streambank Stabilization Project (pending) – Jim D'Antuono said that a contractor has been selected for the project. He was unable to talk to Brian Glenzinski because Brian was in the field all week. They need to touch base with Waukesha County. The work should start shortly and will not take very long, so the project should be completed in the next few weeks.

- g) Vernon Wildlife Area Flowage Restoration Project (tabled until August) – Jim D’Antuono reported that he had not heard anything new about this project and that Brian Glenzinski was still very optimistic about getting the federal grant for this project.
- h) Kossik Stream Restoration Project (active) – Jim D’Antuono stated that Mary Kossik’s dam has failed and she is in emergency removal mode. In all likelihood she will have the dam removed in the next week and that she has abandoned her project to reroute the stream and will have to let the stream flow through the area which was her pond. The resultant streambank will require some stabilization and plantings. Mary has a grant from the DNR for the dam removal. It was somewhat unexpected that this would happen but it looks like nature made the decision for her. Jim said that there are Northern Pike just below her dam that are trying to swim upstream to fertile spawning grounds beyond her property. Jim believes that Mary will wait until next spring to see the condition of the streambank and area where the pond was located, and then approach us for help with habitat work, plantings and stabilization. Jim also said that the dam grant will pay for the stone lining that will be required for stabilization, which we had expected to pay for in our 2010 budget. It was left that the \$6075 we have budgeted for this project be left in reserve for whatever has to be done next year.
- i) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows reported that there were no changes from a project standpoint. The launch is still being used in spite of a waist deep gully.

### **New Business**

- a) Disposition of the SEWFRC Digital Camera. (for the very last time). Jim Pindel reported that his wife Mary called Mike Crivello’s regarding selling the camera back to them. She was told that the camera had no value since Minolta had gone out of the camera business. There is no service provider for Minolta cameras. They suggested that we try to sell it on Craig’s list, but it would not fetch much money. We will probably have to give it away to anyone who needs a reasonably good camera for a charity or municipality.

### **Reports and Updates**

- a) Update of SEWFRC Implementation Plan – Jeff Thornton provided a Power Point presentation which covered the status of the plan update, and overview of the survey by SEWRPC and Waukesha County, a review of the commission’s jurisdiction and possible extensions of that jurisdiction and possible funding opportunities. The presentation started with a review of the commissions Mission which includes the following:
  - Develop and implement plans to:
    - Protect and rehabilitate water quality
    - Protect and enhance recreational use
    - Increase water and boating safety

- Develop and propose to the county boards programs and projects to:
  - Construct and maintain public boating facilities
  - Maintain park and natural areas
  - Implement shoreland management measures
  - Maintain and improve locks and dredge waterways
- Create advisory committees as necessary
- Adopt rules as necessary

Then Jeff reviewed the Commissions Mandate which includes:

Plans to address

- Selective dredging of the Waterford Impoundment
- Clearance of debris jams
- Water use
- Waterford dam operations including winter drawdown
- Streambank erosion protection
- Automating Waterford dam operations
- Maintenance, protection and improvements of shorelines
- Recreational access and facilities
- Water safety and regulations.

Jeff then outlined the Commissioner's duties as follows:

- Initiate and coordinate data gathering
- Maintain liaison with federal, state and local governments and other organizations involved in water resource projects and programs
- Develop an information and education program

The overview of the Waukesha County survey included the following major issues of concern. There were three slides showing debris jams, two slides depicting tree falls, four slides showing flood debris, three slides showing streambank erosion, one slide showing invasive and non-native plant species growing along the river bank. The invasive and non-native species identified were Phragmites, purple loosestrife, Eurasian water milfoil and curly-leaf pondweed.

Jeff's presentation went on to show some of the human activities affecting the Fox River which included a slide showing a large backhoe working just behind the river bank, a slide showing a rocked water spillway into the river, a herd of cows in the river, the ditch caused by erosion at the Highway ES unofficial boat launch, a home with some river bank stabilization to either protect the house's foundations or maintain the yard near the river, a clearing with a park bench at the river's edge, and corn growing right up to the river bank not providing a buffer to prevent chemicals from entering into the river. Jeff mentioned that Alan Barrows recorded the GPS locations of the points that were photographed during this survey.

In spite of the human encroachments, Jeff said that large portions of the river retain a natural character and support numerous fish and wildlife. At this point Jeff passed out handouts of the presentation and a copy of "Managing the Water's Edge" brochure. Regarding jurisdictional issues, Jeff showed slides depicting the existing SEWFRC boundary, and extension of the boundary to include the mainstem of the Fox River, a slide depicting the addition of the upper Fox River subbasin, a slide depicting the

addition of the lower Fox River subbasin, a slide showing the addition of the Mukwonago River subbasin, a slide depicting the addition of the Muskego/Wind Lake subbasin and a slide illustrating the addition of the honey/Sugar Creek subbasin. Jeff pointed out that all of these realignments would require legislative action to amend chapter 33 provisions and that consideration would have to be given to altering the number of commissioners.

Regarding funding issues, Jeff pointed out that the commission has been historically funded through direct appropriations administered by the WDNR. He also pointed out that the legislature originally envisioned funding to come from the counties and/or local municipalities. Jeff suggested that if we were to go this route, we would need to change our fiscal year from the calendar year to one that would align itself with the county budget or grant cycle processes. Jeff enumerated seven Grants-in-aid programs we might be able to enlist as alternate funding mechanisms at lower cost share percentages than the 90-10 percentages we now offer. Jeff then went on to enumerate local government and non-government partners we could and should affiliate ourselves with.

Jeff concluded by saying that if the commission runs out of ENUM grant funds we could focus our efforts on facilitating funds from other Grant-in-aid programs and emphasizing our duty to “develop an information and education (I&E) program”. He also said that SEWRPC would continue to develop the implementation plan through the autumn of this year and further reviews will be necessary.

Randy Craig brought up the problem of farmland flooding that has occurred in the last three years. Jeff said that the ground water levels in the last three years have been saturated and that the floods were not 50 year floods but more like 250 year flood levels. So the problem is that there is no where for the rain water to go, so it results in local flooding. Jeff also pointed out that if the downstream water levels are full then there is nowhere for the water to flow down to. Developments along the river have also contributed by making impervious surfaces where the water can not sink in.

Jim Pindel said that this dissertation should make us aware of the fact that we need to identify new and/or potential projects that we can use to convince either the county, local or state governments that we require and deserve funding. Also he pointed out that the maintenance issues listed in our mandates would require an operating budget as well as a capital budget. Presently we only have a capital budget which we allocate to pay for projects. Chad Sampson pointed out that the County Executive has shown interest in spending some money on water related projects in the next year and that even though it is probably too late for the 2011 budget year we should get some projects in for the 2012 budget year. Chad also suggested that the commission approach the county board members so that we are a known commodity when our issues and requests come up. We need to become a line item on the county budget so that we or our projects are visible.

Don Scott expressed some concern with expanding the size of the commission; it seems that when a group gets too large the discussion turns to lectures to a group instead of participatory discussion. Barb Holtz suggested that instead of have one large commission for the expanded jurisdiction, we might have more regional commissions that meet monthly and then a overseeing governing commission which meets only a couple times a year to determine priorities and allocate funds accordingly.

- b) Waterford Dam Restoration – Chad Sampson Chad Sampson said that there was nothing new to report and that the draw down was still slated for sometime next summer.
- c) Mukwonago River Basin Protection Plan – SEWRPC Jeff Thornton said that the plan is complete and is available on their website SEWRPC.org. (under the tab for data and publications, then type in Mukwonago River). This will provide an electronic copy of the plan.
- d) Frame Park Creek Watershed – Jim D’Antuono said there was nothing new to report.
- e) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that there was nothing new to report at this time.
- f) SEWFRC Website – Al Sikora said there was nothing new or exciting to report.
- g) Waukesha County Farmland Preservation Plan – Barb Holtz said that they had not met again, so she had nothing to report. Randy Craig reported that the Farmland Preservation Program was started by the Secretary of Agriculture in 2005 to protect farmland. There are about 30,000 acres of farmland lost to development each year. Farmland is unfortunately the easiest land to develop. There were provisions for the Farmland Preservation Program in the last state budget and \$12,000,000 was carried over from the old program into the new program. The old program was good when it started but became obsolete. There are several preservation vehicles in the new program; one of them is the Agricultural Enterprise Areas where you could get credit for designating a portion of your farm to a ten to fifteen year period. The PACE program which Randy is involved in can purchase the development rights on a piece of property. There are also some other grant programs available. Randy said that his PACE committee just finished selecting 16 out of 36 applications to purchase their development rights at a cost of \$6,000,000. There is also cost sharing that they receive from the Farmland and Ranch Protection Program. The number one applicant they had was from a farm in Jefferson County, south of Cambridge and north of Fort Atkinson. Randy with some of his committee made a site visit to this location and they considered water and conservation issues among their criteria in choosing successful candidates. Ecological services, public benefit, agricultural capacity, quality of the land and proximity to other protected lands are also considered in the selection criteria. After some review it did not appear that any farms in Waukesha or Racine Counties were included in the program. Barb Holtz stated that the counties must develop their Farmland Preservation Plans by the end of this year and that one of the biggest stumbling blocks in Waukesha County is the requirement that to be considered for a preservation program the farm must exist in an area of at least five square miles of contiguous farmland. Tracks of farmland that large are not common in Waukesha County due to the extensive development that has occurred. A discussion ensued about

the fact that this area requirement may be reduced and Barb said she hoped that the governing body would consider that localities such a Waukesha County might be considered a mixture of farmland and developed land in which the farmland was still eligible for preservation programs. Chad Sampson said that Racine County is putting together a committee consisting of two members from the town of Waterford and two members from Burlington, one member from each town will be a board member and the other a local farmer. This committee will be responsible for forming the Farmland Preservation Plan for Racine County. Their first meeting will be in November or possibly later.

h) Waukesha West By-pass Plan – Howard Garvens One week ago Howard attended a meeting which amounted to a presentation to the Waukesha town board. The plan is still up in the air. There are three different routes they are considering. The two more westerly routes involve a lot of water issues and the easterly route along Grandview Boulevard involves displacing many residences. The planning group had another meeting at Waukesha West High School, which Howard didn't attend since he had just attended the last meeting. The planning committee is planning another meeting within the next week and must make up their mind by October 15, 2010.

#### **Correspondence –**

- a. 8/24/10 Email Broadcast of next SEWFRC meeting date & time.
- b. 8/25/10 Email Broadcast of “Conservation Tour Brochure” provided by Chad Sampson to all commissioners and concerned parties.
- c. 9/3/10 Received completed Enumeration payment paperwork from Steve Brunner of Ruckert-Mielke for Mukwonago Shoreline Stabilization Engineering Project
- d. Howard Garvens said that one additional piece of correspondence came in this morning to Jim Pindel from Greg Kessler. Our present chairman Greg Kessler advised that he is resigning his place on the commission as soon as possible. Greg is leaving the commission due to extended work responsibilities. Howard said that we need to think about who might be the new chairman and also said that he as vice-chairman is considering retiring from the town of Waukesha and the commission next April. Howard will have served with the town of Waukesha for 35 years. Howard said he is willing to continue in the vice-chairman position until we elect a new chairman. The commissioners were asked to either volunteer themselves or nominate some other commissioner who is qualified. The election of an interim chairperson will be on next months agenda and the election of the full complement of officers will be on the December agenda.

#### **Miscellaneous Issues –**

Jim Pindel said that he and his wife Mary attended the Racine / Kenosha County Conservation Tour on 9/15/2010 that was organized by Chad Sampson. The tour Documentation consisting of a summary of:

- The work done

- Before and after photo's
- Programs used for funding
- Start and finish dates
- Cost breakdown
- Life expectancy
- Maintenance

There were a total of 17 sites on the tour and we did an onsite walking inspection of 4 sites. There was always an explanation of the work done while physically viewing the present condition of the project. Some projects were completed, some in process and some just in the planning stages.

The tour ended with a presentation by Jeff Gaska a Dodge County farmer showing the financial justification for putting farmland into one of the programs. In this case some acreage into the CREP (Conservation Reserve Enhancement Program)

Jim said that this tour is highly recommended for any commissioners interested.

A motion to adjourn the meeting was made by Ron Peterson and seconded by Dean Falkner, the motion carried.

**Meeting Closed** at 2:35 PM

**NEXT OFFICIAL MEETING WILL BE Friday, October 22, 2010 at 1:00 PM.** (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Respectfully submitted by Jim & Mary Pindel