

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Robert Bartholomew (Town of Vernon)
Chad Sampson (Racine County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Shelley Tessmer (Town of Waterford)
Alan Barrows (Waukesha County)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Dean Falkner (Village of Mukwonago)
Ken Miller (Town of Waukesha)
Tom Slawski (SEWRPC)
Randy Meier (Town of Waterford)
Mary Pindel (Town of Waterford – Alternate)
Ron Peterson (Village of Big Bend)

Also present: Dan Treloar of Kenosha County, Donny Hefty of the City of Burlington, Paul Kling of the WWMD and Jeff Lang of the Town of Burlington.

At 1:02 PM, Chairperson Al Sikora called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the October 23, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for October 2015 was reviewed. In summary we started the month with \$108,646.48 in our money market account. We had a withdrawal of \$22,400 as payment to CHILS for the two STH 164 projects. We received an interest payment of \$16.12 leaving us with a final balance of \$86,242.60 at the end of October. The undedicated grant funds left in ENUM-19 amounts to \$14,482.29. Jim Pindel pointed out that we still have the \$200,000 available from the new ENUM-20. Jim Ritchie said that the cash advance of \$100,000 from ENUM-20 is being processed. The Treasurer’s report for November 2015 was then reviewed. The only changes to the money market account was a withdrawal of \$178.44 to pay for the new Digital Voice Recorder and three year insurance on the recorder and an interest income of \$14.15 resulting in a final balance of \$86,078.31. It was motioned by Shelley Tessmer that the treasurer’s reports be accepted and it was seconded by Chad Sampson. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski was not present and so no report was made.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said there was no change from what had been reported at the last meeting.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he had nothing new to report. Alan Barrows said that as he promised Francis some time ago, he visited the site and took photos of the fence and wall. Alan passed copies of the photos around for the commission to review. Alan said that he had one of the county's landscape architects working on a design to add native shrubs and grasses. Alan pointed out that the native grasses will help protect the split log fencing which would likely be damaged by string grass trimmers without the grasses. Shelley Tessmer asked when the design will be complete and Alan said probably next Monday.
- d) Wood Drive Erosion Control Project – Chad Sampson said that there are no changes in either items (d) or (e) and he had hoped that with the good weather we have been experiencing that someone would have been able to get the work done. But apparently everyone is taking advantage of the weather to get existing projects completed. Chad said he is still expecting both of these projects to get done next year. Chad also said that he had a conversation with Kevin Malchine about the farm field across the street from the two STH 164 ravine repair projects that have just been completed. Kevin didn't seem very enthusiastic about adding a grass buffer because it was too low on his list of priorities. Chad did say that Kevin tiles this field every other year and so it will not be tiled this coming year so there will be at least a one year reprieve on the problem of this silted water running down into the ravine that we just repaired. Chad also said that the WWMD has offered to lease this approximately 2 acre parcel from Kevin so it can be turned into a grass buffer. Chad said that he also talked to Kevin about a broken drainage tile just outside of this field on a home owner's property. Shelley Tessmer said that if the repair was not too expensive, the Fox River CAUSE might fund this repair. Kevin said he was not aware of the broken tile and would contact the home owner and possibly repair the tile himself. Shelley then said that if the broken tile is not addressed by the middle of January, Chad should notify her so that Fox River CAUSE could take up this project.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Waterford Impoundment ESR Project Dredging Permit: - Paul Kling reported that they are getting close to submitting the Chapter 30 dredging permit application. They are still wrestling with some farmers to get permission to cross their

properties with the pipe that will convey the silt and water to the Super Mix gravel pit site. All the other permissions from the Town and Village and some private owners have been obtained. Paul said that they still think that they are about 30 days away from submission of the permit application.

- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Alan Barrows said that he saw David but did not get any report. Doug Koehler said he hadn't heard anything and assumed that work will began again in spring.

New Business

- a) New Project Grafenauer Shoreline Restoration: Alan Barrows said that Tom and Carol Grafenauer wanted to be present for this presentation but had to attend a funeral. So Alan said he would make the proposal for project approval for them. Alan pointed out that at our October meeting he made a presentation showing that the project covers about 500 feet of shoreline and about 0.6 acres in area. Presently this area is mostly covered with buck thorn. Alan said that he put out a design and build bid request and received three bids varying from \$35,000 to \$75,000. Alan then said that the Grafenauers are requesting a 90% cost share from the commission. The cost of the project is estimated to be \$37,000 and our 90% cost share would come down to \$33,300. This bid includes the application for an individual permit if one is required by the WDNR. Also the bid includes one plan revision anticipating that the WDNR will require some changes after the plan is submitted for approval. Barb Holtz asked if maintenance was included and Alan said 10 years of maintenance was included in the bid. Alan provided copies of our Project Acceptance Criteria sheet to all the commissioners. The criteria were reviewed by the commission resulting in a score of 42 points out of a possible 55 points exceeding the required minimum of 28 points. Also this project meets the two mandatory criteria of meeting our objectives and a good likelihood of successful completion. When asked, Alan said the bidders were all native plant specialists and the low bidder was a group of arborists and botanists from Madison. It was motioned by Shelley Tessmer and seconded by Barb Holtz that we accept this project at a 90% cost share level. The motion passed unanimously. During the course of the grading process Alan mentioned that the Grafenauers will be covering the cost of the project themselves until we supply the 90% cost share when the project is completed. Jeff Lang asked why criteria number 3 received no points and seeing it contained two different concepts could it get points for just one of the two concepts. It was explained that this project neither assists in local decision making or formation of a strategy to protect the river so it received no points. It was further clarified that any number of points can be assigned for any given criteria as appropriate.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel pointed out that we reviewed the Preliminary Draft of the changes to the state statutes at our last meeting. Jim said that he incorporated the changes/corrections into an email which he sent to the staff of Senator Mary

- Lazich the following week. He said he has not heard back from them and we realize that it may take some time for them to act on it. Jim said he will follow up and see if there is anything we need to do.
- c) Review of SEWFRC Implementation Plan Figure B-3: Jim Pindel passed out copies of Appendix B of the Implementation Plan. He pointed out that this agenda item came up because of ambiguities that were noted and questions that came up in email discussions with Alan Barrows concerning when a sponsor must provide payments. Going through figure B-3 it starts out stating that it was developed to help clarify the roles and responsibilities of the landowner, the contractor and SEWFRC and further states that all parties must sign this agreement prior to any construction work. We realized that this has never been followed. The ambiguous sentence in item 9 which states “Pay the contractor(s)/supplier(s) for all services rendered, as agreed to prior to construction work”. Needs to be clarified to say pay the contractor(s)/supplier(s) for all services rendered, to the amount agreed to prior to construction plus any approved additions/overruns. After considerable discussion it was discovered that this appendix was paraphrased from the Waukesha standard work agreement from July of 2002. Chad added that it was similar in content to the Racine County work agreement. An item that was clarified during the discussion was that even though our funding is a reimbursement program for actual implementation costs, we can and do reimburse the sponsor or land owner prior to project completion as necessary to keep the burden of upfront costs off of the sponsor or land owner. Alan Barrows pointed out that some smaller projects by individual landowners have not come to fruition because the individuals involved could not afford all the upfront costs of paying for the entire project and then waiting for us to reimburse them. We all agreed that the “Cost Share Agreement” that we developed in 2011 really accomplishes clarification on what our commission expects from us and the project sponsor. Jim Ritchie said that he and the WDNR accepted our cost share agreement as adequate and suitable for this purpose. Jim Ritchie further clarified that our cost share agreement stipulates what are the conditions for us to pay grant funds to the sponsor of a project and the work agreement is at a different level between the sponsor and the contractor. We tabled this item to come up again at our next meeting to decide what has to be done in this regard.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan— Jim Pindel recounted that when Andrew Craig made his presentation to the commission, he said that we could choose any sub-watershed or area and develop a 9-Key Elements Plan for that area and then replicate it onto other adjacent areas until ultimately we cover our entire watershed. We don’t know where to start and probably should wait for someone or some location to have a need and let them champion the 9-Key Elements Plan for that area. It was decided to take this item off the agenda for now but reinstate it if and when someone wanted to develop a plan. Jim Pindel pointed out that the plan (process) looks like a ‘best business practices’ type of endeavor and would be worthwhile even though it did not result in federal grant funds.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jim Pindel pointed out that he sent around a notification that Ron Barker who was the Executive Director of the FWA is no longer with the agency. Tom Slawski mentioned that we need to re-establish relations with the FWA which might take the form of a visit to them. Tom said that this would be his project over the upcoming holiday season. Shelley Tessmer said she would volunteer to go along if a visit to the FWA was needed.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said there was a new release earlier this week by the WDNR stating that within the next 30-60 days the WDNR will release its technical review and preliminary final environmental impact statement to the Great Lakes Regional Body. Over 3600 comments were received during the initial comment period. Barb Holtz asked what portion of the comments were for or against the diversion and Jim Ritchie said he did not know. Jim Pindel asked specifically if the WDNR was recommending the diversion and Jim Ritchie said that yes they were.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Al Sikora said he did not know anything to report and Barbara Messick of the Village was not present to make a report.

SEWFRC Website – Al Sikora said that the website was up to date except for some recent photos that he received from Alan Barrows that will be put up soon. Chad Sampson said that he noticed that the names of the commissioners on the website was not current and correct. Al said he would look into it.

Correspondence –

- a. 10/26/15 Notice of date of next commission meeting.
- b. 10/30/15 Request for changes to the Preliminary Draft of the State Statutes that define our commission.
- c. 11/12/15 New Grant ENUM-20 received from Jim Ritchie.
- d. 11/18/15 Email from Tom Slawski advising us of a new Fox River Conservation group.
- e. 11/30/15 Email correspondence among Alan Barrows, Chad Sampson, Jim Ritchie and Jim Pindel concerning our Standard Operating Procedures.
- f. 12/02/15 Email from Tom Slawski advising of impending “Upper Fox River Flood Inundation Mapping Project”.
- g. 12/03/15 Email advising us that Ron Barker is no longer with the Fox Waterway Agency of Illinois.

- h. 12/09/15 Email Letter sent to fulfill our obligation for the \$10,000 we received from Racine County

Miscellaneous Issues –

Alan Barrows said that he did some research looking into signs that we could put up at completed project sites stating that we provided funding for the project. Alan passed around printed copies of possible signs which all showed our emblem or letter head in the background and stated that this project was partially funded by the SEWFRC. After some discussion it was decided that we probably want some large (12" x 18") and some smaller (8" x 10") signs, probably 25 of each. The preliminary cost estimates were \$1,050 for 50 metal signs, \$1500 for 50 reflective metal signs and lower costs for plastic signs. The overall sentiment of the group was more professional longer lasting metal signs were more appropriate. Shelley asked how long the signs would last and Alan said for a long time and that the reflective metal signs were guaranteed for 7 year. Shelley then asked where will the signs be stored and Alan said he or possibly he and Chad would store the signs. Alan said he would bring price quotes to our next meeting and Al Sikora asked for the sign specifications so he could obtain competitive prices from his local source.

It was motioned by Francis Stadler and seconded by Bob Bartholomew that the meeting be closed. The motion carried unanimously.

Meeting Closed at 2:16 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, January 29, 2015 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)