

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Howard Garvens (Town of Waukesha) (Vice-Chairman)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Don Scott (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
Randy Craig (Town of Vernon)
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:

Shelley Tessmer (Town of Waterford)
Barb Holtz (Town of Mukwonago)

Also present: Jim Ritchie of the WDNR.

At 1:07 PM, 1/28/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes from the December 7, 2010 meeting were reviewed. It was motioned by Alan Barrows and seconded by Ron Peterson that the minutes be approved as submitted. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for December 2010 was reviewed. Francis Stadler asked why the charge for publishing our notice of public hearing and proposed 2011 budget cost almost twice as much in the Racine Journal Times as it did in the Waukesha Freeman. It was pointed out that the ad printed in each newspaper was identical and that was just the difference in what the papers charge. Howard Garvens motioned to accept the Treasurers Report and Dean Falkner seconded the motion. The treasurer's report was approved.

Old Business

- a) **Phantom Woods Road Channel Enhancement (completed)** – Barb Holtz Jim Pindel stated that just prior to this meeting Jim Ritchie told him that he had processed the paperwork for this project and that we should expect a check from the DNR in the next week.

- b) Vernon Wildlife Area Streambank Stabilization Project (completed) – Jim Ritchie stated that he is working with Brian Glenzinski on processing the required forms and documentation for the reimbursement.
- c) Vernon Wildlife Area Flowage Restoration Project (active) – Brian Glenzinski was not present and no report was made.
- d) Kossik Stream Restoration Project (active) – Jim D’Antuono said that Mary was probably just waiting for spring to come. Alan Barrows said that he had talked to Mary and that she was in the process of trying to sell her property.
- e) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows said that he had been in contact with one of the Highway Operations Managers, named Peter, the intent is to get the gully fixed which is on county property. Peter supports the project and Alan is trying to get him to take over as the project manager. Alan went on to say that Peter has someone in his department who works with private land owners and he will be in contact with the person who owns the land at the end of the launch area adjacent to the river, to see if he can work out gully repair through this private land. Alan said he would work out a design to see how much stone is needed to do the gully repair and then get in touch with Jim D’Antuono to see what permits might be needed.

New Business

- a) There was no New Business on the Agenda. However Jim Pindel used this occasion to advise the commission that he is a member of the WWMD’s Eco-System Restoration (ESR) project. The intent of this project is the dredge navigational channels within the Waterford impoundment and the dredge access channels for the riparian owners to be able to get to the navigational channels. Jim also notified the commission that he was appointed by Bob Langmesser to the Fox River Flood Control committee, which is looking into the flooding problems that have been occurring to the properties just north of the iron bridge.
- b) Dean Falkner addressed the commission and wanted us to consider the concept of Effluent Trading. Various regulations have been passed, some of them with funding and it would seem possible that we could get some of these funds; if we were to show that by, for example, shoreline restoration we prevent and/or eliminate phosphates from running into the river we could qualify for these funds. Eliminating the entrance of phosphates into the river would be much more cost effective than trying to filter them out afterwards. Storm water control is another area where the prevention of contaminants might make us eligible for funding. Spending money on projects that protect the environment is better spent than on consultants and engineering studies.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton delivered a Power Point presentation outlining the scope and details of the draft copy of the Implementation Plan. Copies of the draft Implementation Plan had been US mailed to all commissioners the week before and the draft is also available on SEWRPC's website. Under the title of "Introduction and Background" Jeff pointed out that what we are charged with doing is making plans, implementing programs and projects. In so doing, form subcommittees concentrating on a particular topic and even adapt rules of various types. Possibly making recommendations to municipalities and or counties about ordinance development. There are specific issues that we are required to address like identification of areas for selective dredging, clearing channels of debris, development of water use plan, formation of and support for an operating plan for the Waterford dam including a winter drawdown, protection of streambank from erosion, maintenance of shorelines and navigable waters, provide adequate public access and implementation of water safety regulations. Under the title of "Accomplishments and Status Report", Jeff pointed out that the big projects of the Barstow impoundment restoration and the Waterford impoundment dredging have not been accomplished. Before we can implement these projects we must take care of the causes of the sedimentation of these impoundments. The only minor progress made in this regard was the Grand Drive Channel Enhancement Feasibility Study. Regarding the operating plan for the Waterford dam the only progress in that regard is the installation of a staff gauge in the Village of Big Bend which is presently under consideration. The area of streambank erosion control has been a major function of what this commission has addressed over the years. It is important to note that our work in this regard is by no means finished and new sites of concern will continue to come up. The area of shoreline stabilization is another area that the commission has addressed a lot over the past years. We have discussed some of the issues concerning storm water management, water access and water safety and even though we have accomplished a number of things in this area there is more work to be done. There is a history of several well abandonment projects which potentially protect the ground water system. The listing of our accomplishments in the implementation plan is intended to show people what we have done and why it is important to have a Fox River Commission. Concerning "Emerging Issues of Concern", Jeff pointed out that the last three years of record rainfall and record flood conditions has resulted in more tree falls and debris jams along the river. Although the debris in the river does provide habitat for fish and other inhabitants of the river, it also poses a risk to infrastructure such as the railroad bridge Jeff showed in a slide with much debris piled up against it. In the case of a new flood or storm water condition the debris could possibly cause the bridge to fail. There are still informational needs and regulatory needs that need to be addressed. During the SEWRPC's survey of the river they noted considerable shoreline erosion on the outside bends of the river. They also observed several stands of Phragmites which is something we possibly need to get a handle on. The flood

flow of the last few years has put some of the channel markers at risk, which can only be addressed by silt removal. In terms of the implementation plan there are issues that the statutes say we must consider like selective dredging and clearance of debris jams. We must support erosion control, keeping the soil on the lands surface is the first line of defense of keeping it out of our waterway and impoundments. We can continue to provide our support to the municipalities when it comes to making decisions concerning erosion control and making ordinances. We need to maintain the navigation channel; there are a number of areas that are identified on a map in the implementation plan that show areas that need dredging. Selective dredging of the waterway is something that the WWMD is currently pursuing for the Waterford impoundment. The requirement for this dredging project is in the WWMD's management plan and our implementation plan. There are still some eroding areas and stream banks that need to be stabilized. One of the things that goes along with formulating an operational plan for the Waterford dam is an understanding of the hydrology and hydraulics of the Fox River waterway. The last hydrological study done on this system was done back in the 1970's. Many things have changed in the last 40 years like the transition from farmland to residential subdivisions resulting in a major increase in impervious surfaces. The water that used to sink into the farmlands going into the ground water system now runs off as surface water resulting in quick runoff for shorter durations. Staff gauges located in Big Bend and the Town of Vernon would help quantify the flow of water down the river system. We recommend vegetative means of shoreline stabilization because it also provides habitat for organisms and fish. Other new issues of concern are the expansion of the jurisdictional boundaries of the commission and alternate means of funding the commissions work. The boundaries and make up of the commission are defined in the state statutes and any change in this regard would require state legislative action. The implementation plan lists in detail all the municipalities to the south and north that might be included in the commission if we should chose to expand our range. Regarding funding of our commission, if we do not get grant funding directly from the state legislature in the form of another ENUM, we should probably revert to the funding means prescribed in the state statutes that formed us. Namely we need to change our budget cycle to one that aligns itself with the county budget cycle rather than the calendar year. How receptive the counties would be to our request for funding is unclear, but they would be required by state law to at least consider us. One suggestion Jeff made was that the commission could administer grants aiding municipalities, river organizations and the counties in getting funding for the things that we are commissioned to do. The implementation plan includes requirements for a projects acceptance, like specific details of the project itself, a formal presentation, an identified project manager, a timeline, status reports and proper documentation. The plan also lists concepts to be considered in prioritizing projects. Regarding the implementation strategy, Jeff said that removing the debris jams would enhance the usability of the waterway, even if we could only provide a coordinating role. We want to maintain the shoreline tree falls as habitat for the fish and other organisms. We must continue to eliminate shoreline erosion so that we can commence on

dredging of navigational channels that will not immediately silt in. The staff gauges in Vernon and Big Bend need to be implemented in short order as low cost projects that will assist the Waterford dam operation control. Another concept that needs to be considered is to treat the waterway as a cascade of impoundments. Water comes down from the Barstow impoundment into the Fox River and then half way down the stream it is joined by the Mukwonago River which has two impoundments, at Eagle Springs and Lower Phantom Lake which provides opportunities to control the flow of water down the rest of the waterway. Jeff concluded by being personally supportive of the commission and the work it has done and the potential for work it can do as outlined in the implementation plan. Pointing out that we must be aware of emerging issues, Jeff brought up the fact that the City of Waukesha is considering utilization of Lake Michigan water instead of the local wells that they use today. The requirement of returning the same amount of water taken from the Great Lakes back to the Great Lakes could severely affect the water flow in the Fox River especially during low flow conditions. Chairman Al Sikora thanked Jeff and the SEWRPC for the work that went into this comprehensive approach to our plan. After some discussion it was decided to form a subcommittee to study the implementation plan in detail and the come back to the full commission with points that should be reviewed and voted upon before acceptance and approval of the entire implementation plan. The members of the subcommittee are Chad Sampson, Alan Barrows, Dean Fulkner, Don Scott, Jeff Thornton and Jim Pindel. A meeting of this subcommittee was scheduled for Tuesday 3/8/11 at 1:00 PM here at the fire station. Any other commissioners who have comment or suggestions should email Jeff Thornton with their commentary before the subcommittee meeting on 3/8/11.

- b) Waterford Dam Restoration – Chad Sampson Chad Sampson stated that the drawdown had been scheduled to start on 8/21/11 with the minimum level achieved on 9/4/11, the closing of the gates on 9/18/11 and normal water level achieved on 10/1/11. After some discussion with concerned groups and municipalities, Jeff Katz the Racine County Engineer advised Chad that they are in the process of looking at different ways to accomplish the work without a drawdown. Chad said he would try to keep the commission advised of the status of the drawdown or non-drawdown.
- c) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that at last report the FWA was operating on their normal winter operating schedule. The impoundments are drawdown waiting for the spring rush of water.
- d) SEWFRC Website – Al Sikora said that the Big Bend Boat/Canoe is still not on the website. He did receive photos from Francis Stadler and has emailed Jamie Soneberg for text and has not received any response. Ron Peterson said he would contact Jamie to see what could be done. Al said even a US mail letter providing a description would be acceptable.

f) Waukesha County Farmland Preservation Plan – Barb Holtz was not present and no report was made.

g) Waukesha West By-pass Plan – Howard Garvens said that they had a meeting last night at the Town of Waukesha with the engineering firm and the county concerning this project, in which three alternate plans for the by-pass were presented. The biggest concern was where they would go within the town of Waukesha. A decision will be made next week and there will be a public meeting on the project on 2/10/11 from 4:00 PM to 8:00 PM at Waukesha West High School. More information will be available at that time.

Correspondence –

- a. 12/10/10 Email from Mary Kossik with an attached copy of the check she received from the WDNR for the dam removal grant.
- b. 12/17/10 Email from Jeff Thornton to Jim Ritchie and Jim D’Antuono requesting exact costs for all completed projects.
- c. 12/28/10 Email from Jeff Thornton requesting a list of SEWFRC operating procedures to be included in an appendix to the new Implementation Plan.
- d. 12/29/10 Email response from Jim Pindel to Jeff Thornton listing some items that could be included as standard operating procedures. These include a sequence and requirements for applying for grant funding, the required documentation for closing out a project.
- e. 12/29/10 Email response from Jeff Thornton concerning the above and expressing a difference of opinion regarding what constitutes a quorum, 9 commissioners or 9 voting commissioners.

Miscellaneous Issues – Next Meeting Date(s) Possibly set for additional future dates.

Chad Sampson pointed out that at the last commission meeting he was requested to put together copies of the manual that Racine and Kenosha counties put together for their environmental tour last September 15th. Instead of emailing the document which would have probably been too large for many people’s firewalls, Chad brought a printout of the document and distributed them to all the commissioners present.

Jim Ritchie advised the commission that he had been promoted to the position vacated by his past supervisor Tom Blotz. Jim said he would stay with the commission until the end of June when ENUM-16 expires. At that time he expected his replacement to take over his duties with our commission.

Jim D’Antuono said that Norm Aplanalp a past president of the WWMD had sent a letter to the new Secretary of the Southeast Region of the DNR, stating his support for the Eco-System Restoration (ESR) project being worked on by the present WWMD and his looking forward to working with the DNR in the future. In that regard, Jim D’Antuono asked if anyone from the commission had talked with Scott Gunderson about the commission, our funding and our projects. Jim Pindel pointed out that Jeff Thornton

had emailed Scott Gunderson providing a copy of the draft of our implementation plan as well as looking forward to a meeting with him. It is intended that Jeff Thornton, Al Sikora and Jim Pindel meet with Scott and promote our cause and funding.

Alan Barrows notified the commission that on February 16, 2011 there will be a training session concerning fill our permits and grant applications.

Al Sikora advised the commission that he has joined the Waterford Main Street Program; he is on the committee and board. This is related to the SEWFRC by the fact that it tries to boost the recreational business of the community, which in the Villages case involved the water activities on the Fox River. The program is for technical assistance and training in the revitalization of the downtown area of communities. There have been about 20 programs completed in the state with Pewaukee being one of them. The Village of Waterford is competing with five other communities for one of the programs available.

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

Meeting Closed at 2:45 PM

**NEXT OFFICIAL MEETING WILL BE Friday, April 8, 2011
at 1:00 PM.** (Meeting Location: Big Bend-Vernon Fire Station
#3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Don Scott (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim D'Antuono (Wisconsin DNR)
Mary Pindel (Town of Waterford) (Co-Secretary/Treasurer)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Shelley Tessmer (Town of Waterford)
Howard Garvens (Town of Waukesha) (Vice-Chairman)
Doug Koehler (City of Waukesha)
Randy Craig (Town of Vernon)
Jeff Thornton (Southeastern Wisconsin Regional Planning Commission)

Also present: Jim Ritchie of the WDNR, Dick Kosut of the WWMD and Angie Van Scyoc from the Town of Waukesha.

At 1:06 PM, 1/28/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes from the January 28, 2011 meeting were reviewed. It was motioned by Chad Sampson and seconded by Francis Stadler that the minutes be approved as submitted. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for January and February 2011 was reviewed. In summary at this time we have \$2,767.10 available for grant projects and - \$170.92 in over spent funds on non-grant expenses. Don Scott motioned to accept the Treasurers Report and Alan Barrows seconded the motion. The treasurer's report was approved.

Old Business

- a) **Phantom Woods Road Channel Enhancement (completed)** – Barb Holtz Barb stated that this is the first spring since the planting and so she would have more to report to us at the next meeting after she has a chance to review the condition of the site. And so Barb requested that we leave this project on the agenda for at least one more meeting. Alan Barrows said that he had recently visited the site and that it appears to have survived the winter well.

- b) Vernon Wildlife Area Streambank Stabilization Project (completed) - Brian Glenzinski was present and said that he had completed the paperwork on the project, which he turned over to the commission. Brian said that they had put the project out for bids and all the bids came in way over budget, probably because of the logistics of getting the equipment out on site through a wetland. So he completed the project utilizing DNR staff and equipment, charging rental fees for equipment and labor to the project. As such the project was still over budget and the commission is still responsible for the \$5,800 we committed to the project. Brian said that the Friends of the Vernon Marsh would appreciate any help we could provide to offset the cost overrun of the project. All the uncommitted money we have would not cover the whole overrun. This brings up the point that by the end of June we need to spend the small amount of money we have left on some worth while endeavor. Brian also said that the rock spillway at the bottom of the streambank is stable and how the planting takes shape is still to be determined. It did vegetate quite well last fall with just their temporary seeding. Brian will take pictures as the plant life proceeds and provide them to us.
- c) Vernon Wildlife Area Flowage Restoration Project (active) –Brian Glenzinski said that the Vernon project was bundled in with the Rainbow Springs property when he put in for the federal grant. This has complicated issues because of the golf course on the Rainbow Springs property. Some people want the golf course to be maintained and others including the DNR want the land to be turned back into its natural (pre-golf course) condition. If the federal government allows the golf course acreage to be replaced with other acreage or the course is restored to original condition then all the funds in the grant can be used. There is \$95,000 of Wisconsin Duck Stamp money and our \$20,000 of SEWFRC money committed to the Vernon project. The design of the project, being paid for by Ducks Unlimited, is nearing completion and a small section of the project which is a rock spillway will be carved out so that they can use our \$20,000 before ENUM-16 runs out at the end of June. Barb Holtz noted that the county board and Town of Mukwonago planning commission have voted unanimously to support restoration of the golf course back to its original natural condition. Alan Barrows asked if any county permits would be required and Brian said that as soon as he has the completed design from Ducks Unlimited he will approach the county on the issue of required permits.
- d) Kossik Stream Restoration Project (active) – Jim D’Antuono said that he has not talked to Mary Kossik recently and asked Alan Barrows if Mary was selling her property and Alan wasn’t sure but said there was not a for sale sign on her land. Alan also said he passed by there recently and observed a lot of spring runoff coming down the hill and passing under Edgewood Road. Jim D’Antuono suggested that we send a communication to Mary Kossik advising her that our funding runs out at the end of June and so anything she want to do with the money we budgeted for her needs to be spent by that time. Jim Pindel will take care of this communication.

- e) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows said that he had no changes regarding this potential project. However he pointed out that it would require about \$600 worth of stone to fill the gully where the soil presently runs out into the Fox River. Alan thought that this small project might fit well within the small amount of funds we have available. Alan said that he had talked to the Public Works Department and they would get their land agent folks to contact the owner of the lower portion of the gully to get permission to install the rock. Barb Holtz asked what kind of stone would be used. And when Alan said it would probably be 8-10” limestone, Jim D’Antuono stated that white rock was not the preference of the DNR because people object to the unnatural white rock formations. Alan was asked to investigate other possible aesthetically softer erosion control possibilities (even field stone instead of lime stone) and bring that information and costs to our next meeting so we can bring it to a vote as a small new project to be completed before ENUM-16 runs out.

New Business

- a) The main issue under New Business was a review of the items listed under “emerging issues of concern” in the new implementation plan. The full commission present was asked to comment on or object to any topic that they did not feel that the commission would or could address during the next 10 years under our new implementation plan.

The first group of issues concerned our consistency with other regional level plans regarding water quality, water supply, natural areas and critical species habitat protection / management plans. Regarding water quality management plans the commission was asked if it would support the management plans for Pewaukee Lake, the Waterford impoundment, Eagle Spring Lake and the Phantom Lakes. After brief discussion it was agreed to support these plans.

Regarding the regional water supply plan the commission agreed to discuss and later in the meeting consider a Position Statement or Letter to be sent to the city of Waukesha concerning the diversion of water from the Fox River because of the possibility of Waukesha using Lake Michigan water which it must return to the Great Lakes. The commission also agreed to support efforts to increase awareness and aid in eradication of nonnative and invasive species.

The commission agreed to continue its relationship/partnership with other governmental units including the WWMD, Town of Waterford Sanitary District, Racine County Farm Drainage District and the IL Fox Waterway Agency.

The commission agreed that there was interest in expanding the commission’s boundaries south to the Illinois border specifically because it might lead to additional income to support environmental/recreational projects from federal grants and programs. It was understood that the downside of this expansion was the work required to get legislative changes to the statutes that define our makeup

and operation and well as getting the cooperation of the involved municipalities to participate in our work.

Under the topic of standard operating practices the idea of limiting prepayments or early payments to municipalities or others administering a project it was proposed that we limit these prepayments to 50% of the project cost. A motion to this effect was made by Dean Falkner and seconded by Barb Holtz. The motion passed unanimously.

On the topic of expanding the commissions jurisdiction south to the Illinois border a vote was called for to settle this issue. After some discussion and in light of the legislative work and man hours required by the commission, it was decided to ask a representative from Kenosha County to attend next month's meeting to see how receptive the County itself and the communities in Kenosha County would be to our mission and goals. Especially we would be interested in seeing if their municipalities would be willing to participate on our commission. Chad Sampson said he would advise Jim Pindel of the name and contact information for a representative from Kenosha County to invite to our next meeting.

The question came up as to whether we should send a "Position Statement" to the city of Waukesha regarding our stance on diverting the discharge from their water purification plant to Lake Michigan instead of the Fox River. It was generally agreed that we were more concerned that the volume of water discharged into the Fox River was not changed than whether some or all of their discharge was redirected to Lake Michigan. In the end it was decided that Jim Pindel would formulate a position statement, distribute it before our May meeting, so that we could review it and decide what if anything to send to the city of Waukesha. Angie Van Scyoc of the Town of Waukesha asked whether the commission would take a position concerning the City of Waukesha's shallow aquifer wells near the Vernon Marsh with regard to the well's potential impact to resident's drinking water wells. Alan Barrows pointed out that our concerns as a commission and as put forth in our implementation plan have mostly been the recreation, navigation and enjoyment concerns for the river. Thus the reduction of base flow from the City of Waukesha's wastewater treatment plant is well within the charge of the commission; specifically with regard to the plans for when/how the return to Lake Michigan is structured. As far as the impact of City shallow wells on residential drinking water wells this seems to be outside of the expertise and jurisdiction of the commission.

Considering that a decision has to be made on whether the commission should submit a budget request to Waukesha and Racine counties, it was decided that Jim Pindel would prepare a 2012 budget before our May meeting with projects segmented along county lines. After any required adjustments this budget would be submitted to the counties and the appropriate commissioners would present our proposal.

Jim Pindel made the following motion that we add language to the FRC Implementation Plan. In parallel to the funding mechanism currently described in the

implementation plan, which amounts to requesting funding from Waukesha and Racine counties on an annual basis to coincide with their annual budget cycle, we also list a letter of request for funding in the Wisconsin state budget. This letter would be sent to the appropriate legislators on a biannual basis, to coincide with the state of Wisconsin's budget cycle. The motion was seconded by Dean Falkner and was passed unanimously.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton was not present and this topic had already been discussed in detail.
- b) Waterford Dam Restoration – Chad Sampson Chad Sampson said he had nothing new to report.
- c) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton was not present and so no report was made.
- d) SEWFRC Website – Al Sikora said that everything that has been handed to him is up on the website including a link (to SEWRPC.org) to our preliminary version of the Implementation Plan. Al said that he has photos of the Big Bend boat/canoe launch but still needs text. This is the only open issue concerning the website.
- f) Waukesha County Farmland Preservation Plan – Barb Holtz said that the Budget Repair Bill eliminates all funding for this program. Alan Barrows said that the county has submitted its Farmland Preservation Plan to the Department of Agriculture. The Department of Agriculture reviewed it and sent them comments. The Plan went through a revision and was resubmitted he believed yesterday and so the process is underway. Alan said that Barb was right in that some funding like the PACE program and the conversion fee was eliminated by the Budget Repair Bill. The conversion fee was a charge for converting from preservation zoning to something else to help fund the program. There are some challenges but the county is trying to preserve some areas for agricultural purposes.
- g) Waukesha West By-pass Plan – Howard Garvens was not present. Angie Van Scyoc asked what the commission's interest is in the by-pass issue. Al Sikora told her it was generally the wetlands issue. Angie asked if the commission had issued a position statement on this issue and Al told her we had not. Angie said right now is the time. Jim D'Antuono said that the county DOT has the lead on the project and that it has come down to two alternative routes and will be spending the rest of this year preparing an environmental impact statement to document the environmental issues associated with the project alternatives. The statement will include the impact on the wetlands and streams in the area. Alan Barrows stated that one of the alternatives has shifted its route more south and west to infringe less on the environmental corridor making it possibly more agreeable to the DNR. Angie Van

Scyoc said that in any case the project would affect areas that had never been affected before.

Correspondence –

- a. 2/12/2011 Email from Jim Pindel to Scott Gunderson requesting a meeting to discuss the condition and future of the Fox River Commission especially with regard to funding.
- b. 2/28/2011 US Mail from Jim Pindel to Scott Gunderson with same contents as the email above.
- c. 3/1/2011 through 3/3/2011 Emails from Dean Falkner and Jeff Thornton concerning the possibility of utilizing “effluent trading” funding to fund commission projects. Dean stated that with the recent action concerning phosphorous removal and storm water limits there will not be as much trading. Jim D’Antuono said that the changes regarding phosphorous removal would put Wisconsin in line with other states requirements.
- d. 3/7/2011 Email from Jeff Thornton advising he made a presentation regarding our Implementation plan to the IL Fox Waterway Agency. Attached was a letter from Ingrid Danler of the IL Fox Waterway Agency encouraging us to move forward with the plan. Al Sikora pointed out that there is a link on our website to Jeff Thornton’s Power Point presentation.
- e. 4/01/11 Letter and email to Senator Mary Lasich requesting grant funding for the commission in the upcoming state budget.

Miscellaneous Issues –

Barb Holtz asked that the commission produce a Position Statement concerning the Rainbow Springs Golf course. The position of the commission would be to support restoring the golf course land to its original natural condition. It was decided that Barb should generate the statement and send it to Al Sikora for approval and upon approval forward it to the appropriate people.

Angie Van Scyoc stated that Howard Garvens will be honored at an Annual Meeting next Tuesday night and that it would be appropriate for the commission to send a letter to the Town of Waukesha Clerk expressing our gratitude for Howard’s work on the commission. This service to the community will be mentioned along with Howard’s other contributions.

A motion to adjourn the meeting was made by Don Scott and seconded by Alan Barrows, the motion carried.

Meeting Closed at 2:30 PM

**NEXT OFFICIAL MEETING WILL BE Friday, May 13, 2011
at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station
#3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)**

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Chad Sampson (Racine County)
Don Scott (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
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:

Shelley Tessmer (Town of Waterford)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)
Randy Craig (Town of Vernon)

Also present: Jim Ritchie of the WDNR, Dick Kosut, Gary Schultz and Don Barron of the WWMD, Mary Kossik and also Dan Treloar and John Roth of Kenosha County Planning & Development.

At 1:06 PM, 1/28/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the April 8, 2011 meeting were reviewed. It was motioned by Chad Sampson and seconded by Francis Stadler that the minutes be approved as submitted. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for March and April 2011 was reviewed. In summary at this time we have \$2,767.10 available for grant projects and -\$126.56 in over spent funds on non-grant expenses. Don Scott asked what happens at the end of the day when we do not have the \$126.56, do we owe it to someone. Jim Pindel stated that he thought that when ENUM-16 expires at the end of June all accounts go to zero including what is left of the \$2,767.10 and whatever exists positively or negatively in the non-grant funds. We were sort of caught between a rock and a hard place because we are required by statute to incur the expense of publishing the annual budget and notice of public hearing. Jim Ritchie said that when they close out the grant they can attach some documentation explaining that the funds were spent to comply with statutory requirements of the commission. Don Scott motioned to accept the Treasurers Report and Francis Stadler seconded the motion. The treasurer's report was approved.

Old Business

- a) Phantom Woods Road Channel Enhancement (completed) – Barb Holtz Barb Holtz was not present, but because she indicated at the last meeting that she wanted to make a final report on this project after the plants had a chance to come up, we left this project on the agenda.
- b) Vernon Wildlife Area Streambank Stabilization Project (completed) - Brian Glenzinski was not present and Jim Ritchie stated that he had approved Brian's grant application paperwork and that a check was in process for the commission. So we need to send a check to the Friends of Vernon Marsh for the \$5800. This project can now be removed from future agendas.
- c) Vernon Wildlife Area Flowage Restoration Project (active) – Brian Glenzinski was not present and Jim D'Antuono was asked if Brian was aware of the fact that he needed to spend the \$20,000 we budgeted for this project by the end of June. Jim D'Antuono assured us that Brian was aware of this requirement.
- d) Kossik Stream Restoration Project (active) – Mary Kossik was present and reported that the project was completed and that she had sent documentation to Jim D'Antuono and Jim Pindel. Looking at the documentation provided by Mary we could see that twice she paid for rock and three times she paid for seed or seeding. Her total project cost was \$55,486.52 and the DNR paid her \$50,000 through a dam removal grant. We asked Mary if the rock and seed/seeding cost at least \$5,486.52 and she said that it did. We had budgeted \$6075.00 for rock and seed/seeding. In view of the above Ron Peterson motioned and Don Scott seconded the motion that we reimburse Mary the \$5,486.52 that was not covered by the dam removal grant. The motion carried unanimously. A check for that amount was issued to Mary during the meeting. Mary thanked the commission for its support of her project.
- e) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows was not present but during the Treasurer's Report it was discussed that Alan was supposed to bring costs to this meeting for an erosion control measure at the present launch site in the range of about \$600. With Alan not present and our desire to utilize some of the \$2,767.10 of grant funds available in ENUM-16 for a worthy cause, Jeff Thornton made a motion to give the Secretary the authority to commit available funds on the erosion control measure at the boat launch after communication with Alan Barrows. The motion was seconded by Francis Stadler and carried unanimously.

New Business

- a) The first order of business was the nomination and election of a Vice-Chairperson for the commission. Jim Pindel nominated Don Scott for the position; he accepted the nomination and was elected by unanimous vote. Jim Pindel asked

why it can't be added to our Standard Operating Procedures that when both the Chairperson and Vice-Chairperson are absent that the Secretary/Treasurer can't run the meeting. The consensus was that this would be okay.

- b) The second point of New Business was consideration of expansion of our jurisdiction south to the Illinois border. This is the reason Dan Treloar and John Roth of Kenosha County Planning and Development were invited to the meeting. Jim Pindel explained to them that as part of our discussions in evolving our new Implementation Plan concerned expanding our jurisdiction north to the source of the Fox River and south to the Illinois border. The consensus of the commission was that it made sense to expand south to the Illinois border to be contiguous with the Fox Waterways Agency of Illinois (FWA). The hope being that by butting up to them across state lines we might be able to apply for federal funding for major projects. Because the commission is a statutory commission, if we want to expand our jurisdiction we will need legislative action to change the Wisconsin statutes, which could take a lot of work and time. So we were checking for interest from Kenosha County before we started this endeavor. Jeff Thornton pointed out that the commission's jurisdiction runs from the north side of Waukesha to just south of the dam in Waterford. The Wisconsin statutes state that our makeup is a group of Municipalities along the river and the two counties, Waukesha and Racine, which encompass them. We could either add the counties and municipalities or to delegate the authority to this commission to add municipalities upon request to our jurisdiction. In either case this would require legislative action. Jeff pointed out that a list of the projects we have accomplished as well as a list of our initiatives and concerns can be found in the draft copy of the new Implementation Plan available on SEWRPC's website. When asked we told the Kenosha representatives that our grant funding has come through the Recreational Boating Authority (RBA). Summarizing our objectives, Jeff pointed out that we are concerned with dredging (although to this point no dredging has been accomplished), channel clearance, Waterford dam operations, streambank erosion protection, maintenance of shorelines, boating access and water safety regulations. Jeff pointed out that the primary funding for the commission was envisioned to be requests from the commission to the counties run through the normal county budget process. To date we have not requested funding from counties or municipalities. Jeff pointed this out so that our visitors would be aware of possible funding requests to Kenosha County if they become part of the commission. Francis Stadler asked if the FWA received any federal money and Jeff Thornton said that he believed that they were set up similar to us receiving money from the Illinois state legislature. Considering the fact that there are some Corps of Engineers dams along their stretch of the river it is possible that they might get some federal assistance. Dick Kosut pointed out that the FWA is able to access a \$60.00 user fee per boat and Don Baron pointed out that they charge a launching fee as well. In Wisconsin this is not allowed by the state constitution. When asked, Dan Treloar said that he had multiple projects that would fall within the scope of work we do. In the end it was left to Dan and John

- to consider if they want to be involved with the commission and then to contact us with their decision.
- c) The third item under new business was consideration of a “Position Statement” regarding the diversion of City of Waukesha’s water treatment plant treated wastewater away from the Fox River. Two versions of the position statement or resolution were distributed to the commission before the meeting for their review. Additionally the SEWRPC provided a modification or rewrite to the resolution, the more formal document, which had to be considered. Regarding whether we should send a more informal position statement or a more formal resolution, Chad Sampson said that in Racine County affairs a letter type statement is appropriate if it is being sent for example to a committee but the formal resolution type document is appropriate if it is to be considered by the county board. After some discussion it was decided that the less formal position statement written by Jim Pindel should be revised into a cover letter and reference the resolution as modified by SEWRPC. Jim D’Antuono stated that this was a very politically charged issue and he requested that the secretary produce the cover letter modified from the position statement and the revised resolution and email them to him. Jim D’Antuono would in turn forward these documents to Eric Evisburger who is the lead person in the WDNR regarding permitting this project. Because the WDNR is a member (ex-officio member) of this commission, and the fact that the position statement/resolution opposes the diversion, people could conclude that the WDNR is therefore opposed to the diversion. Jim D’Antuono felt it would be appropriate to get feedback from Eric Evisburger before we sent the documents to the City of Waukesha Water Utility, the Mayor and the WDNR.
- d) This last item of new business is the review of the 2012 SEWFRC budget to be submitted to Racine and Waukesha counties for consideration in their annual county budgets. Jim Pindel explained that the header on the budget was an attempt to explain to the counties why we were making this submission. According to Section 33.54 of the Wisconsin Statutes Racine and Waukesha counties “may appropriate money to the commission”. The budget itself was a rewrite of the 2011 modified by segregating Racine County projects from Waukesha County projects. Additionally the 2012 budget included a line item for the Highway ES boat launch erosion control measure and will be further modified to indicate that the Kossik Stream Restoration Project came in under budget. The budget also listed the non-funded grant projects individually for each county. A motion was made by Al Sikora and was seconded by Ron Peterson to accept the budget. Chad Sampson made a point of the fact that the budget had to be in by early June to be considered for Racine County’s 2012 budget. It was assumed that the same timetable applies to Waukesha County. For the record it should be noted that the SEWRPC and the WDNR did not take a position on the 2012 budget.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton said that he appreciated the comments made at our last commission meeting and the SEWRPC will continue to work on the updates to the plan. Upon completion of the updates SEWRPC will submit the finalized plan to the commission for approval.

- b) Waterford Dam Restoration – Chad Sampson Chad Sampson said that he spoke to Nathan one of the engineers in the Public Works department, who said there is a leak on the west side of the dam on the abutment next to the spillway. The leak is not especially large or small and is a few inches thick and is pouring out of the side of the dam. The county met with Tanya Meier who recommended that the dam be fixed. There will be a drawdown of the impoundment at a rate of 3 to 6 inches per day until the leak is stopped at which time a repair to the dam can be made. The drawdown will continue until no later than May 21st. The county already has a consulting firm in place to come up with a solution to fix the leak in the dam. The conservative timeline calls for all work to be accomplished before July 15th and they said that the work should complete well before then. Dick Kosut of the WWMD asked why we couldn't use 'water bags' to isolate this section of the dam in order to facilitate repair of the dam. Dick brought Gary Schultz an engineer who worked on a project to isolate a portion of the Fox River in Burlington some years back when they had a similar situation. It was also pointed out that Racine County and the WWMD sent out notices to advise people of the situation. Jim D'Antuono recapped the activities of the WDNR regarding the dam leak and said that the impoundment had drawdown approximately 5 inches in the first 48 hours and that the leak has not slowed down at all and their sense is that water is very deep there so it may take a while. The WDNR's position is to expedite the repair as quickly as possible with a solution that will be permanent and safe.

On an unrelated issue, Dick Kosut said that he heard from one of the property owners that the National Weather Service has installed sensors at the Rochester and Wind Lake dams and asked if anyone was aware of these installations and why don't we have a sensor at the Waterford dam and the Iron Bridge. No one was aware of these sensors and Jim D'Antuono made notes and indicated that he would look into this situation.

- c) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that the news out of the agency is that their executive director Ingrid Danler has resigned and will be take a position with Association of State Floodplain Managers in Madison, Wisconsin. Our new contact will be Ron Barker who is presently the Operations Manager for the FWA. Ron attended one of our meetings in the last year. Jeff also said that the FWA is still very keen on working with us and our plan to possibly be contiguous with them would probably work to both organizations benefit.

- d) SEWFRC Website – Al Sikora said that everything that has been handed to him is up on the website. Al said that he has photos of the Big Bend boat/canoe launch but still needs text. This is the only open issue concerning the website. Francis Stadler and Ron Peterson were surprised that the text was still missing and said they would pursue it.
- f) Waukesha County Farmland Preservation Plan – Barb Holtz was not present, so no report was made. Jim Pindel asked if this was a dead issue because it had been unfunded by the budget repair bill. Dan Treloar and Chad Sampson said that the farm preservation plans were still required to make available the other tax credits. The program that was unfunded was the PACE program and the conversion fees that fund that program but many of the others are still in place.
- g) Waukesha West By-pass Plan – Jim D’Antuono said that the plan was to complete the environment impact study by the end of the summer and that there are three alternates being considered. One alternate is dropping the project entirely and the other two are different routes; one being skirting the hillside and wetlands and put up the new road just east of the intersection of Sunset and Highway TT and the other alternative is run down St Paul Ave and county trunk X turn left on Sunset, improve Sunset into a four lane divided road and then head south more or less along the existing highway TT. It will be 3 to 5 years before any construction would commence. The cost will be in the neighborhood of \$50,000,000 for 4.7 miles of road.

Correspondence –

- a. 4/1/2011 Letter from Jim Pindel to Senator Mary Lazich requesting grant funding for the commission through the Recreational Boating Facilities Grant Program.
- b. 4/9/2011 Letter from the commission to the Clerk of the Town of Waukesha expressing our gratitude for the work Howard Garvens has provided to the commission since at least 2003.
- c. 4/14/2011 Email from Chad Sampson listing contacts for the Village of Rochester, the Town of Burlington, the City of Burlington and Kenosha County.
- d. 4/25/2011 Jim Pindel phone call to George Melcher’s secretary requesting that he or an appointed person attends our next commission meeting.
- e. 4/25/2011 Email to Senator Mary Lazich listing our thirteen unfunded projects in support of our request for grant funding in the next Wisconsin state budget.
- f. 4/27/2011 Email attachment from Barb Holtz from the JSOnline listing the various opposing issues regarding the use of Lake Michigan water by the City of Waukesha.
- g. 5/4/2011 Email from Ingrid Danler stating that she has resigned her position with the Fox Waterway Agency of Illinois and will move to a position with the Association of State Floodplain Managers in Madison, WI.

Miscellaneous Issues –

Jeff Thornton pointed out that Jim Pindel of the commission and Dick Kosut of the WWMD had accompanied the SEWRPC staff on the Waterford impoundment where they made 360 water and silt depth measurements. They surveyed the water levels on both sides of the Iron Bridge and recorded water levels at the Waterford dam every day. SEWRPC will next be quantifying the amount of sediment materials they would recommend be removed from the impoundment. This would be considered maintenance of this area of joint jurisdiction of the SEWFRC and the WWMD.

Dick Kosut asked Jim D'Antuono if the WDNR had removed the large tree that was present at the mouth of the Fox River on the north end of Conservancy Bay. As it turns out the WDNR did not do anything in this regard and no one knows what happened to the tree.

Jim Pindel noted that now that Howard Garvens has retired from the commission and no one was present from the Town of Waukesha, he will contact the Town and request someone be appointed to the commission. Don Scott added that the Town of Vernon now has a new Town Chairman and that he has notified him that there has been an open slot for the town on our commission for years. Don followed this up with an email to the Town Clerk and intends to attend the next town board meeting to bring it up personally. So we are hopeful of a new commissioner from the Town of Vernon.

A motion to adjourn the meeting was made by Al Sikora and seconded by Don Scott, the motion carried.

Meeting Closed at 2:28 PM

**NEXT OFFICIAL MEETING WILL BE Friday, June 10, 2011
at 1:00 PM.** (Meeting Location: Big Bend-Vernon Fire Station
#3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

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)
Dean Falkner (Village of Mukwonago)
Randy Craig (Town of Vernon)
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:

Al Sikora (Village of Waterford) (Chairman)
Shelley Tessmer (Town of Waterford)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)

Also present: Jim Ritchie of the WDNR, Dick Kosut and Don Barron of the WWMD, and Mark Mittag Project Manager for Water Business Group representing the City of Waukesha.

At 1:10 PM, 6/10/11, Secretary/Treasurer Jim Pindel called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the May 13, 2011 meeting were reviewed. Dick Kosut of the WWMD pointed out that Tanya Meyer's name was misspelled on page 5 of the report and Alan Barrows pointed out that the date of the last meeting was incorrect on page 1 of the minutes. It was motioned by Francis Stadler and seconded by Chad Sampson that the minutes be approved as corrected. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for May 2011 was reviewed. In summary at this time we have \$3,355.58 available for grant projects and -\$230.99 in over spent funds on non-grant expenses. The amount of grant funds went up because the Kossik Stream Bank restoration project came in under budget and the amount of non-grant funds went up because we paid \$119.95 for our annual website hosting expense. Alan Barrows motioned to accept the Treasurers Report and Randy Craig seconded the motion. The treasurer's report was approved.

At this time Vice-Chairman Don Scott arrived and so he took over running the meeting.

Old Business

- a) Phantom Woods Road Channel Enhancement (completed) – Barb Holtz Barb Holtz was not present, but Alan Barrows said that he could make a report because he had just stopped there this last week. The west side of the filter strip took a pretty good beating during the winter time. Snow plows must have been pushing snow into it causing some damage. There is a need for maintenance this summer. Alan said that the plan that he had permitted had a 3 year maintenance plan included. Alan said he will talk to Barb Holtz about who is responsible to do the repair work. There is some replanting that needs to be done and there is a barrier which needs to be removed and thrown out. Alan concluded by saying that 75% of the project looks really good.

- b) Vernon Wildlife Area Streambank Stabilization Project (completed) - Brian Glenzinski was not present but at the last meeting he attended he pointed out that this project came in well over budget and he would appreciate any help we could provide to the Friends of the Vernon Marsh to cover this overage. At the meeting we had not calculated the exact figures for the final payment to the Friends of the Vernon Marsh. As it turns out the total project cost was \$8,215.82. If we cover 90% of this total our share would be \$7,394.24 instead of the \$5,800 we had budgeted. We can easily afford to pay this additional amount of \$1,594.24 out of the grant funds remaining in ENUM-16. Jim Pindel motioned that we pay this additional amount and Alan Barrows seconded the motion. The motion passed unanimously.

- c) Vernon Wildlife Area Flowage Restoration Project (active) –Brian Glenzinski was not present and Jim D’Antuono was asked if Brian was aware of the fact that he needed to spend the \$20,000 we budgeted for this project by the end of June. Jim D’Antuono assured us that Brian was aware of this requirement.

- d) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows provided a “Gully Repair at CTH ES and the Fox River” document which described the project and included pictures of the site. Alan said that he had surveyed the gully and determined the location of the spilt between the County’s right of way and the private property. Alan said that he found that the portion of the gully that is on the County’s right of way had been recently fixed. The 60 feet of gully that still requires rock is entirely on private property. The volume of the gully that needs to be filled is approximately 15 cubic yards and so the figure of \$600 for rock is still good. Alan said that he talked to the operations people today and they were willing to do the work. What is still needed is a temporary access and construction easement on the private land. Alan said he has had some difficulty trying to reach the land owner but will continue to try to contact him. In the past Alan had reported that the bridge was scheduled to be redecked and now that has change to a complete destruction and replacement with a new bridge. Alan asked the question, in the case the private owner was not willing to pay the 10% cost

share of the project, would the commission be willing to accept the County's in kind service for the work done as the project owner's cost share? Jim Ritchie stated that we had accepted in kind service as payment of the cost share previously and could do so on this project. Since this project had been voted on and accepted at our last meeting no motions were necessary at this time.

New Business

- a) The first point of New Business was consideration of expansion of our jurisdiction south to the Illinois border. Jim Pindel reported that he had sent the meeting invitation and meeting documents to Dan Treloar of Kenosha County, but had no response from him. When asked, Jeff Thornton said he had not heard anything from Kenosha County. So this item will be left on the agenda for future consideration.

- b) The next item under new business was consideration of a "Position Statement" regarding the diversion of City of Waukesha's water treatment plant treated wastewater away from the Fox River. Jim Pindel commented that we had all received an email from Mike Hahn of the SEWRPC correcting the phrasing in our last meeting minutes and our two most recent agendas. The title or phrase that the "position statement/resolution opposes the diversion of wastewater" is incorrect and it should call for "active management of treated wastewater flows from the City of Waukesha", which more correctly reflects the content of the resolution. Don Scott said that he brought this issue up at the Town of Vernon meeting last week and their Chairman has been in contact with the City of Waukesha and possibly SEWRPC as well. They are very concerned about the water levels of the Fox River and believe that something must be done. Jim D'Antuono stated that he had sent our draft copy of the cover letter and resolution to Eric Ebersberger of the WDNR for review and Eric felt that we had as much right as anyone else to express our opinion on this matter. Jeff Thornton introduced Mark Mittag who is representing the City of Waukesha on this issue. Mark explained that the City of Waukesha has decided to apply for use of Lake Michigan water which has to be returned to the Great Lakes basin after use. Data and studies by the USGS, SEWRPC and many other groups have been considered regarding this issue. The City does realize that the Fox River is a valued resource to the community and everyone in this room. The City did a 'what if' simulation for the years of 2005 and 2008 two of the driest and wettest years in recent history. At the worst case the elimination of treated waste water into the Fox River from the purification plant would make a 1.8 inch drop in the water level of the river. The average change in water depth in either of those years was less than one inch. It appears that the waste water plant discharge will be channeled to Lake Michigan through Underwood Creek until a certain volume is met and then the discharge will be diverted to the Fox River. Mark said that he had read our resolution and noted our concern for the high quality fishery, inclusive of a number of endangered, threatened, and special concern species. Mark said that their analysis showed that the maximum 1.8 inch drop in depth as well as the average less than one inch

drop in water depth would not adversely affect the fish. Mark pointed out that all memos and documentation regarding this issue is public knowledge and is available on the water utilities website. Francis Stadler asked just how much water flow from Lake Michigan the City was looking for. Mark said that on average it would be twelve million gallons per day with a peak demand of about eighteen and a half million gallons per day over the next twenty years and that today it is more like nine million gallons per day. Don Scott asked over what period of time must the water returned to Lake Michigan equal the water taken. Mark said there was no specific averaging period and that there were allowances for evaporation and other variances. Randy Craig asked how much more water is coming down the Fox River now compared to years ago. Mark said that in 2005 and 2008 the flow from the Waukesha utility was about 12 to 14 cubic feet per second as a maximum and that there are other water purification plants along the Fox River which provide additional flow. Randy pointed out that he had felt that the flooding issue he has been contending with was being caused by restriction of the river flow south of his property but now he feels that the problem is caused by greater flow coming down the river. When Francis Stadler asked where the water flows would be measured, Mark said there would be a water flow meter at the outlet of the purification plant in Milwaukee on the pipe that sends the flow to Waukesha. Also there would be a flow meter at the discharge of the Waukesha waste water treatment plant measuring the return flow. Mark said that the City had applied for a permit from the WDNR for use of Lake Michigan water last year then the WDNR responded with a list of questions and required other data which the City has since responded to. If the information provided is sufficient and complete then the process will move onto public notices and hearings on the issue. Jeff Thornton said that regional water supply plan called for active management of water flows from the waste water plant with some flow diverted to the Fox River during low flow periods and that his understanding was that the City did not pursue that plan and now intends to return 100% of the discharge to Lake Michigan. Mark tried to clarify this issue by saying that water will be returned to Lake Michigan everyday until a certain limit is reached at which point water will be discharged into the Fox River. Jeff said that this scenario would be in compliance with the regional water supply plan because it discharged some flow to the Fox River. The problem is that this scenario only discharges water to the Fox River under high flow or flood conditions when the river does not need additional flow but does not provide water to the Fox River under low flow conditions when the river presently depends on the discharge from the Waukesha plant. After some discussion Francis Stadler motioned that we accept the cover letter and resolution as distributed to the commissioners, Dean Falkner seconded the motion. The result of the vote was nine voting commissioners in favor and none opposed. The two non-voting commission members Jeff Thornton of the SEWRPC and Jim D'Antuono of the WDNR expressed their support for the resolution as stated. Jim Pindel was asked to amend the cover letter to reflect the support of the non-voting commissioners of the resolution.

- c) This last item of new business is the review of the 2012 SEWFRC budget to be submitted to Racine and Waukesha counties for consideration in their annual county budgets. Jim Pindel explained that he revised the budget since the last meeting to reflect the actual amount spent on the Kossik stream bank restoration project and had forwarded it to Chad Sampson of Racine County and Alan Barrows of Waukesha County so that they would receive it in a timely manner for their budget cycles. Jim Pindel asked Alan Barrows if he had any problem with the way the budget was organized or presented and Alan said it was okay and had arrived at an appropriate time for the budget process. On a related matter, Jim Pindel stated that Jim Ritchie of the WDNR had provided him with a copy of the Wheeler Report that showed that the preliminary state budget includes \$200,000 for the SEWFRC. Of course we have to wait for the legislature to approve the budget and the Governor to sign the budget. Jim Pindel reiterated that the Implementation Plan needs to incorporate the two different possible revenue streams; one being from county appropriations and the second being from state grants. Both Alan Barrows and Chad Sampson said they would submit our budget request. Chad also added that he would ask Al Sikora and Jim Pindel to meet with the appropriate county officials to explain our budget needs.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton asked if the commission had authorized SEWRPC to wrap up the implementation plan with the list of modifications/revisions we noted in previous meeting minutes. Jeff was told that the commission had approved the plan with the additions and revisions and we were looking forward to reviewing the final plan edition. Jeff said he will move swiftly to complete the implementation plan.

Waterford Dam Restoration – Chad Sampson Chad Sampson deferred to Dick Kosut of the WWMD who stated that the repair of the dam was completed on Tuesday 6/7/2011 and that the impoundment was being refilled at a rate of not more than 3 inches per day. It should take from seven to ten days to refill the impoundment. Chad added that besides the dam repair the work like tree removal that had been scheduled for later was accomplished at this time. Dick Kosut pointed out that Racine County and the WDNR cooperated and worked very quickly to resolve the situation. The work was originally scheduled to take two to four weeks but was accomplished in two weeks and so people were very happy with the response.

Dick went on to discuss the set of pictures of the obstructions in the bend of the river. This is a project that has been before the commission for many years and had not been resolved. Under the drawdown condition the WDNR advised the WWMD that they would permit removal of logs and stumps and relocation of rocks to improve the navigability of this portion of the river. Dick is still in the process of qualifying and selecting a contractor to do the work.

Jim D'Antuono displayed from his laptop onto the Fire Stations projector an

- aerial view of the Waterford impoundment before the drawdown and then photo's taken by the WDNR's airplane showing the condition of the impoundment under the drawn down condition. The photos were taken on Thursday 6/2/2011. The photos showed the large amount of silt or mud that exists in many of the river bays. Francis Stadler asked if the property owners along the impoundment pay any fee for services and Dick Kosut responded that the 1021 riparian owners pay \$125 annually.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that now that the executive director Ingrid Danler has resigned our new contact will be Ron Barker who is presently the Operations Manager for the FWA.
- c) SEWFRC Website – Al Sikora was not present. Alan Barrows said that he had updated the map on the website, there are very few projects left in the current projects area and most have moved over to the completed projects section. Alan asked the commissioners to review the map and advise him if any locations are incorrect or he has misspelled anything. Alan pointed out that the map would be a helpful tool when discussing projects with county officials.
- f) Waukesha County Farmland Preservation Plan – Barb Holtz was not present, but Alan Barrows reported that the department of agriculture and consumer protection had sent them a four or six page review letter on the plan that had been submitted. So now it is back to the drawing board to address these issues. for now they are still working off the 1984 Farmland Preservation Plan.
- g) Waukesha West By-pass Plan – Jeff Thornton said that their had been a field trip to review the sites of the possible alternate by-passes and that Tom Slawski of the SEWRPC participated. Jim D'Antuono said that it was actually a workshop hosted by the WDNR. Francis Stadler asked if they were considering putting a bridge over the railroad tracks and Jim D'Antuono stated that they were.

Correspondence –

- a. 5/16/2011 Email to Jim D'Antuono with attached cover letter and resolution regarding City of Waukesha wastewater discharge. Jim D'Antuono forwarded the attachments with cover email to Eric Ebersberger of the WDNR.
- b. 6/16/2011 Email from Alan Barrows stating that he will address the cost of the erosion control measure along Highway ES when he returns to work on 5/23/2011
- c. 5/23/2011 Email from Jeff Thornton to Dan Treloar of Kenosha County providing further information on what the Commission does. Jeff included subchapter VI of the Wisconsin State Statutes Chapter 33.
- d. 5/23/2011 Email from Ben Heussner of the WDNR to Al Sikora requesting funds for the Mukwonago River Poster Project. Because the

work can not be accomplished before the end of June, we will have to consider this as a new project after ENUM-16 runs out.

- e. 6/3/2011 Email sent to the clerk of the Town of Waukesha requesting that they appoint a new commissioner to our commission since Howard Garvens has retired.

Miscellaneous Issues –

Jim Pindel said that he had talked to Dick Drozewski of the Town of Waterford about becoming a commissioner to replace Greg Kessler who resigned from the commission. Dick lives just north of the iron bridge in the area that has experienced flooding problems in the last few years. Jim pointed out that due to time requirements at East Troy High School Dick would not be able to attend commission meetings from some time in March to sometime in May and again from sometime in August to sometime in October. During these periods he has to get the playing fields ready for sporting events. Dick also stated that he intends to retire in about a year so this conflict would only be for the first year. Jim Pindel said he would advise Dick that the commission understands this obligation.

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

Meeting Closed at 2:40 PM

NEXT OFFICIAL MEETING WILL BE Friday, July 22, 2011 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Shelley Tessmer (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 Ritchie standing in for 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:

Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Doug Koehler (City of Waukesha)

Also present: Dick Kosut of the WWMD, and Mike Hahn of the Southeastern Wisconsin Regional Planning Commission.

At 1:02 PM, 7/22/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the June 10, 2011 meeting were reviewed. It was motioned by Alan Barrows and seconded by Dean Falkner that the minutes be approved. The minutes were approved unanimously. Later in the meeting Jeff Thornton pointed out that on page 4 Mark Mittag was referred to as Mike several times. The minutes will be corrected accordingly.

Treasurer Reports – The Treasurer's Report for June 2011 was reviewed. In summary at this time we have \$25,229.51 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 \$30,716.03 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 Francis Stadler seconded the motion. The report was approved unanimously.

Old Business

- a) **Phantom Woods Road Channel Enhancement (completed)** – Barb Holtz Barb Holtz said that she stopped at the site today to take some pictures. She went on to say that the DPW said that it would have people available after the baseball season to do weeding and planting on the site. There will have to be a decision on

- what kind of plants to plant in the area where the high water flows and tends to stay wet. Overall the project area looks good and they might look at moving around some of the biologists to help out that specific area. It was decided to keep this project on the agenda for at least another month in order to get a report after this planned work is accomplished.
- b) Vernon Wildlife Area Flowage Restoration Project (active) - Brian Glenzinski was not present but Jim Ritchie reported that he had talked to Brian and that the work we were paying for had been done during the last two weeks of June. The contractor had placed the stone that we were providing with our grant funds. Jim said that he would ask Brian for pictures that he could share with us at an upcoming meeting. Jim Pindel reported that he had signed a contract with Ducks Unlimited, who is managing this project for all concerned. There were problems with the language initially stated that we could be held liable for the entire \$5,600,000 of the project cost and later with the issue of us indemnifying DU, but DU not indemnifying us. The liability language was completely removed and a standard indemnity clause was inserted in which we both hold each other harmless.
- c) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows reported that he was not able to get this work completed by the end of June. Alan had the public works folks queued up to do the work the last week of June but then a windstorm came up and the public works people had to address tree falls and clean up and so this project got bumped back. Even though the work had not been done, the land owner is agreeable with having the work done and the public works people are willing to do the work. It was motioned by Francis Stadler and seconded by Barb Holtz and approved unanimously to provide the \$600 for this erosion control project out of the non-grant funds we have available. Alan pointed out that this project has brought to the attention of many people the need for a launch site in this area. Jim Pindel reminded the commission that Jamie Soneberg had made a point of the fact that occasionally there is an emergency, like a deer hunter needing help in Vernon Marsh, and there are no local launch points for emergency boats. So there is a need for a suitable launch in this area.

New Business

- a) The first point of New Business was consideration of expansion of our jurisdiction south to the Illinois border. Jim Pindel 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 was on vacation this week, but would contact me after their meeting. Shelley Tessmer asked why we were not contacting the local municipalities instead of the County and Jeff Thornton explained that we wanted to make sure that the County was interested before we approached the local smaller municipalities.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – Jeff Thornton said that they had made all the changes and recommendations made by the commission to the implementation plan. The plan was ready and may have already gone to print. Jeff expected to have the published report ready for our next meeting. SEWRPC was asked to post the new (final) version of the implementation plan on their website so that we can read it and confirm that all the changes and additions were properly implemented. Jeff will advise us next Monday if this is possible.
- b) Waterford Dam Restoration – Chad Sampson Chad Sampson and Dick Kosut said that there was nothing new to report the restoration was completed and it was agreed that this item can be removed from future agendas.
- c) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that he had no report this month.
- d) SEWFRC Website – Al Sikora also had nothing to report this month.
- f) Waukesha County Farmland Preservation Plan – Barb Holtz asked Alan Barrows for the status of the resubmittal of the Plan. Alan reported that the County had addressed all the items brought up by the State and that the Plan was resubmitted this week. Alan said that there were no major changes, just some language changes and clarifications. Barb pointed out that funding for this program seemed to have been in danger and now the State has at least funded the PACE program and the sixteen farms that applied for the program. There has been a one year study of the program ordered to judge its merit. Chad Sampson asked how many acres of Waukesha County are agricultural, Alan and Barb could not answer this question but did say that the Farmland Preservation Program did not limit farmlands to a specific acreage and did make it possible to create new farmland areas.
- g) Waukesha West By-pass Plan – Jeff Thornton said that their staff has been working with the County and the WDNR because the by-pass potentially impacts SEWRPC's Peeble Creek Protection Plan. There has been a lot of discussion regarding the impact on Peeble Creek of the three alternatives. Two of the alternatives generally use existing roadways and the third would make a significant impact on Peeble Creek where it enters into the Fox River. This would be a new road with new disturbances and potential run off to high quality wetlands. Jeff said that SEWRPC was encouraging use of existing travel corridors rather than virgin land to minimize the environmental impact.
- h) Report on Meeting with Racine County Executive regarding placement of SEWFRC on the County Budget. Al Sikora and Jim Pindel met with County Executive Jim Ladwig and Julie Anderson the Director of Racine County Planning

and Development to plead our case. We made them aware of the fact that by state statute we are required to “submit the proposed budget to Racine County and Waukesha County for incorporation into each county’s budget to be subject to any review procedures that apply to a county budget”. They were friendly and receptive to our information. We reviewed our budget for 2012 and they said that they have many requests for funding and would consider us along with all the other requests. There was no indication that we would receive any funding but at least we were a known commodity and we at least knew each other. Discussing briefly the WWMD’S Eco-system Restoration Project involving dredging the Waterford impoundment they said they would contact David Mack who heads up the Hazard Mitigation Program to see if funding would be available for this project. Chad Sampson said that after our meeting he had been contacted by a number of people asking what we are doing and what projects are going on. So clearly we made ourselves known. Chad also suggested that we run another bus tour where we could invite some of the proper Racine County people to show them what we have accomplished. It was also stated that others like the new State Representative David Craig could be invited to make him aware of our work and mission.

Correspondence –

- a. 6/10/2011 Email from Jamie Soneberg requesting us to copy the Village Clerk with all of our correspondence.
- b. 6/20/2011 Email from Jim Pindel to Jim Ritchie and Brian Glenzinski advising we will pay 90% of the full costs of Vernon Wildlife Area Streambank Stabilization Project to the Friends of the Vernon Marsh.
- c. 6/20/2011 Email from Jim D’Antuono advising to copy Fred Abadi and Eric Ebersberger with copies of our resolution concerning the Waukesha wastewater distribution
- d. 6/20/2011 Email from Jeff Thornton advising to copy Kenneth Yunker with the Resolution concerning the Waukesha wastewater distribution.
- e. 6/20/2011 – 6/23/2011 Emails between Brian Glenzinski, Jim Ritchie, Jim Pindel and Ducks Unlimited to resolve wording in the contract we sign for the Vernon Marsh Flowage Restoration Project
- f. 6/24/2011 US Mail and Email to Mayor Jeff Scrima, Water Utility Commission President Dan Warren, Water Utility Commission Secretary Greg Zinda, Director of Public Works Dr. Fred Abadi, SEWRPC Executive Director Kenneth R. Yunker, Wisconsin Department of Natural Resources Eric Ebersberger of our Resolution 01 -2011 and cover letter.
- g. 6/24/2011 Email from Alan Barrows concerning when work and paperwork has to be completed for the highway ES erosion control project.
- h. 6/24/2011 Email from Michael G. Hahn of SEWRPC stating that our Resolution 01-2011 is in agreement with SEWRPC’s position on this issue. But that my statement in the cover letter saying that we are in opposition “to any change from the present discharge schedule of treated

effluent into the Fox River especially during low-flow periods” does not accurately reflect the position of the SEWRPC. Mike Hahn who was present state that the cover letter was not consistent with the content of the resolution and asked that in any future communications we stay consistent with the SEWRPC plans. When Jim Pindel asked Mike if he noted in our last meeting minutes that Mark Mittag said that 100% of the discharge flow would be diverted to Underwood Creek everyday until the flow was greater than 115% of the inflow from Lake Michigan water, then the flow would be discharged into the Fox River. This would amount to only giving the Fox River discharge when it was detrimental to the Fox possibly causing flood conditions. Mike Hahn said that SEWRPC was preparing a recommendation statement to the WDNR as to what they would like the environmental impact statement to look like for the Fox River under low flow conditions.

- i. 6/22/2011 US Mail from Kenneth Yunker of SEWRPC appointing Jeff Thornton to the commission for the next two years.
- j. 7/20/2011 Email from Jamie Salentine the Clerk/Treasurer of the Town of Waukesha stating that she thought Supervisor Mike Laska had been appointed to our commission.
- k. 7/12/2011 Email from John Roth of Kenosha County stating that the county was considering membership in the commission and would contact Jim Pindel after meetings with the County Executives.

Miscellaneous Issues –

Jeff Thornton made the commission aware of the fact that there are public hearings regarding the environment impact statement for the Waukesha purification plant discharge diversion scheduled over the next few weeks. Jim Ritchie will email the dates and locations to Jim Pindel who will forward this information to the commissioners early next week.

Shelley Tessmer said that she needed to set up an appointment with Chad Sampson to evaluate the condition of the erosion control measures on Schmidt and Caton Island.

Jim Ritchie explained that the SEWFRC received a \$200,000 grant in the new State Budget; however the funds will not be available until July 1, 2012. This is due to the fact that the funding comes through water resources account which has been totally consumed for the first year of the budget biennium. The effect of this delay in funding is that we can not allow any project to expend funds before July 1, 2012. People can propose projects and we can accept them, but no funds can be expended before the grant is processed and signed.

A motion to adjourn the meeting was made by Shelley Tessmer and seconded by Francis Stadler, the motion carried.

Meeting Closed at 2:00 PM

NEXT OFFICIAL MEETING WILL BE Friday, August 26, 2011 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

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 project's 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.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Randy Meier (Town of Waterford)
Doug Koehler (City of Waukesha)
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)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Shelley Tessmer (Town of Waterford)
Mary Pindel (Town of Waterford) (Co-Secretary/Treasurer)

Also present: No visitors were present.

At 1:05 PM, 10/14/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the August 26, 2011 meeting were reviewed. It was motioned by Alan Barrows and seconded by Francis Stadler that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for August and September 2011 was reviewed. In summary at this time we have \$58,159.40 in our money market account. The reason that the account has so much money in it is because we have received the final check from the WDNR closing out ENUM-16 and the checks written to the Friends of the Vernon Marsh and Ducks Unlimited have not been cashed. 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. Ron Peterson motioned that the Treasurers Report be approved and the motion was seconded by Randy Craig. The motion carried unanimously.

Old Business

- a) Phantom Woods Road Channel Enhancement (completed) – Barb Holtz Barb Holtz provided before, during and after photos, which were passed around for all the commissioners to review. Barb went on to summarize the project for the commissioners present who were not on the commission over the last two years

while the project went from inception to completion. The road which had been constructed many years ago allowed water to rush down to the lake unimpeded causing erosion. A forty foot vegetative buffer zone was installed to minimize the erosion. Much of the work was accomplished by volunteers. The location is looking good and still needs some tender loving care now after one year. The project is completed with the final plantings and shoreline stabilization accomplished. A sign had been placed on the location advising passersby and visitors that it was an environmental erosion control project. Both Barb and Alan Barrows stated that they had experienced questions by passersby as to what was going on. It was decided to drop the project from the agenda seeing it was completely finished.

- b) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows reported that he had spoken to the Operations Supervisor who thought it would be a half day project to install the rock in the ravine eliminating the erosion into the Fox River at that location. Alan explained that the gully that had eroded out was about 60 feet long and about two to three feet wide and two to three feet deep. It is expected that the installation of the rock will still be accomplished this year.

New Business

- a) Consideration of expanding the Commission jurisdiction south to the Illinois boarder. - Jim Pindel reported that he had emailed John Roth of Kenosha County right after our last meeting asking for a status report. Jim received a response from John Roth about a month later stating that they will consider joining the commission after they complete their budget deliberations. We will wait till late in the year to again contact Kenosha County. Chad Sampson reported that they had lost four of their people in planning and development to budget cuts, so things are very serious in Kenosha County.
- b) Eco-System Restoration Project (Waterford Impoundment) – Jeff Thornton Jeff made a PowerPoint presentation demonstrating that the goals of the Waterford Waterways Management District (WWMD) and our commission are in alignment. This is an updated version of a presentation Jeff made at the WWMD's annual meeting in September. One of the slides showed all the projects that had been accomplished to prevent streambank erosion which is a key component of preparation for getting the impoundment ready for dredging. The presentation showed how the purpose of the dredging project was to establish or re-establish a navigational channel from the WDNR launch near Bridge Road down to the dam in Waterford. In addition to this main channel, access channels leading to this main channel will be provided to riparian owners from the different bays along the way. Additional dredging will be required on some bays in Tichigan Lake, Buena Lake and Waterford Lake. Slides in the presentation showed the water depth and silt depth along the main river channel, bays and lakes. The navigational channels will be generally be five feet deep and vary in width from fifty to one hundred feet wide as is reasonable for the exact situation. Jeff's presentation listed the recommended amount of silt to be removed from the

different locations along the impoundment. The total amount of silt to be removed was estimated at 383,210 cubic yards. Jeff stated that the cost estimate for dredging the impoundment range from twenty-five dollars per cubic yard (based in the costs experienced at Nagawicka Lake) to fifty dollars per cubic yard (based on the cost incurred at Lake Delavan). Jeff also pointed out that the WWMD had hired Graef Inc. as the engineering company to do the initial engineering required for them to apply for a Chapter 30 dredging permit. The discussion that ensued mainly concentrated on how long the effect of the dredging would last. Jeff indicated that it should last for at least 20 years, but it was pointed out that the impoundment was established by the dam in Waterford in 1836 and it took that long to fill the system up with the present silt load. Also it was pointed out that the amount of silt greatly increased during the flash flood of June 2008, which flushed out much of the silt to the north of the impoundment along the Fox River. It was agreed that the Eco-System Restoration Project be added to the Reports and Updates portion of the agenda for future status reports.

- c) SEWFRC Cost Share Agreement – Copies of the agreement had been emailed to all commissioners before the meeting. Jim Pindel asked if anyone had problems opening the Word 2010 document and no one indicated that it was a problem. Additional paper copies were passed out to the commission. Jim advised that Shelley Tessmer emailed advising of a simple type on line #4 of the document which was noted and corrected. Jim also noted that he received an email from Jim Ritchie advising that he felt that we should add a line to the ‘additional requirements’ stating that “for project sponsors who are unites of government, that they need to follow public bidding requirements”. He reminded us that the cost of project determines whether the project can be quoted or needs to be advertised for bids. We agreed that this line item should be added. Barb Holtz recommended that “Owners Share” be changed to Sponsors Share and that we add a line to list a description of the project. Chad Sampson said that besides requiring a copy of the WDNR permit we should ask for copies of all required permits. Jim D’Antuono added that besides asking for the Construction Contract we should also expect the Construction Plans. With this many changes to the agreement it was decided that Jim Pindel would revise the document and bring it to our next meeting for approval.

Reports and Updates

- a) Update of SEWFRC Implementation Plan – The plan is completed and copies were provided to all present by Al Sikora. Jeff Thornton said that he believed that all the changes and recommendations made by the commission had been incorporated in the document. Besides the printed version handed out the document is available on SEWRPC’s website under the publications tab.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that the agency was in its winter mode of operation with drawdowns being implemented. The commission thanked Jeff Thornton and the SEWRPC for all the work and effort that went into generating this document. Jeff reported that

the agency has not yet appointed a new director for itself.

- c) SEWFRC Website – Al Sikora also had nothing to report at this time and asked Ron Peterson and Francis Stadler if they would give his business card to the person at the Village who would provide the narrative of the project to be placed on the website.
- d) Waukesha West By-pass Plan – Jim D’Antuono, Jeff Thornton and Allan Barrows all stated that they knew that work was progressing toward a resolution of which alternative route to choose but no one knew any specifics. Jim D’Antuono said the Environmental assessment was in the works.

Correspondence –

- a. 8/26/11 Email from Jim Ritchie stating that the check for \$32,880.76 closing out ENUM-16 has been mailed.
- b. 8/29/11 Email from Jeff Thornton to Chad Sampson providing the Intergovernmental agreement between Waukesha County and the SEWFRC
- c. Email from Chad Sampson with Racine County’s cost share agreement attached.
- d. 9/07/11 Email from Jim Pindel to Brian Glenzinski and Jim Ritchie confirming where to send the checks to Ducks Unlimited and The Friends of the Vernon Marsh.
- e. 9/21/11 Email from John Roth of Kenosha County stating that once they finish their “serious budget deliberations” they will decide whether they want to join our commission.

Miscellaneous Issues –

Jim D’Antuono wanted to make Doug Koehler of the City of Waukesha aware of the fact that because the Barstow Impoundment was very weedy and littered this past summer, people from the City Parks Department had visited the WDNR wanting to revisit dredging possibilities on the impoundment. Jim also pointed out that the City of Waukesha has never applied for or obtained any grant money from our commission and that this might be an occasion where the commission could assist the City.

Al Sikora said that he had been introduced to the Racine Community Foundation which manages about \$5,000,000 that can be spent in Racine County only. Al has a copy of their grant application and it states that the recipient must be a 501 C3 organization. Al had discussed this application previously with Jim Pindel who thought we were not eligible because we are not a 501 C3 organization. Al went back to the executive director of the foundation and explained that even though we are not a 501 C3 organization we are still indeed a non-profit organization and she said it was still worthwhile for us to apply. Al intends to go ahead and make out the application for us with the foundation. Typical grants are from \$5,000 to \$20,000 per applying entity.

Barb Holtz asked if anyone knew anything about proposed changes to the Chapter 30 rules regarding navigable waterways. She had heard that the state legislature is considering altering Chapter 30 in some way. Someone said that he heard some changes were being considered to make the rules more business friendly. Jim D'Antuono said he only knew what he read in the newspaper and will be briefed sometime next week.

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

Meeting Closed at 2:30 PM

NEXT OFFICIAL MEETING WILL BE Friday, December 2, 2011 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Randy Meier (Town of Waterford)
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)
Shelley Tessmer (Town of Waterford)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Doug Koehler (City of Waukesha)
Barb Holtz (Town of Mukwonago)

Also present: Dan Treloar from Kenosha County, Jim Ritchie WDNR, Tom Slawski SEWRPC, and Paul Kling WWMD.

At 1:00 PM, 12/02/11, Chairman Al Sikora called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the October 14, 2011 meeting were reviewed. It was motioned by Alan Barrows and seconded by Randy Meier that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for October 2011 was reviewed. In summary we started with \$58,159.40 in our money market account. Checks were cashed by the Friends of the Vernon Marsh and Ducks Unlimited reducing our cash on hand by \$27,394.24. Jim Pindel passed out copies of the November 2011 Treasurer Report which only indicated the addition of the monthly interest of \$13.37 to the account. Jim Pindel also pointed out that sheet 2 of the report tracked the progress of ENUM-16 and now that ENUM-16 is officially closed and there can no longer be any activity regarding it, this section will be removed from the treasurer report. Next July when we get our next EMUM we will have a similar section tracking it. Shelley Tessmer motioned that the Treasurers Report be approved and the motion was seconded by Francis Stadler. The motion carried unanimously.

At this point we went off the Agenda because there is a requirement for annual election of Officers. Al Sikora proposed that we continue with the same set of officers that we had for 2011 namely Al Sikora for Chairman, Don Scott as Vice-chairman and Jim

Pindel for Secretary/Treasurer. Francis Stadler motioned that keep the same officers and Shelley Tessmer seconded the motion. The motion carried unanimously.

Old Business

- a) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows reported that the gully was repaired on November 4, 2011 and the work took about a half day as expected. Alan said he has been checking on the site about once a week and that the site is being used a lot for launching motor boats. There are tire tracks on the launch and the launch is holding up well to the traffic. The material that was put down has compacted. So at this point the project is complete. Don Scott asked how wide the launch is and Alan reported that it is about twelve feet wide. Alan said that he will submit an invoice to the commission along with the other required documentation in the future. We will have Alan sign the new Cost Share Agreement and place it with the project documentation. Shelley asked if Alan would provide before and after pictures and Al Sikora asked for a narrative for the website and Alan indicated that he would provide both.

New Business

- a) Consideration of expanding the Commission jurisdiction south to the Illinois boarder. - Jim Pindel reported that he had received an email from Dan Treloar of Kenosha, but since Dan was present he asked Dan to speak for himself. Dan said the he and John Roth had attended one of our meetings a few months ago and since then they have had some discussion among themselves. His office and Kenosha County are interested in joining the commission. Because of difficulties with the county budget and cutbacks the timing was bad for trying to introduce a new potential budget item. The budget crisis is over and Dan's office was reduced by four people including John Roth who took a retirement. After the first of the year Dan will visit the County Executive and see if he is still interested in joining the commission. The County Executive had initially expressed an interest in joining us. The plan seems to be if Kenosha County decides to join our commission they will provide a memorandum of understanding (MOU) to us indicating their desire to join and move forward. At that time the individual municipalities in Kenosha County as well as the two Fox River municipalities in Racine County (Burlington and Rochester) who presently are not included in the commission will have to be contacted to see what their interest is. Once we know exactly who wants in, we will have to approach the appropriate legislators to see if we can get sub Chapter 6 and Chapter 33 of the state statues amended for this expansion. Another possible problem would be deciding what the representation would be from each of the communities involved and how we would handle the larger commission size. There was some discussion on whether it would be more expeditious to have Kenosha county do a resolution instead of the MOU and it was decided that a MOU first and a resolution later, when everyone was on board, would be most appropriate.

- b) SEWFRC Cost Share Agreement – Copies of the revised agreement were passed out to all commissioners. Jim Pindel stated that all the additions and refinements that had been brought up at the last commission meeting and are outlined in the October 14th meeting minutes had been incorporated in the new document. Francis Stadler asked if the nine points listed as required from the sponsor had to be provided before the document could be signed. It was explained that this Cost Share Agreement would be signed after the sponsor makes his presentation and the commission votes on and approves the project. The nine requirements listed are required before we can make the final payment at the end of a project. Al Sikora asked for a motion and Chad Sampson motioned that we approve the document as presented and Randy Meier seconded the motion. The motion passed unanimously.
- c) Reminder to make presentations on new projects by March 2012, so that they can be approved and included in the 2012/2013 budget. Public meeting and formal approval scheduled for May 2012. Al Sikora noted that this request comes from our realignment of our budget schedule to match up with the county budget schedules starting next year. Jim Pindel added that if we know our projects in March, we can approve a new 2013 budget at our April meeting and have our public hearing in May.

Reports and Updates

- a) Eco-System Restoration Project (Waterford Impoundment) – Jim Pindel reported that there was a major meeting called for November 17, 2011 among the ESR committee, the WDNR, SEWRPC and Graef the consulting engineers hired by the WWMD and he was not able to attend that meeting. As it turns out the other possible participants at the meeting Jim D’Antuono and Jeff Thornton were also unable to attend. Jim Pindel reported that he had talked to Dick Kosut who said that the WDNR had some new higher level representatives at the meeting and that he had seen an email from Graef outlining the requirements for farm fields that might be used as disposal sites. Chad Sampson said that Dick Kosut had visited him and they looked for possible disposal sites together. Jeff Thornton said that he has since met with Graef who is in the process of refining the silt volume to be removed calculation. SEWRPC has turned over all its data to Graef and will continue to work with them. Jim Pindel also stated that Dick Kosut indicated that Craig Helker of the WDNR who will specify the exact location and number of sediment samples to be taken is very busy now and so we will have to wait for this next important step. Jim Pindel noted that if we just had a few representative location and sample numbers it would be great to get the data now when the waterway is open and accessible. Jim D’Antuono indicated that he would touch base with Craig Helker.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Thornton said that the agency focus was on the Des Plaines watershed and the Dutch Gap Canal to come up with storm water management recommendations. These watersheds do not drain into the Fox River until they are completely south of the

- Wisconsin boarder. Jeff went on to say that there is a hearing coming up on dam repairs to the dam immediately south of the Fox River chain of lakes in Illinois. This should not have any consequences to the Fox River in Wisconsin.
- c) SEWFRC Website – Al Sikora said that he had no updates on the website.

At this time Jim D'Antuono reported that the dam just south of the Waterford dam, the Rochester dam is leaking. There is a dam inspection planned for this coming Monday. There will be a drawdown to facilitate any work that needs to be done on that dam. This dam is owned by Racine County and operated by the Wind Lake/Norway/Dover dredge.

Correspondence –

10/16/11 Email from Angie Van Scyoc of the town of Waukesha requesting a meeting schedule for 2011 and 2012.

10/18/11 Email response from Jim Pindel to Angie Van Scyoc stating that we only schedule meetings ahead one meeting at a time and that our next meeting is on December 2, 2011.

Miscellaneous Issues –

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

Meeting Closed at 1:32 PM

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