

Commission members present:

Don Scott (Town of Vernon) (Vice-Chairman)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Shelley Tessmer (Town of Waterford)
Ron Peterson (Village of Big Bend)
John Marek (Town of Waukesha)

Also present: Don Baron and Dick Kosut of the WWMD, Karen Kuphall, Wayne Klopfer, Frank Godec from Hidden Lakes Subdivision and Dan Treloar of Kenosha County.

At 1:05 PM, Don Scott Vice-Chairman called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the June 27, 2014 meeting were reviewed. It was motioned by Bob Bartholomew and seconded by Francis Stadler that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for Jun and July of 2014 was reviewed. In summary we started June with \$103,325.63 in our money market account. We received interest payments of \$16.99 in June and \$17.55 in July leaving us with a final balance of \$103,360.17 at the end of July. Francis Stadler asked if some of these grant funds could be used to purchase rock riprap. Jim Pindel responded by say yes it could be used for rock riprap if someone sponsors a project to use the riprap and that person or organization applies to the commission and meets our acceptance criteria and obtains a permit from the WDNR. Francis then asked if a municipality like the Village of Big Bend could apply and was told that they could apply. It was mentioned that the WDNR prefers the use of softer erosion control methods like biologs and vegetative plantings where possible. When Francis asked if some of the locations requiring erosion control work were within the village of Big Bend, Alan Barrows said that he could provide Francis with a map which overlays the Graef GIS map with the village of Big Bend, identifying

exactly where the problem areas are. Chad Sampson asked why the \$5,000 he requested for the Wood Drive project was not listed on the report. Chad said it had been voted on and was approved. Jim Pindel said that it should and will be listed from now on. It was motioned by Randy Meier and seconded by Bob Bartholomew that the Treasurers Reports be approved. The reports were approved unanimously.

Old Business

- a) Fox River Partnership Summit – Tom Slawski notified us that at the last summit the USGS made a presentation about the Water Smart Program. Tom received a report from Chuck Dunning saying that the Fox River was one of the seven finalists for the last three spots in the US in this program. The study has been expanded to include the entire Illinois Fox River Basin. This expansion would encompass many more stakeholders giving us more leverage to win one of the final spots. The expanded water use conflict would make us more competitive with the other applicants. Tom said he didn't know who or what the other six applicants were. Tom said that we need letters of support for our project and we the SEWFRC need to provide a letter of support. Tom is working with other organizations to get additional letters and will be working to provide an outline or even a draft of what our letter should look like. The letters of support are required by 8/29/14. Tom passed out copies of the Colorado River Basin Focus-Area Study, a project that was completed on the last or maybe first go around of the Water Smart Program. The hand out included an explanation of the Water Smart Program as well as the specifics of the Colorado River Basin study. The Water Smart Program addresses both surface and ground water. It is a very comprehensive study of all the aspects of water flow and the demand for its use as well as its quality with regard to recreation, wildlife, drinking water, industrial, agricultural and commercial use, etc. The possible divergence of waste water discharge away from the Fox River would certainly be an issue of concern. Tom asked how letters go out and are approved. Jim Pindel said that in the past he emailed drafts of some letters to all commissioners asking for comment or additions. Some comments and corrections came in and the letters were adjusted accordingly and sent out without any special meeting or vote. Francis Stadler asked if the GIS study conducted by Graef would be helpful and Tom said that it should be used to show that we are already investing in the management of the river. Chad Sampson asked if identifying specific projects like dredging and some of the other projects we completed would help and Tom said that the program is more concerned with understanding and quantifying water use in the area of concern. Don Barron of the WWMD stated that their lake management document spells out many aspects of water quality and use and could be a good reference for the support letter. Tom did point out that the WWMD should send a letter of support as well. The ultimate goal is to understand all the uses and demands for the water and then how to manage these demands.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he has had recent discussions with both WE Energies and Byden Ecological Services and they are both interested in keeping this project moving forward. Right now the project is scheduled for September. There has been discussion about whether Mr. Seifert who owns 70 feet of the 400 feet involved in the project will be included. Alan said that he will discuss with Dean Falkner whether they should keep him in the project or just work around him. During the course of the deliberation, it was decided to eliminate Mr. Seifert's property from the project and add it as an option when getting the project re-quoted. Alan said that they would approach Mr. Seifert to see if they could have access through his property to do the rest of the work. Going from the other side of the project would be difficult and expensive. They would offer to repair or reestablish the property to its original condition or even better. There was a thought to try to improve the slope of the property at one point to improve it. Alan will contact all the bidders who quoted on the project and ask them to requote based on 330' instead of 400'. Alan asked if the village of Mukwonago was still interested in being the sponsor of this project and Dean Falkner said that they were. Right now the project is expected to be done in September or October of this year.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that the contractors are busy and can't get the job done. He asked that we keep this project on the agenda.

New Business

- a) Wood Drive Erosion Control Project – Chad Sampson said that he has made some progress and he had spoken and meet with Perry Bauman who is on board with this project. He had a bid from a contractor who wants \$12,000 to do this work. Chad expects \$5000 from the commission and will get the rest of the money from either the county or the residents involved. The area where the grass swale was to be installed was not planted this year. There is a bowl or basin in the subdivision next to the property and if they fix the 8" tile the water flow can be diverted underground instead of flowing on the surface. Chad has had contact with the five or six home owners who will lose access to their homes during the constructions phase which should only last a day or two. They will have to make arrangements to get to their cars and homes during this time period. Chad expects the project to be completed in September of this year. Chad said that there is another project on the adjacent Malchine property where a washout ravine runs through that property right into the Bauman farm which needs some work. His hope is that the two projects can be done together by one contractor to minimize time and expense.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had contacted the town clerk of Wheaton and is working on making a presentation. Their town board meets on every second and fourth Monday of the month. Right now it looks like we will meet with them in

late August or early September of this year.

- c) Consideration of how we operate with a larger membership base: There was no new input on this topic this meeting.
- d) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the status is the same as last month. The environmental impact statement is being prepared and he didn't have a time frame on when it will be finished. Jim hoped that he would be able to make a report at our next meeting.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing to report. He said he would make an effort to contact them.
- b) SEWFRC Website – Al Sikora was not present and so no report was made.
- c) Highway 164 Construction update: - Don Baron of the WWMD said that the WDOT had installed a check dam along highway 164 just north of the gully on Kevin Malchine's property. This is the same property that abuts the Bauman farm where the Wood drive project is going to occur. Don said he was present when they installed the check dam and asked them to plant some tall grass to slow the runoff water velocity. Don asked Chad Sampson if he would ask Kevin Malchine to plant his corn in a north-south direction which would tend to slow the flow of surface water down the hill. Don also said that he talked to the owners of the ravine near Poplar road and both of them are interested in doing the work necessary to stop the erosion that goes into Tichigan Lake. Chad said that he and Don could investigate what needs to be done and bring it to our next meeting if funding from the commission is necessary. Don ended by saying that they were getting ready to submit the permit application for the dredging for the ecosystem restoration project. The cost of the engineering for this permit application has become extensive and he probably will come to us at our next meeting looking for funding assistance for this effort.

Correspondence –

- a. 7/03/14 Email from Jim Pindel to Michelle Hase and Alan Barrows with an attachment from the Clerk of the Town of Vernon concerning a possible dam failure in the Hidden Lakes subdivision.
- b. 7/05/14 Email response to above email from Michelle Hase stating that the dam is not failing but does require some repairs and the dam may have to be replaced in the future, since it is at its designed life.
At this point a discussion occurred with the attendees from the Hidden Lakes subdivision. Jim Pindel recounted that the response from Michelle Hase was that the dam is not failing, but needs some maintenance. She said some trees had to be removed and some other maintenance work was

necessary. She also pointed out that the dam would reach its design life in 10 to 15 years at which time it would have to be replaced or eliminated. Jim Pindel said that he forwarded the response from Michelle to the clerk of the town of Vernon and all our commissioners, so that everyone would be informed. Jim Pindel went on to say that if someone became a sponsor for the work that needed to be done, they could come to the commission and apply for grant funds on a 10% cost share basis. The project would then have to meet our acceptance criteria and be voted on by the commission. An attendee from the Hidden Lakes subdivision asked if they could apply for funding to remove or replace the dam. Jim Pindel stated that this event would be 10 or 15 years down the road and so the request for funding would have to come closer to that time. The representative from Hidden Lakes said that if the present repairs cost forty to fifty thousand dollars, the people in the subdivision might opt to just remove the dam right now. At the end of the discussion the representative of Hidden Lakes said that they are really just at the exploratory stage of trying to figure out what they need to do and what the costs might be. Jim Ritchie clarified this by letting all of us know that maintenance of the dam itself would not be allowed under the RBF (recreational boating facility) grant that we presently have. However he did say that any erosion control or restoration work which would prevent erosion could be considered. When the Hidden Lakes people were asked about the size of the lakes behind the dam they responded that the lakes covered about 22 acres. If the dam should fail all this water would flow down to the Fox River and might cause a liability issue. They also said there are about 30 homes on the lakes.

- c. 7/15/14 Emails between Chad Sampson, Jim Ritchie and Jim Pindel regarding the fact that Michelle Lehner is taking over Jim D'Antuono's position in the WDNR.
- a) 7/18/14 Email from Don Baron of WWMD stating that the WDOT considers this project completed and any complaints (problems) have to be addressed by the vendors who did the work.

Miscellaneous Issues –

Alan Barrows said that the Waukesha parks division is working on the design for a streambank restoration project on the outside bank of the river at Fox River Park. This is a project that the county will be coming to the commission for funding.

Jim Pindel said that at our last meeting he had talked about the fact that we really don't know how to measure water quality. There are probably biological, chemical and suspended solids involved in the rating. At that time he asked that Jim Ritchie either find the information or provide someone from the WDNR who could explain it to us. After the meeting Tom Slawski sent an email stating the SEWRPC had some information in this regard. And so Jim Pindel asked Tom to get together with Jim Ritchie and see if between them someone could provide a simple explanation of how to measure and rate

water quality. Jim Pindel also reminded everyone that he had sent out a scanned copy of an article from the Milwaukee Journal Sentinel in which the WDNR was asking the public what aspects of water quality people are most interested in, so that they could focus their efforts on these areas of water quality over the next three year period. Alan Barrows said there is a definition of pollution in the Clean Water Act, which gets very detailed going into such things as trash temperature and many other sources. Alan said he would email that portion of the Clean Water Act to Jim Pindel who would then forward it to all the commissioners. This act defines how the federal government sees water pollution.

It was motioned by Chad Sampson and seconded by Randy Meier that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:05 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
September 26, 2014 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)