

UPPER NEMAHBIN LAKE MANAGEMENT DISTRICT BOARD MEETING MINUTES

Date: Monday, August 19, 2013
Time: 7:00 PM
Location: Mark and Joan Beres Residence
34314 N Venice Beach Rd
Oconomowoc, WI 53066

AGENDA

- I. Call to order - Chairman Jennifer Reek
- II. Confirm Notice Posting – Jennifer Reek

Roll call of Commissioners – Joan Beres

Jennifer Reek, Mike LaMont, Rudy Ibric, Joan Beres, Mike Inda, and David Cone (later)

People in Attendance: Bill Barthel, Mike Donaubaauer, Mark Beres, Jim Janizewski, Nancy Blazek Hall, Pat Mervin, Jonathon Sarver, Steve Libby, and Kent Brooks.

Special Guest Speaker: Mike Campbell

- III. Jennifer Reek gave an update on the dam removal plan from Michelle Hase ---
DNR
 - A) Issue is removal or non-removal of sill.
 - B) Jennifer had asked Mike Campbell to do a transact survey
 - C) Advised of meeting at the Roller Mill Dam on Wednesday 8/21 at 4:30 pm with Michelle Hase –DNR asked for questions to be emailed to Jennifer by early Wednesday.
 - D) Several questioned the reason from the DNR as to why they are drawing the dam/water down.
- IV. Observations and Transact Survey Results by Mike Campbell
Mike described the transom measurements and the total amount of silt sediment in the mill pond/river.
 - A) 4,000 cubic yards between dam at 0+20 and the #600 measure marker. If 6" were removed from the sill, 750 cubic yards of sediment could move downstream.
 - B) Gave suggestion such as using the Rock dump upstream of the dam. Use Rip Rap/fabric and pile rocks on top of it to stop some of the sediment from moving.

C) Dredge out at least out to 300 ft. from the dam, this would remove 2/3's of the silt upstream.

D) Why can't this be a hydraulic dredge using the north end of the dam for access?

V. Bill Barthell gave an update on the Legal situation from Administrative Law Judge orders Case Nos. IP-SE-2008-68-67868 & IP-SE-2008-68-67870.

A) Page. 207. Best Management Practices. Bill stated that the new DNR plan does not follow the above. The original plan would have added approx. 3-5 years of silt. Whereas the New DNR plan could potentially add 5-8 years of additional silt.

B) Bill suggested 60 days notice to respond, If the DNR does take over the dam.

C) Bill suggested we be negotiable with the DNR.

D) Documents were presented to Mike LaMont and Jennifer Reek for further review.

Discussion:

1) Mike La Mont questioned when will the 60 days notice start from?

Will it cost us additional money to make a decision in 60 days rather than now?

2) Mike made a proposal that we take 2 weeks, and NOT give permission for the August work, until:

a) Set up another meeting with contractor present

b) Find out if extending the start date further out will cost more money.

5) Mike Inda suggested that he could see the plan provided we get all the above questions answered.

6) Jennifer will check to see if we can postpone the DNR meeting on Wednesday, until we can confirm that we can meet with the contractors.

7) Rudy Ibric asked if this dam project is inevitable. Does any of the above have any merit to change this process?

8) Jim J. asked if we pursue a lawsuit, will we have trouble getting grants in the future for the dredging process?

9) Kent Brooks wanted to know if there is anyway of denying this or delaying this until a better plan is offered?

10) Rudy wanted to know exactly where the seeding is taking place?

11) Mark Beres suggested that meeting with the contractor on the dam project is crucial as they may be able to offer suggestions as to lessen the amount of silt coming down the river.

12) Jennifer proposes not agreeing to the DNR working on removing the Sill, until mid September, and until we meet with the DNR, and potentially contractors on the project.

13) Questioned by someone in audience: Do we need to give the DNR a decision at the end of the meeting on Wednesday 8/21?

Suggestions: Many people suggested that we need to know who the contractor will be, and that it's imperative to meet with them before any agreement can be given.

Rudy I. suggested asking the DNR for the permits to dredge Upper Nemahbin, prior to us agreeing to the dam and sill removal.

Jim J. suggested that he could possibly have to close the only boat rental on the Nemahbin and Nashotah Lakes because of this project?

Everyone wanted to know if we could be assured that there will be no hang ups with the DNR, to receive the permits to dredge.

14) David Cone, asked what is the working relationship with the DNR. The DNR needs to give us a Liaison on an almost daily basis as the when and what they are doing. DNR owes us their business plan----not just the removal plan. We need to know benchmark dates, we also need to know in writing how Upper Nemahbin Lake, and Bark River, and property owners along these areas will be affected.

15) Steve Libby brought up what a great job Jennifer Reek is doing as a liaison with the DNR, City of Delafield and DPW head Tom Hafner, and everyone agreed. He suggested that without Jennifer, we would probably not know in advance what exactly is going to happen regarding the plans with the dam and sill. It was also brought up that Jennifer's relationship with the DNR and City of Delafield has been extremely helpful in resolving water, and flooding issues the past couple of years.

Motion: Rudy Ibric made a motion to defer the decision about agreeing to remove the dam until meeting with the contractors on the project can be established. Jennifer Reek seconded the motion. Discussion – none. Approved Unanimously.

More Discussion:

16) Mike Lamont will discuss with Bill Barthell the legal ramifications of fighting the DNR..

17) Rudy I. asked if we want the focus on the cleanup... or preventable measures?

18) Jennifer stated that we will need to form some committee's for this project.

She also advised that we need to start meeting with other DNR permit people.


19) Kent Brooks mentioned that he would be able to speak to Eric Nitschke, SE Wisconsin DNR Director as to how he could help us out on this project.

20) Jennifer Reek saluted Mike Campbell for all of his help and assistance with both his time and calculations of the amount of silt.

21) Jennifer Reek will email everyone and post if the informational meeting with the DNR staff is still on at 4:30, Wednesday, August 21, 2013 at the Dam.

VI. Adjournment – Jennifer Reek made a motion to adjourn the meeting. Rudy Ibric seconded it. Approved Unanimously. Meeting adjourned at 8:30 pm.

Date Transcribed: 8/22/2013

By 
Joan Beres, Secretary