



UNLMD  
P.O. Box 180393  
Delafield, WI 53018

May 19th, 2023

Dear Residents of the Upper Nemahbin Lake Management District,

The UNLMD board is providing an announcement, with the enclosed notice and agenda, of a special meeting being held on June 7th, 2023, at the Summit Village Hall, 7:00 pm. A recap presentation of the dredging project, bid results and next steps for the project will be discussed by the Board. Following the presentation, a vote will take place to authorize the UNMLD to borrow funds related to the Upper Nemahbin Lake dredging project.

In 2011 the residents of UNLMD tasked the board with the objective of addressing the sediment that was released from the Roller Mill Dam due to the Wisconsin Department of Natural Resources (WDNR) order to remove all dam stop logs in the Summer of 2008. The sediment continues to travel throughout the lake and has caused significant issues in the middle bark river and the Southeastern Bay of the lake. A 2009 study completed by the Southeastern Wisconsin Regional Planning Commission (SWRPC), titled "A lake protection plan for Upper Nemahbin Lake" determined a significant increase in sediment depth from 2007 to 2008 due to the abandonment of the dam. The study further identifies the increase in sediment represents a significant loss of habitat for fish and other aquatic organisms.

Since 2011 the board has worked very hard to meet the residents request for a solution to remove the sediment. Facing numerous regulatory challenges from the WDNR and the surrounding land situated in a flood plain, many roadblocks were encountered by the board. In 2018 UNLMD went out for bids to mechanically dredge but faced bids that were more than \$1,000,000. The project was tabled in search of a better option. Hydraulic dredging was determined to be the better option but figuring out the logistics due to the floodplain and lack of access to laydown areas were creating new issues for project. Hydraulic dredging is deemed to be a more economical process than mechanical, but you need an area that the sediment can be pumped to and dewatered. That area must be close to the body of water you are working in to make it the more economical option.

In 2020, the Board investigated the use of the Island located in the Bark River, however, the DNR would not allow the sediment to remain on the island which resulted in significant cost increases. Then in 2021 the residents of UNMLD offered a solution at a Board meeting. Residents would allow access on their private land for the needed laydown areas to dewater removed sediment. With this potential solution, the Board spent the last 18 months working with the WDNR to revise our permits from mechanical to hydraulic dredging, update the 250-page project manual, obtain a solid waste permit, obtain a temporary limited easements from property owners, negotiate an easement with the Village of Summit for disposal of sediment, conduct a site visit with all interested contractors and finally publicly advertise the bids to potential contractors.

The board is happy to announce that, despite cost increases over the last few years, the change from mechanical to hydraulic dredging has provided the residents of the district with a more economical solution to the clean-up effort. As of May 18<sup>th</sup>, 2023, we received back three qualified bids from hydraulic dredging contractors. The three bids were \$632,360, \$759,000, and \$1,312,870. Per Wisconsin state statutes the Board is obligated to take the lowest qualified bid.

Through guidance from the Board's engineer, there will be a ten (10) percent contingency factor added to the lowest qualified bid. Resulting in a total potential project cost of \$695,596. This project cost will be funded through a 20-year loan from the Board of Commissioners of Public Lands (BCPL) a State of Wisconsin program. This commission specializes

in loans of this nature and provides attractive terms. Additionally, the Board still has approximately \$175,000 in the clean up fund, which monies will be used for such current and ongoing soft costs like legal, engineering, and permitting fees. The Board does not expect these soft costs to be more than \$40,000. Therefore, the Board is hopeful to have monies left over after the project is completed that can go to paying down a portion of the loan.

If the dredging project is approved, the payments on the BCPL loan will be paid by an increase of the tax levy to each resident of the UNMLD. Please see the Dredging Project FAQ section on the Lake District website for more detailed information in regard to the tax levy. Using the tax levy is the same method used to fund the annual budget each year and was advised by legal counsel, the BCPL and other Lake Districts for payment of the loan.

Based on the feedback we have received from our residents, civil engineer, contractors, WDNR, SEWPC Study and attorney, the board supports this project. We look forward to everyone attending the lake meeting on June 7<sup>th</sup> for a recap of the project, next steps and the vote. In the meantime, encourage all residents to visit the Lake District website at <http://www.uppernemahbinlake.com/DredgingProject> for more information about the project. As well, feel free to email me at [jjrwood@aol.com](mailto:jjrwood@aol.com) with any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Reek".

Jennifer Reek and the UNLMD Board

## NOTICE

**PLEASE TAKE NOTICE** that, in accordance with Wis. Stat. §§ 33.305 and 33.31, the Board of Commissioners of the Upper Nemahbin Management Lake District will hold a special meeting on June 7<sup>th</sup>, 2023 at 7pm and Summit Village Hall 37100 Delafield Road Oconomowoc, WI 53066 for the purpose of considering and taking appropriate action, including but not limited to approval, for the borrowing of money and otherwise utilizing financing powers prescribed by law as well as to levy a tax for the payment of the principal and interest of any indebtedness incurred in connection with and related to the Upper Nemahbin Lake Dredging Project as approved by the Wisconsin Department of Natural Resources subject to State of Wisconsin Department of Natural Resources Dredge Permit IP-SE-2022-68-03658.

**YOU ARE FURTHER NOTIFIED** that the Board of Commissioners of the Upper Nemahbin Management Lake District will hear all interested persons, or their agents or attorneys, concerning the Board of Commissioners' considering and possible approval of borrowing or tax levy at 7 p.m. on the 7<sup>th</sup> day of June, 2023 at the following location: Summit Village Hall 37100 Delafield Road Oconomowoc, WI 53066.

**YOU ARE FURTHER NOTIFIED** that at the special meeting to be held at 7 p.m. on the 7<sup>th</sup> day of June, 2023, the following question will be submitted to a vote of the members of the Upper Nemahbin Management Lake District:

- *“Shall the Upper Nemahbin Management Lake District be authorized to borrow six hundred ninety five thousand five hundred ninety six dollars (\$695,596) and otherwise utilize financing powers prescribed by law and levy a tax for the payment of the principal and interest of any indebtedness incurred in connection with and related to the Upper Nemahbin Lake Dredging Project as approved by the Wisconsin Department of Natural Resources subject to State of Wisconsin Department of Natural Resources Dredge Permit IP-SE-2022-68-03658?”*

**NOTE**, according to our bylaws, there is only one vote per person. A person may qualify as a voter several ways, but each person votes only once. This is then limited by our by-laws such that each property can have no more than two voters.

For residents to vote, the vote is determined solely by the votes cast, **in person**, at this Special Meeting on **June 7, 2023**.

UPPER NEMAHBIN LAKE MANAGEMENT DISTRICT

AGENDA

Notice is hereby given that a public meeting will be held on the date, time and location shown below. Upon attaining a quorum of members, all items listed on the agenda shown below may be considered (act upon).

4 Members physically present to meet Quorum Requirements

Regular/Special Meeting: UNLMD Board Meeting

Date: Wednesday, June 7, 2023 @ 7:00 PM

Location: Village of Summit Hall

37100 Delafield Rd.

Oconomowoc, WI 53066

- I. Call to order - Chairman Jennifer Reek
- II. Public Comment -
- III. Roll call of Commissioners and Confirm Notice Posting – Joan Beres
- IV. Announcements – Fireworks July 8, 2023/rain date July 9, 2023
- V. Dredging Project Presentation – UNLMD Board
- VI. Request Vote:

*“Shall the Upper Nemahbin Management Lake District be authorized to borrow six hundred ninety five thousand five hundred ninety six dollars (\$695,596) and otherwise utilize financing powers prescribed by law and levy a tax for the payment of the principal and interest of any indebtedness incurred in connection with and related to the Upper Nemahbin Lake Dredging Project as approved by the Wisconsin Department of Natural Resources subject to State of Wisconsin Department of Natural Resources Dredge Permit IP-SE-2022-68-03658?”*

Voting: There is only one vote per person. A person may qualify as a voter several ways, but each person votes only once. This is then limited by our by-laws such that each property can have no more than two voters. The District’s BCPL loan is determined solely by the votes cast, in person, at this Special Meeting on June 7, 2023.

VII. Adjournment

Posting: Jennifer Reek, UNLMD Secretary, and Village of Summit staff, on May 23, 2023

**Please note:** Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Jennifer Reek (414) 852-7643. [www.uppernemahbinlake.com](http://www.uppernemahbinlake.com)