

CITY OF DELAFIELD LAKE WELFARE COMMITTEE MINUTES

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CALL MEETING TO ORDER

K. Attwell called the meeting to order at 7:02 a.m.

ROLL CALL

Present

Absent

Kent Attwell
Jerry Bills
Jerry Dunnick
Bonnie Fieber
Gayle Gaborsky
Lynn Morrison
Gary Pratt
Don Tills

Jerry Burg
Richard Lartz
Ken Wiedmeyer

K. Attwell stated that at of the last Council meeting it was decided that B. Fieber will be replaced by David Greenway who lives in District 3. This will be addressed at the next Lake Welfare Committee meeting. L. Morrison stated that the number of members needed for a quorum will also be addressed at the next meeting.

- 1. APPROVE MINUTES OF FEBRUARY 13, 2008

L. MORRISON MOTIONED TO APPROVE THE MINUTES FROM THE FEBRUARY MEETING AS PRESENTED. D. TILLS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 2. CITIZEN'S COMMENTS ON ITEMS PERTAINING TO THE AGENDA.

No citizens were present.

- 3. OLD BUSINESS

- a. LAKESHORE RESTORATION PROJECT

In conversations that K. Attwell has had in the last few days it was felt that the Chapter 30 Permit could be submitted within the next two weeks.

Without objection, Item 1b was taken prior to 1a.

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1) STATUS OF DREDGING APPLICATION

a. CONF CALL TO REVIEW REVISED CHAPTER 30 PERMIT
(FOTH & REAS)

K. Attwell explained to J. Starke that the Committee had just reviewed the letter from the DNR and the seven items. J. Starke was requested to include the first item, the West Channels, and the Bark River Inlet based on the additional information that Foth & Van Dyke could include on the design. All other items were motioned not to be included on the revised Chapter 30 but to include them in an addendum along with additional language about fish habitat, etc. and the idea to possibly requesting a swap of one channel for another. J. Starke felt that without having some good information regarding the aquatic species in other channels that it was hard to say a swap would be possible. Part of the reason that the DNR wants this is because they would like the remainder of the channels go back to a natural habitat. If the other five channels have a wide diversification of species, it may not be possible. He believed that the DNR would only allow the northern and extreme southern channels (2 of the 7 areas). Discussion took place on clarification of these areas. K. Attwell stated that the pictures show that 5 of the 7 areas would be allowed as two access points were shown to be hatched. J. Starke stated that he would go back to the original letter regarding the number of channels allowed. K. Attwell reiterated that he felt that 5 channels would be allowed. G. Gaborsky commented that during the April 9 conference call J. Starke stated that he would check on this and still had not done so. J. Starke stated that at the last meeting this was only briefly discussed and at the meeting prior to that the letter had not been received. The committee recalled that the DNR has approved 5 of the 7, that the City submitted a letter asking for 7, and the DNR said no to the two additional ones. J. Starke stated that he would review this and send an email with his findings.

K. Attwell discussed Item #7, Retention Basin by the Bark River. B. Fieber stated that all through this process she has been concerned about going into the hard pan because of the concerns brought forth in Lake Michigan lake levels and possible drainage issues. She did not want to see possible draining of the lake. J. Starke stated that this was a valid concern, however, in terms of draining this would likely not happen as it was a relatively small area. He noted that there is hard pan exposed in many portions of the lake. Having a

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small area like this going down to hard pan for a sedimentation trap would give an additional capacity for 7-12 years. There should not be any concerns regarding the lake draining because there are probably many portions in the lake with hard pan exposed. There are calculations for the sediment trap life. The DNR previously indicated approval of a sedimentation trap going down to the hard pan if calculations were provided.

L. MORRISON MOTIONED TO INCLUDE THE FOTH & VAN DYKE ANALYTICAL CALCULATIONS FOR THE SEDIMENT TRAP DESIGN. J. DUNNICK SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The Zastrow letter will be emailed to J. Starke and copies of easements for Lang and Siepman will be provided. J. Starke stated that other than in regard to Lang and Siepman he did not need any other information to put the Chapter 30 together.

The map for buoy placement will be included in the Chapter 30 and will be sent to J. Starke.

When asked about the preliminary timeline, J. Starke stated that he felt that submission of the revised Chapter 30 to K. Attwell and T. Hafner would take place by the end of next week. He felt that it was 95% done with only minor revisions needed. Copies will be provided to K. Attwell and T. Hafner on a CD. The Chapter 30 could be submitted by mid-May. Once the Chapter 30 is submitted, the DNR's turnaround was dependent on their workload and could be as little as 60 days or as long as 90 days.

b. REVIEW LETTER FROM DNR DATED MARCH 18TH

This letter was the DNR's response from the City of Delafield's letter dated January 25, 2008. There were seven items that the City asked to change; the DNR denied all seven items. K. Attwell asked that discussion take place on each item to decide whether to include or not include them in the Chapter 30. It was Foth & Van Dyke's opinion not to include any of the seven items in the Chapter 30 permit application with the possible exception of the Bark River inlet and the west channels. An option would be to include additional documentation with the Chapter 30 permit to support the inclusion of these two items. If the Chapter 30 is rejected by the DNR, the permit would need to be resubmitted again, thus delaying the approval

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further. The inclusion of an Addendum to the Chapter 30 permit could be done in order to document the City of Delafield's opinion regarding the exclusion of the seven items. Discussion took place on the seven items.

#1 – West Channels – Figure 5a. The City is in possession of a letter from Heidi Bunk to include this area.

L. MORRISON MOTIONED TO INCLUDE THE FIRST ITEM ON THE LETTER FOR THE WEST CHANNEL. D. TILLS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

#2 & #4 – Area in Nashotah in the Northwest Channels where the properties come together in the corner - The 6 access points are not being allowed by the DNR to be included. With this exception, the whole bay is being done. The DNR determined that this area is sensitive. D. Tills felt that in his opinion, it should be dredged like the rest of the area.

D. TILLS MOTIONED TO INCLUDE THESE ITEMS IN THE ADDENDUM. L. MORRISON SECONDED THE MOTION. B. FIEBER STATED THAT PART OF THE REASON FOR THIS PROJECT IS TO PROTECT PROPERTY VALUES; HOWEVER, THE DNR IS NOT CONCERNED ABOUT THIS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

#3 – Allowing to do 5 of the 7 channels - J. Dunnick stated that the DNR's letter does not give a reason for this determination; just that seven is too many. The areas not allowed were marked on the figure by cross-hatching. J. Starke felt that if these channels were included, the DNR would reject the permit. Discussion took place on not only getting the permit granted, but also getting the referendum passed. B. Fieber stated that the DNR letter was a negotiating factor and that perhaps another round of negotiations could take place. She strongly felt that if more documentation could be provided, it should be done without an addendum. She stated that there was no data that supported the DNR's decision and requested clarification of the DNR's decision. K. Attwell stated that once the revised Chapter 30 is submitted and approved, you can always call after the fact and ask for a change. L. Morrison suggested having a traffic study done on the channels in order to get evidence. J. Bills stated that the Chapter 30 permit could be restructured. Extensive discussion took place on using alternate methods of getting the

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project accomplished, i.e. an addendum, doing separate permits, etc.

D. TILLS MOTIONED TO SUBSTITUTE THE GAZEBO ACCESS CHANNEL FOR THE NORTHERN MOST CHANNEL AND PUT THE TWO AREAS NOT TO BE DREDGED INTO THE ADDENDUM. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

#5 – NW Channels-Dredging in between the two islands – It was K. Attwell's opinion that if the silt was going to be taken out around the island, it should also be taken out in between.

J. DUNNICK MOTIONED TO INCLUDE THIS ITEM IN THE ADDENDUM WITH AN EXPLANATION THAT THIS WAS VALUABLE HABITAT TO FISH AND DREDGING WOULD HELP. D. TILLS SECONDED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

#6 – Instead of 5' setback, to have a 0' setback – Discussion took place as this being valuable fish habitat and if dredging was not allowed, it would not improve.

D. TILLS MOTIONED TO INCLUDE THIS ITEM IN THE ADDENDUM WITH THE ADDITIONAL ARGUMENTS AS STATED ABOVE. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

#7 – DNR Concerned About Not Allowing Changes Because They Are Unsure If The City Is Disturbing The Hard Pan – Foth & Van Dyke suggested including this along with the study to show that this retention will work, how much sediment will be collected, and how long it will work. K. Attwell stated that when the mathematical calculations are submitted for this area, it would be non-disputable. This would be discussed when F&VD was on the phone (see above).

Emails regarding effluent were discussed. The DNR is in agreement on this subject.

b. WORKGROUP REPORTS

1) COMMUNICATIONS AND EDUCATION- BONNIE FIEBER

a. ANNUAL MEETING

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The Annual Lake Awareness Meeting will be held June 11, 2008 at 6:30 p.m. at the Delafield Hotel, 415 Genesee Street. Topics to be discussed at this meeting are:

- FEMA study update (T. Hafner)
- St. John's dock fishing pier (T. Hafner)
- Update on the finalization of the dam and how it worked this spring (T. Hafner)
- Accomplishments for 2007/2008 (K. Attwell)
- Buoy Map - New Buoys & What They Mean (B. Fieber)
- Changing Lake (J. Bills & D. Tills) [Maps of Island Cutting] (wetland islands on west shore of the lake). This will show erosion at work. Pictures of projects that L. Reas has worked on could be displayed.
- Restoration Plan (J. Starke & K. Attwell)
- Timeline of Restoration Project for Residential Planning (K. Attwell)
- Cost Estimate of Restoration Project (K. Attwell)
- Update on Boathouse Code Changes (D. Tills) – (If action is taken by the Plan Commission)
- Pier Regulations

B. Fieber will send a postcard (same as in previous mailings) along with a press release. Speakers should bring draft/final materials to the next Lake Welfare meeting.

b. OTHER

There was an article in the City of Delafield "Communicator" entitled "Nagawicka News". She would like a slightly colored section (blue) used for lake news in each newsletter. She was pleased with the article in the newsletter and how it was set up. Consistency is important – a photo will be provided to be used each time in the newsletter.

2) RESTORATION REFERENDUM AND FUNDING – KENT ATTWELL / DON TILLS

a. KENT AND TOM REWORKING COST SPREAD SHEET WITH UPDATED COSTS FIGURES

K. Attwell developed a spreadsheet but is waiting for dredge prism information from Foth & Van Dyke. There are some

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areas that need to be revised in order to ensure accuracy of cost figures.

c. STATUS OF EASEMENTS FOR LANG AND SIEPMAN

Neither one of easements is currently signed, but the City has agreed with Siepman. There is a "for sale" flyer by the Lang home that indicates that negotiations are taking place with the City for an easement.

d. STATUS OF LETTER TO CITIZENS IN NW ZASTROW BAY/EQUIPMENT AND PIPES - GAYLE

A draft letter dated May 1, 2008 regarding the Lake Restoration Plan – Implications for your Property was distributed to the group for review.

e. BOAT HOUSE CODE – PLANNING COMMISSION DID NOT HAVE ON AGENDA IN MARCH – ROGER DUPLER

Due to administration changes, this has not been brought up at the Plan Commission level.

4. NEW BUSINESS

a. WIS. PIER BILL AB297, PASSED BOTH HOUSE AND ON GOVERNOR'S DESK TO SIGN

The governor has signed this bill. D. Tills stated that he has not been able to find any commentary on this. K. Attwell stated that it was his understanding that under the current regulations, 80% of the people would not need to get a permit (grandfathering would take place). An article on Waterways & Wetlands Permits was discussed.

5. CORRESPONDENCE

The next meeting will be May 14, 2008.

6. ADJOURN

G. PRATT MOTIONED TO ADJOURN. D. TILLS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:42 A.M.

Minutes prepared by:

Accurate Business Communications, Inc.