



**MINUTES  
DEVILS LAKE WATER IMPROVEMENT DISTRICT  
REGULAR MEETING**

**DLWID OFFICE  
January 4, 2007  
6:00 P.M.**

- PRESENT:** Brian Green  
Robert Landhuis  
Otis Winchester  
Smokey Aschenbrenner  
Jack Strayer
- ABSENT:** None
- AUDIENCE:** Raylene Erickson, PADL Recording Secretary  
Don Sell, PADL  
Pat Payne and Jeff Oxford  
Barbara Landhuis  
Doug Pirie  
Chester Noreikis
- STAFF:** Paul Robertson
- MEDIA:** Tim Crenshaw, KBCH, Yaquina Bay Communications  
Garrett Jaros, News Guard

The meeting was called to order at 6:00 p.m. by Chair Winchester.

**Minutes of Previous Meeting**

Landhuis requested that a change be made to the December Minutes—Page 3, Paragraph 4 should be amended to read, “Landhuis moved and Aschenbrenner seconded authorizing Robertson to use funds to obtain five separate samples from Thompson Creek for ribosomal testing as soon as possible.”

Aschenbrenner moved and Green seconded to approve the December minutes as amended.

**Vote:** Unanimous. Motion passed.

## **Special Order of Business**

Jack Strayer was sworn in as a new Board member by Chair Winchester. Secretary/Treasure Landhuis attested the swearing in with his signature.

### **Financial Report**

The Financial Report was reviewed. Robertson stated that there were a couple of changes to the copy sent to the Board. One related to a switch from a 2007 payroll deduction amount to a net pay amount for the manager; the other was the addition of the Embarq invoice. Reimbursement to Robertson for the web software was also included. Robertson stated that a rental increase of 3% would take place in January, 2007, that should have taken effect in 2006 (but did not) on the three-year lease.

### **Public Comment**

Chair Winchester asked for public comment.

Pat Payne indicated that she had notified all her neighbors about the Chetlo Drive wetlands/landfill issue and asked them to write and call to complain to the proper authorities. She requested that they notify her of any action, but has not heard from anyone. Pat stated that she has written letters to the County and the DSL. She and her son feel that the “ball is rolling in the right direction.” They thanked Robertson and the Board for writing letters and for assisting them in their efforts. They were told that if the offender is fined, the State will take those funds and purchase wetlands elsewhere—they do not usually require restitution of the site. Robertson mentioned that when he, Michael Morales and Erinn Birmingham visited the site, they saw stakes and water taps. Payne stated that a minimum of one acre and two or more trailers constitute an RV park. Doug Pirie said he would like to see the Federal Corps of Engineers visit the site and document the changes. In the past, he noted, the Corps had required people to restore land to its original condition.

### **Unfinished Business**

#### **Chetlo Drive.**

Robertson reported that he had written letters to both land owners with copies to the County, the State and the Federal Government. He reported that Michael Morales and Erinn Birmingham from DSL came and accompanied him to the Chetlo site as well as to Green Acres and a third site on which they had received a complaint. Morales indicated he thought there would be grounds for enforcement on filling in wetlands with the sand layer and sub base, as it is not buildable land. The vegetation issue is not an offense. Nothing was resolved at this time. Robertson feels that another new staff member will slow the process down somewhat. He will continue with phone calls and the neighbors will continue to pressure the DSL. Green stated that he would like to see restitution rather than just a fine.

#### **Green Acres.**

Landhuis stated that he cannot understand why a huge amount of funds were made available to restore Rock Creek when one individual is allowed to negate all the good accomplished by installing illegal riprap. Robertson said he has asked DSL to look at it again. This is his fourth contact since August, and he feels he is continually training

new people on the issue. Morales is the supervisor and Robertson would like to give him an opportunity to rectify the issue prior to going to his supervisor for action. He has asked Morales to keep him informed of any action. Robertson said that Morales took photos of the area and noticed some fill on the property above the dam that is considered wetlands. Strayer asked if it was a barrier to salmon and Robertson responded that it could be. Green noted that he would like to see both of these items listed on the agenda each month until something is resolved.

Chester Noreikis asked if perhaps the press should get involved. Tim Crenshaw said he was going to see what could be done in exposing the issue to the public. Green said that since Randy Neal's business relies on credibility and integrity, perhaps the media might have some effect on persuading him to do the right thing.

### **Erosion IGA**

Robertson has sent the draft to the City and to the mayor. The City engineer stated that she would take it to Public Works.

### **IECA Reno, NV**

Robertson sent an e-mail requesting cost sharing on his attending the seminar in Reno. He said there are some grounds for the city to share in the cost, particularly since they are attempting to establish a relationship with the District on erosion control. Approval is needed from the Director. Early registration was missed; the cost for the two-day seminar would be \$275 per day, plus hotel and air fare and food.

Green moved and Aschenbrenner seconded authorizing Robertson to spend up to \$1,500 for the two-day seminar in February.

**Vote:** Unanimous. Motion passed.

### **Thompson Creek**

Robertson said he has not yet taken samples. He said that he sent an e-mail to Eddie Huckins from the Lincoln Soil and Water Conservation District, who is developing an analysis project in the mid-coast basin and may request Robertson's assistance. Thompson Creek is one of his locations of interest. Robertson will meet with him and discuss dealing with the property owners. Huckins has been successful in working with agricultural communities.

### **Boat house and boat docks.**

A revised draft with recommendations has been sent to Dennis Bartoldus for review, along with the PowerPoint slide show. Bartoldus had sent his comments back just that afternoon, and Robertson will incorporate those into the document.

### **OSU Master Student**

Gladys Macaosip, a Fulbright scholar, and her two professors visited with Robertson the first week of December. Gladys is interested in studying the Asian clam (a non-native), its nutrient cycling and how the Asian clam affects or contributes to the lake. Robertson feels that studying its toxicology would be of interest. There seem to be no predators of these clams except otters.

### **Vegetation Management Strategies**

There was a lengthy discussion on the 22 options for vegetation management that Robertson provided to the Board. Robertson stated that the budget would accommodate from \$40,000 to \$80,000 per year—for 25 years.

He said he would like feedback on eliminating some of the options. Strayer asked if there were any obvious success stories on any of the options so that some of them might be eliminated.

Robertson said that herbicides had been mentioned for eliminating milfoil. However, herbicides are expensive and two to three years would be the maximum length of success. Systemic herbicides would kill the roots; contact herbicides would kill the leaves. Green said herbicides would probably not be accepted by the public due to toxicology fears.

Robertson said that scuba diving was successful, and this might be a good tool for sporadic outbreaks—it is effective at removing all the roots, although visibility is difficult. The method involves diver-assisted suction with large vacuums four inches in diameter; cost is approximately \$300 per day.

Rotovation might be feasible for a lake-wide project, although it requires a huge piece of expensive equipment.

Milfoil weevils are relatively unreliable and they die in the winter. This is a native that will eat North American or Eurasian milfoil. There hasn't been documented success in using weevils.

Robertson said the nutrient problem has not been solved, although the weeds have been contained since 1994. It isn't easy to remove nutrients, but it can be done. This is why erosion control is important. You can aerate the water and remove the nutrients by harvesting the fish. Nutrients are often soluble and can be precipitated dredged, trapped or scraped.

Landhuis asked if the weed control could be handled with fish and nutrients controlled by oxygenating the sediment. Robertson affirmed.

Additional discussion ensued about the carp. Green asked about how many fish were required per acre to contain the weeds. He said he remembered in the '80's it was determined that 17 carp per acre would suffice, but they had installed 30 fish per acre at a cost of \$5 per fish.

Landhuis said that he felt a three-way control was probably necessary to satisfy everyone. Green suggested that they not drop any options at this time, but place herbicides on the back page.

### **Audit.**

Robertson said the auditors would have a draft completed by Friday, and he would pick up all the documents. It would be a week before the final audit is completed.

### **NALMS Summary**

Winchester said they will review the NALMS summary and discuss it next meeting.

## **New Business**

### **Toyota**

Robertson described the issue with the trailer hitch that fell off the pickup and caused a dent. He feels the ball of the hitch might be slightly smaller than it should be. He will touch up the dent with paint.

### **Budget Officer and Calendar**

Aschenbrenner moved and Landhuis seconded appointing Robertson to act as budget officer. Current budget committee members are Mitchell Moore and Jim Park. Additional budget committee members appointed were Don Sell, Doug Pirie and Barbara Landhuis.

### **Rent Increase**

Robertson stated that the 3% rent increase to \$716 per month will begin in January, 2007. Landhuis asked if there was a possibility of getting water and a sink installed. Robertson said he would bring it up with Bruce Polvi again when the remodeling is begun.

### **D River Dredging**

Robertson reported that D River dredging occurred twice in December. Half the cost (\$516.25) will be recouped from the City, who also paid for the cost of the permit. Landhuis praised Robertson for maintaining such high standards for the D River.

### **Policy Manual**

Robertson explained the policy manual and said that he believes it includes everything required. He has removed the insurance tab and revised a couple of policies, which he would like to discuss at next month's meeting, once the Board has the opportunity to review it.

In the policy section, he removed the verbiage that the district manager must use his vehicle for sampling. In the equal opportunity section, he changed it to include both contractors and employees. He changed the "non-smoking" policy to a "smoke-free" policy. Regarding the Financial Manual and Safety Manual policies, he noted that both manuals are available. Robertson is also working on a managerial procedures manual. Landhuis asked if there is a conflict of interest policy that the Board is required to sign. Green stated that the Government Standards and Practices dictates the main concept is to "disclose" any conflict of interest.

## **Non-agenda Items**

Landhuis said that he will be attending a Special District Association of Oregon meeting in Corvallis and will report back to the Board.

Robertson reported that he has revised the inventory list including evaluations of item condition. This will document purchase and disposal of all items in inventory.

Robertson has obtained 24-hour access to the storage unit and key access to the back gate in the event it is necessary to access the boat.

Cathy Steere, City Recorder, has placed the PowerPoint presentation of DLWID on local Channel 4.

Robertson reports that he met with the City on the D River Open Space (Hendrick property), that is zoned as open space/urban renewal. Plans call for a rocked driveway, picnic tables and a walkway connecting to the bridge. The trail for the state park is not yet completed.

### **Public Comment**

Don Sell from PADL lauded Robertson for doing a great job; he wished the Board well. Doug Pirie suggested that Robertson check out Mud Cat's equipment for the lake. He said that the Japanese use it for centrifugal work to remove nutrients in lakes. Doug Pirie will try to obtain some additional information.

### **Announcements**

Robertson reminded everyone that if they are 60 years of age or less, they are now required to have a boater's license.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Linda Burt