



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

**DLWID OFFICE  
August 2, 2007  
6:00 P.M.**

**PRESENT:** Otis Winchester  
Smokey Aschenbrenner  
Jack Strayer  
Brian Green

**ABSENT:** None

**AUDIENCE:** Al Temple, LAS International Ltd.  
Robert and Barbara Landhuis  
Paul Katen  
Randy Weldon  
Pat Payne  
Richard Hews  
Ursula Sperry

**STAFF:** Paul Robertson

**MEDIA:** None

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

**Minutes of Previous Meeting**

Aschenbrenner moved and Strayer seconded approving the Minutes of the July, 2007 meeting.

**Vote:** Unanimous. Motion passed.

## **Financial Report**

Robertson explained some minor additions to the current financial report—Additional check for the IRS and Oregon Dept. of Revenue; a check for payment to Kevin Erickson, payment for a mileage reimbursement. He noted that the SDAO grant for \$2,000 came through and could be used for the intern's expenses. No questions from the Board members.

## **Special Order of Business**

### **Swearing in of Directors**

Brian Green took the oath of office for his next term as Director. (Robertson stated that one additional person has submitted an application for the vacant Director's position.)

## **Public Comment**

Robertson had just returned from taking Al Temple from LAS International Ltd on a tour of the lake. Al spoke to the Board on the Mark 3 Wind-Powered Lake Circulators. His company has been in business for 31 years; it was co-founded to deal with fisheries in North Dakota. Al explained that the company is international in scope and he provided a list of their clients. They are currently bidding on a project in Jerusalem. He explained that his company can design and build any type of equipment—they have engineering people with 50 years of experience in water and wastewater systems.

The circulators are made from stainless steel, are self-lubricating (the greasers are battery operated) and require minimal maintenance. Maintenance cost would be approximately \$25 annually per unit. The circulators have a 500-foot radius and would be placed 500 feet from shore line. The circulators can handle up to 3,000 gallons per minutes at 30 mph (10,000 gallons per minute of total induced flow) with continuous mixing throughout the system. Each unit would cover 25 acres. The anchoring system can be moved. There is a cat walk around the unit that will accommodate a boat mooring; the units will not sink. Discussion ensued about the safety issue of someone hitting the units. Al said they would be happy to paint the units with any contrasting color. Al closed by offering to take any of the Board members to see one of his units.

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Paul Katen spoke as a volunteer with Salmon Creek Watershed Council. He explained that WRD (Water Resources Division manages water rights in Oregon) is seeking support in their protest of 25 200-foot wells being proposed by Chinook Winds for expansion of their golf course. Katen explained that only about half of those wells would be good producers. There is very little information available. His report indicated that the wells are hydraulically linked to the lake and there is a potential for interference with the wetlands water above the golf course.

Opponents of the project are allowed to file a protest against the permit by September 7. Primary objection is that the only condition for monitoring the effect of the wells is an annual March check to determine if there is a dramatic drop in water level. Nearby

residents' wells may be in jeopardy and the Chinook wells might impact the those wetlands that are fed by a spring. No mention is made on any impacts to the lake. ODFW indicates that less water could ultimately impact the area's frogs and Coho salmon. Katen is adamant that more monitoring be indicated and that alternatives should be considered. For instance, they could continue to use water from Schooner and Drift Creeks (Katen feels this is wasteful of drinking water) or they could draw water directly out of the lake—the best alternative, since it would only lower lake levels by about an inch.

Katen will work with Water Watch of Oregon and Mid Coast Watershed Council to prepare a formal protest monitoring water level more closely and to search for alternatives to the Siletz using 15 million gallons of water per year. The filing fee for a protest is \$350.

Green asked what the next step would be. Katen said they could meet with a mediator. Green suggested that the Board review the situation prior to the next meeting and write a letter indicating which items of the protest they would like to support.

Green moved and Strayer seconded that Robertson work with Paul Katen to prepare a formal protest prior to the deadline of September 7.

**Vote:** Unanimous. Motion carried.

Green amended the motion and Aschenbrenner seconded permitting Robertson to work with Paul Katen in preparing a formal protest prior to the deadline of September 7 and to pay for half the protest filing fee.

**Vote:** Unanimous. Motion carried.

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Richard Hews spoke to the Board and said that he has seen the lake quality fluctuate dramatically over the last 13 years. He commended the Board and Robertson for maintaining a higher water level to the lake. He feels the higher water level may be dissipating the effect of bacterial in the lake.

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Randy Weldon spoke again and reiterated his request that the Board consider maintaining a lower water level to minimize erosion of undeveloped lots around the lake. He does not appreciate the higher level and has spoken to 12 property owners, the majority of whom agree with him. He said he feels as if he is in a popularity contest to see whose views are more predominant regarding lake levels. Discussion began regarding wake from various types of vessels and the effect on erosion. Robertson explained that lake levels range from 9.5 feet to 11 feet (after a storm). Green said he was unaware that lake level was an issue. Randy said he could get a petition together if the Board requested one. Robertson explained that the dam was repaired in March of 2005 because it was deteriorating; he said he did not design the dam. Green suggested that Randy obtain photos and letters from residents and estimates on the levels of erosion, then they could decide if a change

is warranted. Robertson concurred in obtaining more opinions prior to considering change.

## **Unfinished Business**

### **Chetlo Place**

No further information on this issue. Pat Payne spoke up and said that she wanted to thank the Board because the Chetlo wetland issue seems to have been addressed. The land owner has had four workers at the property recently.

### **Green Acres**

DSL permit was received; awaiting US Corps permit. Removing the structure would have qualified under the general authorization, but the current one did not qualify. Robertson stated he may be able to get the \$150 permit cost refunded through the OWEB grant.

### **11<sup>th</sup> & EDLR**

Robertson made another inquiry with another new person who finally located the complaint and copied him on a letter she had sent. She has formed a case file on the issue and will keep the District in the loop.

### **Erosion Control Inspection**

Lincoln City is not interested in an agreement with the District on erosion control efforts; they suggested DLWID create an inspection form and copy Todd Pote on it. The city has added an employee to handle more of their work. Green asked if this employee would enforce any of the District's complaints. Robertson said he is working with the city on another erosion control seminar to be held October 4—a date that conflicts with a Board meeting. Robertson suggested that some of the Board might want to attend the seminar.

### **Boat House/Docks**

Robertson has scheduled an August 21, 9:30 a.m. meeting with Matt Spangler to finalize language on the ordinance changes. Robertson asked if Aschenbrenner could attend. Aschenbrenner agreed to attend; Green asked Robertson to e-mail him that week and he would check his schedule to see if he could attend. Robertson will invite Jerry Warner to attend, as well. Ursula Sperry from Department of State Lands said that she would attend.

### **D River Dredging**

The city asked Robertson to bring a written copy of the ODFW email granting approval to perform the work outside of the in-stream work period. Robertson has let a bid request for contractors to perform the work. Robertson will create a new Emergency To-Do List based on the latest permit and will provide the city a copy.

## **New Business**

### **GIS and Data Presentation.**

Robertson has asked the intern, Kevin Erickson, to create a completion list. He explained that Kevin had to work this meeting, however, Kevin will request time off during the next

Board meeting so that he can attend. Robertson is very happy with his work so far and reports that Kevin was able to step in and perform the monitoring while Robertson was off on bereavement time. Robertson gave a presentation of the data that Kevin has compiled that will enable the District to access at a touch of the mouse.

The screen displays layers of data down the left side that can be accessed, similar to an index. He has listed eight or ten organizations from which he has obtained data. Data includes maps of Oregon Water Bodies, the depth of Devils Lake, ground cover, watershed areas, national forests, tax lots and owners around the lake, etc. Maps are topographical and in color.

### **Fish Habitat**

This presentation by Jack Strayer was postponed to next month's meeting due to the length of this Board meeting.

### **ODFW Feedback**

Robertson attended the Commission's July meeting and spoke about the District's goal of cyanobacteria control and weed eradication by whole-lake circulation. He explained that if the circulators are unsuccessful, an application for grass carp will probably be forthcoming. The presentation was well received.

### **Oregon Lake Association Annual Meeting**

Robertson requested authorization to attend the annual meeting on September 21 and 22 of Oregon Lake Association, which will be held at Diamond Lake. He explained that this association has been a good resource for the District and they have asked Robertson to apply for a directorship. Robertson reported that his participation would not absorb much time—a teleconference once a month and participation in potential discussions from time to time. One of their strongest points is a monthly newsletter. Robertson stated that although only Devils Lake and Oswego Lake (Mark Rosencranz) have full-time managers, there are 30 people in the membership. Members include representatives from Pacific Power, Bull Run, etc.

Green moved and Strayer seconded authorizing Robertson to attend the annual meeting.

**Vote:** Unanimous. Motion carried.

### **3280 E Devils Lake Road**

The EPA has asked Robertson to provide some information to them on the (possibly 100) truckloads of wetland fill behind the radio tower, since they have received some complaints. Robertson sent a request to DSL and USACE to evaluate this fill that is now washing down into the wetland. Robertson took some photos. The property is privately owned. The material is moving into Thompson Creek and into the canal. Property owners have previously dredged out this canal at great expense. Robertson will follow up with EPA and DSL upon his return from his meeting in Montreal.

**Directors jackets**

Strayer expressed a desire for the Board to have name tags and jackets identifying them in public. Robertson reported that he has not received any estimates; however, he will obtain some estimates on personalized jackets. Strayer suggested that slickers would be useful since they could be used in the rain.

**Senior Fair**

Roger Robertson organizes the Senior Fair and it has been shown to be a good resource for reaching older local residents. The cost is \$195, a savings of \$125, with no cost for electricity. Each Board member participates at some point during the weekend—this year it will be held October 30 and 31. The Board expressed their desire to participate again this year.

**Audit.**

Robertson reported that he has compiled all the information required for the audit and will submit them to the auditor when he returns from Montreal.

**Public Comment**

Ursula Sperry reported that they have not yet completed their survey of the tax lots. She said they plan to obtain photographs of each lot and can then determine where erosion is occurring. Photos can be progressive as well as shoreline development. This will be a good resource for the database that Erickson is preparing.

**Announcements**

Robertson will speak on KBCH 1400 am at 7:00 a.m. next Tuesday.

Next Wednesday, Robertson will go to Montreal and will take three vacation days in tandem to the trip. Kevin Erickson will perform the bacterial monitoring during August.

The Board meeting adjourned at 8:15 p.m.

Respectfully submitted,

Linda Burt

