



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

**DLWID OFFICE  
June 4, 2008  
6:00 P.M.**

**PRESENT:** Jack Strayer  
Smokey Aschenbrenner  
David Juenke

**ABSENT:** Otis Winchester  
Brian Green

**AUDIENCE:** Raylene Erickson PADL Recording Secretary  
Randy Weldon

**STAFF:** Paul Robertson

**MEDIA:** None

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

**Minutes of Previous Meeting**

Robertson requested reversal of account figures in the previous Minutes. There is \$127,000 in the General Fund and \$267,000 in the Special Revenue Account. Juenke moved to approve the May Meeting Minutes with the change and Strayer seconded the motion.

**Vote:** Unanimous. Motion passed.

**Financial Report.**

Robertson explained small changes on the financial statement and discussion continued regarding a necessary repair to the boat hull. The Financial Report was approved. Aschenbrenner read **Resolution 08-02**. It related to moving a couple of line items from the Contingency Funds into the correct line items. Strayer moved that the Resolution be adopted and Juenke seconded.

**Vote:** Unanimous to adopt the Resolution

## **Public Comment**

Raylene Erickson discussed her wish for the Board to support her in the installation of a gazebo at the D River Park similar to the one at Regatta Grounds with informational signage explaining the fish and projects of interest to the public. She also talked about the International Migratory Bird Day and the benefit of introducing the public to various birds. She said the Forest Service might be interested in identifying one day to recognize the birds.

Aschenbrenner stated that a portion of the property is identified as urban renewal property. Robertson said that the city intends to install a birding platform, a kayak launching station or another public facility. Aschenbrenner said for Erickson to check back in February or March and the Board would determine at that time if they could assist her in her proposal. Robertson said that he might be able to obtain clearance from State Parks to place a sign at that location similar to the one at Regatta Park.

## **Budget Hearing**

Amendments to the proposed budget were addressed. Robertson requested an increase of \$30 per month on the Wireless Budget which would increase the line item from \$240 to \$600 per year. This was approved by the Board.

Minutes Recording Contract change. Aschenbrenner said he would like to approve the contracts that were the same as last year and address any changes at the July Board Meeting when all Board Members were present. At that time, changes in any contracts would be retroactive to July 1, if approved. Strayer moved to keep contracts in place the same as last year, then review changes at the July meeting and address any updates at that time to be retroactive to the beginning of the fiscal year. Juenke seconded the motion.  
**Vote:** Unanimous. Motion carried.

Discussion ensued regarding the budget issue for potential grants. Juenke and Aschenbrenner said that the grants issue creates an exaggerated amount on the budget. Robertson replied that it was a product of the resolution of all funds and it is imperative that any potential grants or loans be forecasted in the budget. If it is the District's position to search for grants, the supplemental portion in the improvement fund allows the provision for obtaining grants and loans that can be spent as soon as they are obtained, otherwise, it would be necessary to wade through a major process to create a new budget for spending the grants or loans. Juenke asked if the item could be identified as "anticipated loans and grants." Robertson said he would comply with this request and add it to the resolution. Strayer noted that he had added it to the management summary, and Robertson pointed it out on Page 5 after the outline of objectives of the District. Juenke moved to approve the Budget as is and Strayer seconded.  
**Vote:** Unanimous. Motion Carried.

**Resolution 08-03.** With the changes that Juenke requested, he moved to adopt the Resolution. Strayer seconded the motion with the added amendment from Page 5.  
**Vote:** Unanimous to adopt the Resolution.

**Resolution 08-04.**

Strayer moved and Juenke seconded approving the Resolution 08-04 regarding Appropriations.

**Vote:** Unanimous to adopt the Resolution.

**Resolution 08-05.**

This Resolution was on tax and levy. There would be a levy of .2499/\$1,000 in value on properties within the watershed and .1280/\$1,000 in value on properties outside the watershed but inside Lincoln City. Juenke asked if it was the same levy as in the past. Robertson replied that it was. Juenke moved and Strayer seconded adopting the Resolution as written.

**Vote:** Unanimous to adopt the Resolution.

### **Unfinished Business**

#### **Boat House/Docks**

Robertson reported that the County remains in communications with DSL and ODFW regarding the implementation and the affect of all comments. There is at this time no scheduled second hearing in Lincoln City in the City Council Chambers.

#### **Native revegetation**

Strayer reported on two pieces of information. The officials of Blue Lake (that has no inlet or outlet and is located north of Portland) has been contacted. They have three Solar Bees and Strayer is attempting to determine how they feel about their success. He said the Solar Bees seemed to have cleared up the lake until a wake board tournament stirred up the sediment and caused the lake to become murky for a month. Because of that, the Solar Bees' franchisor gave them a two-year free extension. Strayer said he feels the District should try to negotiate a similar deal. He reportedly has not heard from Metro on their studies yet. He has been in contact with ODFW trying to obtain a reading on their judgment of native aquatic vegetation in the lake. He said he received word in the afternoon from Galovich, who cited a number of issues that would be difficult to overcome. Water quality and vegetation management involving DEQ, State Lands, ODFW, the Marine Board and others would be part of that. They did not deny permission to continue. If the District's priority is to restore water quality to normal lake levels, it would be difficult for them to take a stand against creation of a healthy lake. He will work on more details. He wants to come up with a brief plan and poll the Board and see if they are supportive of improving water quality of the lake. He said, "Let's get a dialog going and take our comments and get an acceptable plan." Strayer said he would work with Robertson on the plan. Robertson said the goal should be water quality. Strayer stated that if the plan is grounded in science, the District would be on a better footing with DEQ and the other entities.

Juenke asked if the Board should have another workshop to study the lake plan. Robertson said he would like to do some additional brainstorming. Strayer reminded the Board that if nothing is decided by the time the carp disappear, the weeds that return will be the invasive species that will take us back to the 1980's. Robertson said he would coordinate a date for a workshop after the July Board meeting.

### **Boat Launch signage Regatta Grounds**

Robertson passed around a photo of the signage.

### **Lake Level Management and Recorder**

Robertson reported having problems with the Lake Level management and recorder. He got it to work with the sensor and then it crashed. He does not know if it is a software or a hardware issue. Robertson reported that the Parks Department is unhappy because the campgrounds were flooding. One section of the dam was left open during the month of May; it was down to 9.2 feet and now is rising. Robertson said when the Parks people complained, the lake was at 10.1 feet. He said he is aiming for a 9.9 level—he said they can add an inch and a half with the current structure.

Randy Weldon began a discussion about lake levels. Robertson said that in March of 2006, the dam was repaired because it was deteriorating. Weldon asked what the plans were for retaining water regarding the erosion factor. Robertson replied that the priority of the District in the 90's was to augment the water for recreational use. He continued that boating vessels and wake boarders were more of a problem to erosion than the dam. Residents with retaining walls have created an issue as well, since the retaining walls do not absorb energy and cause their neighbors' property to receive more erosion as well as undermining their own property. Weldon stressed that he remains concern about the erosion.

### **Golf Course Water rights**

The District has been asked to accept a settlement agreement for its protest of well applications by the Siletz. The wetland monitoring aspect was insufficient. Robertson requested additional wetland monitoring and they will develop a wetland monitoring plan and reduce water extracted from the wells by two-thirds. Regarding the 25 wells, Water Resources has indicated they expect no or minimal impacts from extraction. The applicant would agree to check water levels four times a year rather than just once. Robertson recommends the District sign the application. It does not remove water from the lake, but from wells. Robertson continued that it is better to use any water other than city water; however, there are better resources than well water. Lake water would be a better use of water shed than taking the well water. Chinook Winds would seek to sublease water rights that the city owns in Rock Creek and Neotsu Creek. They want to pursue obtaining a water lease to change the point of diversion to Devils Lake. By using lake water, Robertson said they would then be exporting nutrients out of the lake; however, the best place to extract from the lake would be at D River rather than a tributary. The second best would be from the lake itself.

Juenke moved that the Board approve the settlement agreement and Aschenbrenner seconded.

**Vote:** Unanimous. Motion carried.

### **The Devils Lake Plan**

Robertson passed out to the Board an outline of the Devils Lake plan that included the history of Devils Lake. He said he has been creating a document that is ready to be formulated with figures. He would like to create a 12-step program outline, including the following:

#### Agency Contacts

He listed contacts he has sent letters to seeking input and participation.

Septic tank revitalization. Part of the plan would be to provide for a septic tank program with inspections to identify failed systems and potentially obtain support to revitalize them with a revolving, low-income DEQ grant that individuals could apply for. He stated that about 30 to 50 percent of homes on the lake still have septic tanks. Discussion continued regarding the method of obtaining permission for inspections and other issues. Septic Tank Revitalization should remain in the plan, it was determined; however, the entity under whose auspices the monitoring and administering would be is an issue.

#### Total Maximum Daily Load Process.

In speaking with the DEQ, Robertson confirmed that Devils Lake is not on their immediate priority list; however, it could be in two or three years. They are currently involved in other coastal lakes. In order for the process to be easy, Robertson recommended following existing protocol. The plan would identify sources of nutrients and then create a management plan to reduce them. Model what was done previously, and then attempt to improve the process. This might include modeling software, finding septic tanks and basically analyzing the lake.

#### Plan Outline to date.

Juenke stated that the outline is a good basis from which to build.

## **New Business**

### **Watercraft Rinse Station Grant**

Juenke brought up the issue of a rinse station grant. He said that rinse stations around the lake are vital to lake health and are very effective in dealing with foreign materials in lakes. He would like to do everything possible to encourage PADL and Bill Sexton Construction, including providing them a grant of \$2,500. Strayer said that most people wash their boats when they come out of the lake. Robertson said you can change behavior so that boaters would wash their boats going in and coming out. He feels that with education and signage at the rinse station, they would comply.

Juenke moved to donate \$2,500 to PADL as a grant to create a watercraft rinse station and Strayer seconded.

**Vote:** unanimous. Motion carried.

Robertson will create a Resolution dated June 4, 2008 to comply.

### **Bacteria Signage at D River Wayside**

Robertson passed around a photo of the signage.

### **Projector Lamp Replacement**

Robertson reported that the manufacturer of the District's projector will sell him a new lamp for about \$400. However, there are newer options for complete machine replacement and he was told we can get a \$200-250 credit for recycling the machine, with a net expense of \$500 for a brand new projector. Robertson is concerned that replacing the lamp may not correct the problem.

Juenke moved to purchase a new projector from the manufacturer of the projector, after applying for the rebate; Aschenbrenner seconded.

**Vote:** Unanimous. Motion carried.

### **Intern**

Robertson would like to hire an intern in July, and begin interviewing this month. Cyanobacteria monitoring and training begins in early July and the budget contains a provision for \$5,000 in this fiscal year. Juenke asked about the advantage of using Contractor's Clearinghouse; Robertson replied that it was to relieve the District from liability such as unemployment insurance and other aspects requisite of having additional employees. The Board approved Robertson's request for hiring an intern immediately.

### **Boat Maintenance**

Robertson stated that he needs to address the leak in the boat as soon as possible. He said that Mark at Blair Marine would be the person to perform the repair; it would be out of the current year's budget. The Board approved his request to perform the repair immediately and to move funds through a revised resolution within the current budget.

### **Bioswale**

Robertson will meet with Stephanie Reid, the City Engineer, to create a bioswale for storm water treatment in built in Lincoln City. It will consist of contractors collaborating with PADL and utilizing funds provided by the city and will be a good tool for storm water management. The \$3,000 grant should cover the cost of the project that will be located near City Hall. Robertson will invest some time in the project.

### **Printer Part**

Robertson said it appears a belt on the printer is defective and Earl Ramsey from Ink and Toner ordered a new belt, but when he began to install it, he discovered that Earl had ordered an ink cartridge. It is supposed to last to 60,000 pieces, but has completed only 20,000. It appears to be working now; he is going to continue using it until it stops completely. Ink and Toner, Inc did not charge the District for any items or services.

### **HazMat and Sunken Boat**

On Memorial Day, a boat sank at 8:30 a.m. State Parks called the State Police and other entities. Robertson was working on some sampling when he came across the boat. He went into HazMat mode, deploying booms, etc. He called Bill Sexton and Wiggins Tow. Safety concerns arose that eventually were resolved. Robertson is concerned that he was

not on the Parks Department list of people to notify regarding an issue of this nature. He has spoken with a variety of entities to ensure that he is placed on their contact lists. OERS is now under the auspices of the military; he is hoping to be included in the loop. Robertson continued that he would like to purchase some HazMat equipment for issues such as this. When he called the sheriff's office, they stated that they have two marine deputies who are union employees and have work schedules with Sunday, Monday and Tuesday off. They can only be called in for overtime for an emergency. Oregon Marine Board pays their salaries and they have not had people working on Memorial Day weekend in the past, since it is not usually busy. Robertson feels that this might need to be revisited and that someone should write a formal letter to the Sheriff requesting that employees work on all holidays. They have a boat and station it permanently on the lake. They are hiring two cadets to begin working on July 1. Robertson mentioned that he would also like to get better reflective signage on the DLWID boat.

#### **Non-Agenda Items**

None

#### **Public Comment**

Erickson reminded everyone that PADL is having an annual meeting on June 28 at the Union 50 Club at 10:00 a.m. Dr Sam Chan will be speaking and she would like to encourage everyone to attend.

#### **Non-Agenda Items**

None

#### **Public Comment**

Erickson asked if DLWID has any discretionary funds to assist PADL in mailing out 900 flyers to lake-front properties regarding donations for the rinse station. About 600 are to homeowners on both the lake and canal and the rest are undeveloped land owners. There are no such funds available.

#### **Announcements**

Robertson said there is free fishing this weekend at the hatchery and in Newport and he is distributing lead-free weights for about 200 youth that will be participating.

Robertson will speak on KBCH 1400 am at 7:00 a.m. next Tuesday, June 9, 2008.

#### **Adjournment**

The Board meeting adjourned at 9:15 p.m.

Respectfully submitted,  
Linda Burt