



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

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

PRESENT: Jack Strayer
Smokey Aschenbrenner
Otis Winchester
David Juenke

ABSENT: Brian Green

AUDIENCE: Randy Weldon
Doug Pirie

STAFF: Paul Robertson

MEDIA: Strayer called the meeting to order at 6:00 p.m.

Minutes from October and November.

Aschenbrenner moved that the Minutes from the October meeting with previously requested changes be approved and Juenke seconded the motion.

Vote: Unanimous. Motion passed.

Aschenbrenner moved that the Minutes from November's meeting be approved and Juenke seconded the motion.

Vote: Unanimous. Motion passed.

Financial Report.

Robertson reported that the general fund now has a total of \$166,183 and the improvement funds total \$318,386. The bill pay schedule contains routine items.

Winchester moved and Juenke seconded approving the financial report.

Vote: unanimous. Motion carried.

Public Comment

Randy Weldon presented photos of what he perceived to be erosion in the lake. His photos began at Indian Shores and continued around the west side up to Neotsu and over to the far north end and down the east side toward D River. At the end, he showed a photo of the lake level measurement post. Strayer asked what the lake level shows and Weldon says it is now at 9.2. Juenke asked where the low point was and it was 8.6. Weldon said they were looking at possible erosion a six-inch differentiation would cause along the banks. He showed photos of retaining walls, some of which are eroding and crumbling. Weldon said his property has now lost as much as six or eight inches of sand; however, when the water level decreased in October, his sand became visible. Strayer said when people buy property on the lake he would be interested to know what the water level was at their docks to entice them to recreate. If the lake is lowered, it could prevent others from enjoying water sports—where is the economic balance?

Robertson said that a few years ago when the dam was leaking, the water level decreased gradually. Pirie said he did not notice any erosion. He said as a coastal engineer, he was not aware of any classic “S” curves. Property owners’ bulkheads are inadequate. They have no backside filters and the boat wakes are causing silt to wash out from behind them. If the property owners maintained their bulkheads, they wouldn’t have any problems. He said there will be problems with the vinyl barriers. He has no problem with the lake being up to 10 feet; at 9.2 feet, it is difficult for him to move his sailing boats in and out. Pirie said he would like to see the summertime level remain at an established level. And, Strayer said that would be a good decision. Strayer said he would like to get more comments from property owners. Raylene Erickson said she did not have any comments regarding boating.

Unfinished Business

Boat House/Docks.

Nothing new to report; it’s been a full year. Robertson said that perhaps it is a good time to make a push for decisions.

Lake Level Update/ Annual Report.

Levels are at at 9.2. Robertson submitted a revised annual use report for the Recreational Water Use. Robertson said the State Parks has concern about flooding. Harry Gibbons from Tetra Tech said that when you flood an area, you create organic matter. In their efforts to channel water from their property, the parks people created more of a problem. You are placing more oxygen into the soil when you have more drainage. Robertson said he is not going to make any recommendations to the Parks.

The Devils Lake Plan.

Native Revegetation.

Tetra Tech.

Robertson met with Dr. Pennington and Harry Gibbons during the NALMS conference and discussed the Board’s comments about the Task List. They will resubmit a scoping plan in accordance with the District’s comments.

DSL Removal/Fill/Easement.

The Removal/Fill application was submitted. Robertson received a letter from DSL dated November 17 requesting resolution to the comments from ODFW, DSL and the Corps. The Corps recommended that it be approved. Regarding the easement for use of state lands, the Board requested that Robertson apply for the \$750 easement. The hurdle is that a survey has been requested. Robertson called to see if a GPS unit report identifying locations could be used in lieu of a technical survey. He is waiting for a response. The Marine Board issue is that they are in control of the speed limits; they require a petitioning process. Robertson said that if property owners request changes, only ten signatures are required on a petition. If a government entity requests changes, there are more hurdles. Petitions are reviewed only once a year with submissions being received by the first day in April with decisions being made in September. Robertson said that the Marine Board requested that the District work with deputies on this issue. Strayer said there might be some potential for speedboats to cause a problem with the prop wash. Aschenbrenner suggested using the buoys first and determining if they are sufficient. They would be about 30 feet off shore and at a six-foot depth.

Strayer said there is going to be a reappearance of non-native species in the lake—they are already coming back. The concern centers on Coho and that a habitat could be created for fish-eating fish—bass could eat the Coho coming out of Rock Creek. A plan should be created for solving the lake's problems. There needs to be more thought into what the implications are. Strayer said he could attempt to answer each of the issues and have Robertson and Green review his report, then set up a meeting. Robertson said the focus should be in the scale of the project and addressing the negatives.

Strayer said he made contact with the (reservoir) Lake Conroe, Texas, where they have grass carp. They have penned off coves and have planted vegetation. Strayer asked them about exclosures; they have lighter gage metal than the District is planning to use.

Strayer will continue to exchange and pursue information.

Strayer talked with Galovich, who has been performing surveys, and on November 18, they went out on the lake to electro-fish. They found bass, yellow perch and sticklebacks and bullheads. They found a few young bass—from two to six inches long. Strayer said they didn't find any blue gill, nor did they find many large bass over eight inches. The bass might have moved to deeper water. They found some large salmon in some of the five locations they fished—one was by Rock Creek. They found them primarily in the low area on the right side of the lake across from the hospital point. After finding three there, they stopped fishing. They placed the fish in a container full of water after capturing them with a net, then measured and identified them. Strayer will compose a report.

USACE Removal/Fill.

Robertson received a copy of a letter addressed to Kim Katz of NOAA-NMFS from Lawrence Evans of USACE seeking concurrence with the Corps opinion that the project would not affect Coho.

Model DEQ 319 Grant.

Submitted on the 10th of November and the cycle is through May of 09.

SolarBees.

Robertson said SolarBees have not sent a proposal. Robertson prepared a cash flow summary. He explained the methods of creating the report. The objective was to forecast outcomes and outlays to determine if there are enough funds to purchase the SolarBees and still have funds to operate the District—test the assumptions made on how costs will increase and revenues will increase. There will be better than a 3% in growth in revenues due to increases in development and assessments.

Robertson said that TLC Federal Credit Union has offered a flat rate and on a 25-year loan, the annual payment would be \$52,185. It would require a freeze on any extra spending by the District. Robertson said that if values from other organizations were used, the interest rates fluctuate. Juenke said that when his church borrowed funds from TLC, they felt the fees were excessive. Robertson said he would like to keep the business local. It would be difficult to find a 25-year capital loan. The USDA has some potential to assist TLC to make the loan. Strayer said the information should be completely analyzed. Discussion ensued regarding the viability of budget to accommodate covering the lake with 20 SolarBees. Robertson said he believes that the cash flow will allow for the pursuit of the project. Juenke asked if the loan would be for \$700,000. Robertson said it would conclude with \$1.2 million (including interest) with a 25-year amortization.

New Business**Blog.**

Raylene Erickson walked the Board through her blog on the PADL website. She said she had hoped that PADL members would be more active on the site. She described some of the comments she had received. The blog is free and there is no designing required—a template can be chosen. Bloggers have to go through Rayleen's scrutiny prior to being placed on line. Robertson asked how many posts she had that she had to filter. She said she did not have the correct updates at this time. She didn't have many people posting or accessing it. Robertson asked about traffic. Raylene directed Robertson to the map and totals. There are 100 members of PADL and many do not have computers. They are long-term lakefront owners and many are part-time residents.

Discussion ensued on the best method to notify lake area residents on lake issues.

Robertson asked the Board to look over the blog during the holidays and discuss it at the January meeting. The site is at DLWID.blogspot.com. He said they could place a link from the website to the blog.

Robertson showed the Board some of the new options on the DLWID web site—moving photos on the history and projects pages.

Audit.

Robertson said the audit information has been submitted and January is the target date for completion. There will be some additional work to complete after the audit review,

including the 4-5 pages of Management Discussion and Analysis. Robertson will do a final print and bring copies to the meeting.

D River Emergency Dredging.

Robertson said he has spent years attempting to get the City to obtain the necessary permit for the dredging of D River. It cannot be dredged without a permit. There was an agreement in 1993 wherein the City agreed to pay for the permit, apply for the permit and implement it and the District would pay for half the cost. When Robertson began managing the District, no permit had been issued in 2005 when the river required dredging. Robertson worked with the City to obtain an emergency permit. Ray Drayton was hired to perform the work. The next year, the city got the permit, Robertson obtained the other necessary permits and authorizations, he obtained bids and oversaw the project. Robertson explained that the permit expires annually similar to the removal/fill permits. Since it is the City's responsibility, Robertson has requested action in March, in June, in July and again in October. Strayer asked whom he was contacting. Robertson replied the city engineer and the director of public works. Lila Bradley said the permit is in process; however, an emergency permit will be required. Juenke asked if Aschenbrenner could make a couple of phone calls. Robertson responded that Green has called Bradley. She said she has sent it to the planning department because it requires their stamp, and then it goes to DSL for their approval. Aschenbrenner asked what the status is at this time. Robertson said it should be in the works at this time.

NALMS

Robertson directed the Board to the full written report that he submitted to them and asked if they had any questions. No questions were asked.

Non-Agenda Items

None

Public Comment

None

Announcements

KBCH 1400 am: Tuesday, December 9, 7:25 am

Next meeting: Moved to a special day, Jan 8, 2009 at 6:00 p.m.

SOLV: May 16, 2009, Union 50. This is a \$250 expense. Winchester feels it is worth it; Strayer said it seems like a core function for the Board to maintain a clean lake. Juenke agreed. Robertson said he would try to do it economically.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,
Linda Burt