



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

**DLWID OFFICE
February 5, 2009
6:00 P.M.**

PRESENT: Jack Strayer
Otis Winchester
David Juenke
Smokey Aschenbrenner

ABSENT: Brian Green

AUDIENCE: Randy Weldon
Doug Pirie
Don Sell
David Skirvin

STAFF: Paul Robertson

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

Minutes from January

Winchester moved and Juenke seconded approval of the minutes from January. Vote: Unanimous. Motion carried.

Financial Report

Robertson noted that TLC has changed their web design. Additional items listed are \$3,100 for the audit, \$235 for the City of Lincoln City for DLWID's half of the dredging, \$274 to Robertson for health club membership reimbursement, and \$170 for IECA Erosion Control membership.

Robertson requested that the Board approve Resolution 09-02 to transfer funds of \$762 from the Materials account to pay the amount over budget for the audit. Winchester moved and Juenke seconded approval of the Resolution. Vote: Unanimous. Motion carried.

Public Comment

None.

Unfinished Business

Boat House/Docks

Robertson sent an e-mail to Matt Spangler requesting a second meeting. Spangler replied that the Planning Commission requested exploration of the relationship between the county's code standards and those that are likely to be applied by DSL. Spangler is attempting to set up a meeting with ODFW and DSL to explore the issue. Robertson and Spangler will follow up with Dan Avery. They are now awaiting NOAA's and the Corps' recommendations to DSL.

Lake Level Update

Blog

Robertson displayed the blog and the DLWID website on the screen, showing the Board and audience the links—one to the blog and one to the SolarBees project. There is a calendar link and also a link to an election packet for the two Board openings (Juenke's and Green's terms are expiring).

Robertson said that he had not expected to receive comments on the open forum section—there were four. Although the blog had requested names and addresses, the bloggers had not complied. Strayer stated that identify theft concerns could cause some bloggers reservations about displaying personal information. Discussion ensued regarding the voting of the lake level/dam removal issue. Voting appeared to be quite equally split—44 voted for a high lake level; 33 voted for a lower lake level; 29 said the dam should be removed and 3 requiring more information. Robertson reminded that it is not possible to determine if folks were voting more than once. The goal of the blog is to obtain more input from the public; however, the concession is that it will not be used as a direct tool for the Board to make any major decisions.

Strayer said that according to his measurements, the lake level is currently at 8.75 feet. Pirie asked what the high level had been this winter; Robertson responded, 11.6 feet. Pirie reminded that home foundations could be affected when the water is too high. He told the Board that controlling the water distribution should be a function of the District. Pirie asked what constitutes an "emergency," and Robertson replied, "When there is not water running to sea." He noted that the mean lake level is 10.4 feet. Pirie said he felt that during the winter months, backup of water into the lake should be curtailed. Juenke agreed that it might indeed be the responsibility of the District and that one problem is the backup of sand in the channel. Aschenbrenner said there is a channel on both sides with a bar in the center that is at about one-and-a-half feet high due to sand build-up that is never cleaned out. Robertson reminded the Board that homes built on the lake are on private property and were built at a level below the maximum height of Devils Lake no matter where it is. Pirie replied that there is a technique that can be installed to stop the build-up of the water during the winter.

The Devils Lake Plan Native Revegetation

Tetra Tech

Robertson read the bid Proposal from Tetra Tech, which did not include Dr. Sytsma's work, although he had previously performed a study of 45 lakes in the Willamette National Forest from the Sea Lion Caves to Reedsport and identified all types of aquatic plants. Strayer said he feels that Dr. Sytsma's work would be valuable in helping to identify and locate the plants easiest to gather. Strayer said part of the planting recommendations should include more formal GPS coordinates for locating the plants easiest to harvest. It was decided that an hourly service rate would also need to be provided in the event any additional service or advice is required. Robertson will note on the response that no action will be taken until the permit is obtained.

DSL Removal/Fill

Robertson said there is an extension with DSL until 4/15 allowing time to work through ODFW concerns and obtaining comments from the USACE.

USACE Removal/Fill

Robertson received an e-mail from Kristen Reische with questions and requesting additional information. Robertson asked Strayer if he wanted to address the concerns. Strayer provided information on each of the questions—installation timeline, native plantings, non-native and invasive plants and predation concerns. Strayer said that if anyone wished to be kept informed to let him know and he would e-mail information to them. He is reviewing endangered species information and requirements. He has offered to meet with John Spangler from Fish and Wildlife and he will talk about their concerns and issues to see if they can find some common ground.

DSL Easement

Robertson gave the estimate for the cost of the easement--\$123,624.22 for a 30-year permit based on state laws. Chris Castelli of DSL asked Robertson to provide a letter seeking a waiver of the fee, which he sent with the application.

Model DEQ 319 Grant

Robertson has not yet heard from DEQ on the grant. He will follow up soon. Robertson's salary would be included in the District's portion of the match for the grant of \$16,000 (at 60% of the application amount) for funding the data compilation to create the model. Robertson said he has spoken with Jesse Ford who works with OSU and has developed databases that compile data from all over and coordinate it into a working format. Joe Eilers recommended her work. Robertson will research how the agreement could proceed.

SolarBees

Robertson obtained an updated cost estimate on the SolarBees. They are \$47,795 each and 20 would be \$955,900. Delivery and installation would be \$4,894 each and 20 would be \$97,889. Robertson reported that he is registering the District to be eligible to receive government contracts. He said this has been a long process. He has obtained a DUNS

number, a CCR number, an AOR, a MPIN and a user name and password. He obtained letters of support from PADL, Lincoln County and Lincoln City, as well as the Surfrider Foundation. Robertson is presenting in front of Salmon Drift Creek Watershed Council to obtain their support. He showed a spreadsheet that will be merged into the 12-page grant application addendum requesting \$595,000 (just under the maximum of \$600,000). Robertson listed grants for which he is applying and others he is researching.

Robertson said he would call Joe Eilers and ask for a formal proposal, based upon Juenke's request for some type of response to the process.

New Business

Appointment of Budget Committee

No applications have been received for the budget committee. Mitchell Moore and Jim Park agreed to accept their nominations. Don Sell and Doug Pirie have an additional two years on their terms. This leaves one vacancy. Winchester moved and Aschenbrenner seconded electing Jim Park and Mitchell Moore to serve on the budget committee. Vote: Unanimous. Motion carried. The vacancy will remain open since there is no requirement for it to be filled if no one applies. Robertson reminded the group that there is only one annual meeting. The committee's recommendations are passed on to the Board, who comprise the other half of the budget committee, and they make final decisions on the budget.

Elections

Brian Green's and Dave Juenke's positions are up for election. Juenke had been appointed to complete the end of a term for a member's retirement. February 9 is the first day for submitting an application; March 19 is the last day for applying. Applicants are required to complete an application and obtain ten signatures or pay of fee of \$10. Interested applicants can place information in the voter's pamphlet. Applications are also on the DLWID web site.

Internship

The summer internship position has been advertised, according to Robertson. Although he advertised for an unpaid intern, Robertson requested that the Board commit \$10,000 for the summer, \$4,600 of which remains in this budget. Robertson said he has contacted most all the colleges. Roles and requirements would be similar to last year. Juenke moved and Winchester seconded that the Board repeat the internship program at a cost not to exceed \$10,000. Vote: Unanimous. Motion carried.

Non-Agenda Items

Robertson reported that the City is performing a shoreline restoration project at one of its sewer plants to be completed by mid-February. Robertson met with the contractor and Public Works about a week ago, and he intends to photograph the installation of the shoreline restoration for creation of a presentation to show what type of non-hardening surfaces can be used to recreate the shoreline.

Public Comment

Pirie asked about the progress on the 11th Street fill issue. Robertson said the date that the issue was supposed to be resolved has been moved to February 17 from last September. That when they are to remove all the fill material. Robertson asked Pirie to let him know if he notices anything happening on the project. The State may need to be notified to complete an enforcement action. The other project in question is the one near the 2500 block where the large pier blocks had been installed illegally with no permit. That date for compliance was moved to around mid February as well.

Strayer asked if the manager's monthly report could be distributed to the audience. The Board agreed that it would be a good idea so that the public could have a little more background on issues prior to the meetings. Robertson said he could place it on the website. He reminded the Board that the Minutes from the previous month are placed on the website just prior to each meeting.

Weldon asked about the grass carp issue. Robertson said there has been communication from ODFW that exceptions can be considered. Weldon said he has not observed any carp lately. Robertson said he has placed information on the SolarBees on the website. He will give the presentation Tuesday at 6:30 PM at the Salmon Drift Creek Watershed Council and they will be discussing the suppression of weeds by SolarBees. Strayer submitted that shallow-rooted weeds cannot survive whole-lake circulation and that native aquatic vegetation is deeply rooted and can flourish.

Announcements

KBCH 1400 am: Tuesday, February 10, 7:15 am
SDCWC Tuesday, February 10, 2009, 6:30 PM
Oregon American Fisheries Society Meeting, February 26, 2009
Next Board meeting: March 5, 2009
SOLV: May 16, 2009, Union 50.
Oregon Lake Association: September 11, 12, 2009-01-30
Erosion Control Seminar: October 8, 2009

Adjournment was at 7:30 pm.

Respectfully submitted,
Linda Burt