



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

**DLWID OFFICE
April 1, 2010
6:00 P.M.**

PRESENT: Randy Weldon
Jack Strayer
Joe Barnes
Brian Green
Dave Skirvin

ABSENT: None

AUDIENCE: Doug Pirie, Mitchell Moore, Don Sell, Larry Brown,
Bill Sexton, Bill Pigott, Lon Serv

STAFF: Paul Robertson
Seth Lenaerts, RARE Program

MEDIA: Patrick Alexander, the News Guard

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

Minutes of previous meeting

Green moved to approve the minutes from April's meeting. Weldon seconded.
Vote: Unanimous. Motion carried.

Financial Report

Robertson noted that \$3,200 was spent on the audit; Schooner Creek Construction is no longer on the list of vendors.

Green moved to approve the financial report. Strayer seconded.
Vote: Unanimous. Motion carried.

Public Comment

Larry Brown: Various signs will be placed around the lake soon. The flavor of these postings is a concern to him. He would like the Board to agree to take a look at these signs before they are placed and approve the verbiage. Cyanobacteria are an unknown term to many of the public. Brown prefers the term "bluegreen algae." It is not scientific and does not carry a bad connotation. Keep it simple.

Strayer said State of Washington's language seems to be more descriptive and friendlier to the public. He would like the Board and staff to take a look at it.

Green said this is a good comment and the Board most likely agrees with this.

Strayer: Regarding the issue of the 50,000 gallons of sewage spewing within 1200 feet of the lake, shouldn't it have been placed on the agenda?

Green: That issue can be discussed under the non-agenda items.

Unfinished Business

Goal-Setting Review

Barnes asked to move the goal setting to the present. Green asked if everyone had turned in their goal-setting items.

Discussion ensued about how many items should be placed on the priorities list and the best method for prioritizing.

The Board proceeded to list their top five items of priority.

Green:

Develop weed control alternatives

Complete the Devils Lake Plan

Continue monitoring e-Coli, cyanobacteria and cyanotoxins

Work with existing landowners and the City of Lincoln City on developing sewer collection systems

Evaluate postings and how they affect public relations

Strayer: the Vision is still important and will build toward what we want the lake to look like. It is nutrient excessive. Projects such as septic tanks and sewers and aquatic vegetation should be implemented to help control nutrients. A Vision is important in selecting items.

Weldon: He said he checked ten items before narrowing it down to five. It was tough to choose.

Roberson said he also had difficulty, choosing some of which are not even on the Boards' list. All have merit and it is difficult to choose.

Discussions continued about the carp, cyanobacteria and the methods of controlling weeds growing toward the shore.

Green reminded that aquatic plants will die and will not suck up any nutrients when they die.

Barnes: We need to inform home owners around the lake that when the grass carp die, we might get back to where we were the '80's. People on the canals will have the issue of weeds first. We need to decide whether or not we are going to have the option of reinstalling carp into the lake.

Strayer: He noted that both fishing and navigation are important recreations. He said family fishing is nearly gone.

Barnes: Said he is still catching fish.

Bill Pigott: If the discussion is about a vision, we should note that we are trying to keep the lake from moving forward in its natural process. Natural progression will cause the lake to be lost. The vision should be for a balance of water skiing, swimming and fishing. This means that you have a vision and that you hold the lake within a range. Be proactive. Choose four or five activities.

Barnes: Don't we have to have the grass carp?

Green: In the early '80's, the best information dictated that it would have been sufficient to have 17 fish per acre. People said, "We have to make sure it works." So, the Board at that time determined they would install 40 carp per acre; perhaps 15 fish would have been sufficient.

Robertson: If the lake had been understocked, there would have been some weeds. With enough sunlight and nutrients, the weeds will continue to grow.

Weldon: Also the fish will eat weeds based on their weight, and as they grow, they eat more weeds.

Strayer: The intention of the Board at that time was not to remove the fish before they ate all the weeds.

Barnes: ODFW is satisfied with the condition of the lake. And, they are concerned about the bass eating the Coho. How will they feel if we eliminate the grass carp even though they denied reintroduction.

Robertson: In 2003, they decided that grass carp were prohibited except on private 10-acre lakes only. That is statewide; we applied and were denied. We applied so that if we wish to reinstate, we would have completed the first made the first step in the process. The Newport office folks are the ones who have said they would support an application if we choose to move forward. It would still have to go through the process.

Barnes: In the past, that has been the rule; but, they have relaxed rules previously. We have a 50-50 chance.

Strayer: We have been working on aquatic vegetation since 2007. We met with the Newport office to discuss aquatic vegetation and they said they didn't want it because it would increase the bass that would eat the Coho. There were five structures proposed. But, if one bass gets one Coho, they are against vegetation.

Skirvin: If you want to put in the vegetation, you would have near shoreline structures on the lake. But, the Newport office continues to say they do not want the plants that will begin the process to endanger the Coho.

Green: The agenda item is "Goal Setting Prioritization." We have only discussed two goals and we haven't ranked them.

Strayer: Did you read the aquatic management table? I noted that as you go through the levels of installing vegetation on the lake; introduce grass carp if things get out of hand.
Barnes: The number of grass carp we would install is not an issue. They have a formula.
Weldon: Said he does not feel the aquatic vegetation will control the weeds.
Strayer: Blue Heron said there were 70 to 100 fish there. And Strayer has 10 to 20.

Robertson: Noted that formulating and finishing a plan should be completed first.
Additional Discussion on the Lake Plan ensued.
Green agreed that the Devils Lake Plan should be the number one issue at this time. He prefers listing up to 25 items that staff can work on as time permits. Prioritize the items.
Lenaerts reminded that the Mission (or vision) comes first, next comes goals, and finally objectives.

The Board continued listing their priorities:

Barnes:

Completing the septic ordinances
Obtaining approval for installing grass carp or work on an alternative
Sewer as many homes as possible
Communication: Review the Cyanowatch criteria; we don't want any red signage; more positive signage. Work on the lake Manager's communication and communication with home owners. Get out there
Complete the Tetra Tech study

Weldon:

Grass Carp approval
Septic tank completion
Increasing communication with the property owners
Postings evaluation with signage targeting education
Erosion control study in the canals

Strayer:

Vision statement, basically weighting of projects is the important issue
Nutrient model for the nutrient budget to determine where nutrients are coming from (Golf course is in the basin, forestry, farms and septic tanks).
Tetra Tech Report in final version to develop vegetation management plan taking into account the control measures, possibly grass carp
Study for possibility of sewerage the basin
Solve Thompson Creek e-Coli issue. (In 1972, the last paragraph said look at high e-Coli levels in Thompson Creek. DNA analysis—what kind of animal? Horses? KOA?)

Skirvin:

(Key things to look at next, excluding things we are doing today).
Address E-coli on Thompson Creek. Identify where nutrients are coming from.
Canal issues for dredging; permit process.
Grass carp as the ace in the hole; start applying now.

Improvement of communications. Get out on the lake with interaction with public.
The public can assist in forming opinions on what we do next.
Perform the erosion study.
Work on sewer system.

Robertson:

Consider an additional staff person to help in completing more issues.
Complete septic tank revitalization.
Complete the shoreline project.
Complete the Devils Lake Plan.
Continue monitoring program.
Storm water project. This could be one of the problems with the Thompson Creek issue.

Discussion began on the value of ongoing monitoring.
Skirvin said that continued monitoring might be important because an incident could occur if monitoring was stopped.
Green feels it is more important short term than nutrient modeling. How much good will it do to create a nutrient model? It probably wouldn't change much.

Robertson listed the Board's list of goals/projects in order of importance:

Grass Carp application/appeal to be ready if it is required.

Finish Septic Tank Revitalization program.

Improve communications of District (Manager) with the public

(includes more friendly postings of signage around the lake on cyanobacteria notices, etc.); including conducting a photographic survey. (Skirvin said DSL will be doing a photographic survey and Robertson can assist).

Focus on the e-Coli from Thompson Creek.

Sewering the Lake

Robertson:

Septic Tank Revitalization
Grass Carp
Devils Lake Plan completion

Barnes moved to adopt the above five goals/objectives/projects in order of priority.
Skirvin seconded.
Voted Yes: Weldon, Skirvin, Barnes
Abstained: Strayer
Voted No: Green

Boat Houses/Docks

Lots of time has been invested in this project. District is awaiting a second hearing now.
Barnes moved that the issue of Boat Houses and Docks be omitted from future agendas.
Strayer: Seconded the motion.
Discussion: Weldon said that he has felt that bias was involved in the decisions to work on this issue, that people who already have a boat house do not want anyone else to have

one. He said he does not want the Board and staff to invest any more time and effort in this issue.

Voted Yes: Weldon, Barnes, Strayer, Green

Abstained: Skirvin

Motion carried.

Land-Use Complaints

Barnes said he feels that the District should not be the “police” on these issues.

Skirvin: We don’t want Paul to hang up on people when they call with complaints.

Green: Maybe you can just report it when you see a violation.

Skirvin: You can make it an agenda item if something comes up; present it to the Board.

Green: Robertson should make the initial report. If they don’t follow up, he can ask the Board if we want him to do something more.

Lake Level

Robertson: We had one response that I sent to the Board. The bid is \$5,000 for one year for the full RFP. Bill Sexton (and Harry) are very capable.

Strayer: What is the date of their contract?

Robertson: This is a one-year quote from the 14th of April through 2011. Skirvin asked if they could do an April to April.

Barnes moved to adopt Sexton’s RFP as the contract is stated—April to April for one year. Strayer seconded.

Vote: Unanimous. Motion carried.

Robertson added: The lake level is currently at 10.01 and the D River was dredged this morning. He said he has a list of excavators for emergency excavation and selects based on cost and availability to work on the dam. The DSL application limits the work that can be accomplished. There is an easement on Kylo’s property. The permit allows the District to go from the bridge west.

Skirvin asked to share a PowerPoint on the Thompson Creek canal.

He went with Weldon to take depth measurements on the canal. They discovered that most of the homes have sufficient water at the 9.0 level to access their docks adequately. The lowest property’s dock level is at 17’; the owner does kayaking. The lower end of the canal has about 25,000 yards of sediment that could be removed. Sexton gave a verbal estimate of about \$50,000 to dredge and remove the soil for four houses on the east end of the canal. The canal is owned by a private party.

DEQ 319 Grant

The DEQ has sent their feedback on the QAPP and SAP’s. Robertson believes the plans were well received. He now has 45 days to incorporate their comments into the final drafts. He can then create an RFP for the database formulation.

Native Vegetation

Robertson: Reported that he participated in the teleconference with Dr. Toni Pennington, Tetra Tech, Dan Avery and Gary Galovich, ODFW and Directors Skirvin and Strayer.

There is support for Tetra Tech's design using a floating system, attached to the shoreline at either end as well as the bottom throughout. Some hurdles would be required prior to the establishment of an enclosure through to its final implementation. A Fish Salvage Permit from NOAA Fisheries would be required that would likely include multiple sweeps of the area using a net followed by systematic electro shocking of the area. This would be an expense that would need to be considered.

Robertson asked if the Board feels that the enclosure information should be incorporated into the document or should it be an addendum. Strayer recommended adding it as an addendum.

Whole Lake Circulation

Skirvin moved to remove this item off future agendas for the present. Barnes seconded the motion.

Vote: Unanimous. Motion carried.

Septic Tank Revitalization Program

Lenaerts: The City Council voted 4 to 2 to direct DLWID staff to draft a septic system ordinance based on the eight outlined points approved by the Council and DLWID.

In a month or so, the City attorney will begin drafting the ordinance and DLWID staff will continue compiling information. The City has asked why the Board wants the ordinance to be watershed-wide. Lenaerts said that he will work on the case to include the entire watershed in the ordinance—soil characteristics, watershed moving toward the lake, etc. When the draft is completed, the Board can decide when the public input meeting will be held. Then the hearings will be held at the City Council. Lenaerts said he can have the data completed in four or five additional days.

Save Our Shoreline

Spiro Landscapes will be the landscapers to complete the project on three lakefront properties. Two homeowners are on John's Loop and another at 1600 Lake Cove.

Financial Oversight committee Report

Robertson said this committee needs to be formed. Two members are Jim Park and Doug Pirie. Whatever needs to be done will be overseen by Weldon.

Communications Committee Report

Water bill mailings will be sent in April. They are due to the City on the 10th and will be sent out mid-month. Lenaerts will e-mail the final draft to the Board for approval after adding the new goals to the piece.

Skirvin and Barnes asked Robertson about when he would be able to respond to their request to make his final recommendations on the Devils Lake Plan. Skirvin said he would like to see the document two weeks ahead of the next meeting. Robertson responded that he would most likely not be able to get to it this month due to the DEQ 319 Grant document that must be completed within 20 days and the budget that needs to be completed. The Board and Robertson agreed that he would work on completing it by mid-May.

Discussion ensued about the best method of introducing the Lake Manager to the public. Mitchell Moore said that he and his wife are planning an August 7 party and perhaps that would be a good venue to have a get-acquainted party for staff, Board and homeowners. It is an annual event for the Mitchells.

Devils Lake Low Power Radio

A new sign will be created and installed that will inform the public about the radio station.

Budget Committee

Jim Hoover has applied to be on the Committee.

Green moved to approve Hoover's appointment to the Committee.

Strayer seconded the motion.

Vote: Unanimous. Motion carried.

New Business

PADL Next Steps: John Lazier

Postponed.

Monitoring Equipment

Robertson requested that funds be moved from Debt Service to Capital Outlay to permit the purchase of a 25-foot pH/conductivity/temp probe to measure the temperature and depth of the lake and collect basic data. It requires minimal maintenance and is battery operated. The probe alone is \$207, but one has been purchased already and Robertson recommends purchase of the entire meter. It is used weekly during sampling. Green moved that \$750 be moved from Debt Service to Capital Outlay to allow Robertson to purchase a new meter and probe. Strayer seconded the motion.

Vote: Unanimous. Motion carried.

SOLV Down by the Lakeside

SOLV no longer will have this event; however, the District can continue the event under the auspices of SOLV and benefit from their exposure of the fall beach cleanup, although the event can be held at any time of the year. The event involves a lot of community people who help out.

Skirvin moved to hold the event in conjunction with the SOLV program.

Barnes seconded the motion.

Vote: Unanimous. Motion carried.

Non-agenda Items

Strayer asked about the impact on the lake of the City sewage spill two weeks ago. The City reported it to DEQ. How can we prevent this from occurring in the future?

Robertson said that it occurred because of residents placing grease in their sewer lines.

An abandoned line became clogged.

Mitchell Moore went down to the area behind the totem poles, took photos and placed them on his website. Mitchell said maybe Paul should establish a relationship with Allen

and Joe in the City Sewer, saying something such as, “We had some concerns and maybe we need to learn a little more about your systems.” Someone suggested that maybe one of them could come and share information at a Board meeting, marking where the sewer pumps are located.

Robertson responded that he has worked with both Lila Bradley, Stephanie Reid as well as both Joe and Allen.

Robertson asked for the Board to approve his attendance at a cyanobacteria training conference conducted by Dr. Carmichael at OSU for the price of \$130 for two days.

Green moved to authorize Paul to attend the conference on May 24 and 25.

Strayer seconded the motion.

Vote: Unanimous. Motion carried.

Robertson requested permission to take three of his five days of remaining vacation on April 28, 29 and 30. (Wednesday, Thursday and Friday). Skirvin moved to approve Robertson’s request for these vacation days. Barnes seconded the motion.

Vote: Unanimous. Motion carried.

Public Comment

Bill Pigott expressed his wishes that the Board and staff consider taking a team-building training class. He feels they could demonstrate a “less fuzzy” and more cohesive relationship. Green thanked him for his comments.

Board Comments & Announcements

Board members agreed that a team-building session would be a good idea. It will be considered in the future.

The meeting adjourned at meeting adjourned at 9: 40 pm.

Respectfully submitted,
Linda Burt