



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

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

- PRESENT:** Randy Weldon
Brian Green
Dave Skirvin
Joe Barnes
Jack Strayer
- ABSENT:** None
- AUDIENCE:** Special Presenters: City Manager David Hawker, Sars Richards, General Manager, Chinook Winds
Jerry Bottemiller, Sheryl Smith, Michael Roth, Jim Covert, Mitchell Moore, Larry Brown, Art Bettger, Meaghan Chadwick, Yvette Guyser, Mark Highland, Donna Elsasser, Mark Christie
- STAFF:** Paul Robertson
Seth Lenaerts, RARE Program
- MEDIA:** Patrick from *The News Guard*

Green called the meeting to order at 6:05 p.m. at the office of the Lincoln City City Council.

Special Order of Business

Siletz Point of Diversion for Rock Creek

David Hawker said that the City of Lincoln City is asking the DLWID Board to support the Confederated Tribes of the Siletz and the City of Lincoln City in their application to the Department of Water Resources to approve an additional point of diversion downstream in Devils Lake for the 0.5 cubic feet per second of water for which they currently have water rights in Rock Creek. The Tribe currently purchases water for

irrigating the golf course from the City's treated water supply. He said this agreement would generate benefits.

*Lake water contains phosphorous and nitrogen that would reduce the golf course treated water run-off. The nutrients in the lake would be beneficial to the turf and would reduce the amount of fertilizer that needs to be applied to the golf course.

*The use of the Rock Creek water from the lake rather than the stream will guarantee that the amount of water remains in the stream, helping to sustain the Coho salmon. Currently, Rock Creek flows directly into D River. Diverting some of the flow across the lake may have a beneficial effect on the lake quality.

*The use of Rock Creek water from the lake will reduce the demand on the City's primary source of water, Schooner Creek, and its secondary source, Drift Creek, which are also salmon-bearing streams.

*The use of water from the lake will extend the City's existing water supply and retain more water in three critical coastal streams and the city would not have to find another source so quickly. The most logical other than Rock Creek is Rocky Creek which would cost \$150 million to access. The other alternative would be for the city to discontinue water service to people outside the City.

*It does not appear that diverting Rock Creek water from the lake would impact the level of the lake, but Hawker said that Robertson could speak more thoroughly to that.

Robertson: The water used would be subtracted from the inflow. There will be water from Rock Creek and Thompson Creek causing some flow through the lake.

Green: Go through the questions one at a time.

Richards: The agreement is for .5 cubic foot per second.

Strayer: What would be the plan?

Hawker: ½ CFS is the maximum or 225 gallons per minute. Flow is measured at the point of diversion. WRD will also require that because of the agreement. Frequency to report would be monthly and annually, although it may require additional reporting.

Richards: No additional water would be required other than the 75 acre feet.

Hawker: It will be limited to ½ CFS. None of the water that the City owns would be taken by the city—only by the golf course.

Richards: The Tribe does have ground water permits. We will use it for supplemental water. The small creeks do not have water available.

Hawker: There are three certificates for rights on Rock Creek and one on other streams. No other water rights are being considered that are tributary to Devils Lake.

We have water rights in Seid Creek that are in a holding pattern, not active at this point.

Richards: Thompson Creek water will not be needed if this City water right is approved.

Question: What is the amount of fertilizer used on the golf course?

Richards: It depends.

Strayer: It is in tons, but will it be reduced?

Richards: Yes, it will be reduced.

Strayer: Any figures?

Richards: I can provide the average since we've owned the golf course.

We do not know what the decrease will be—I cannot give the exact amount.

Strayer: Why should the District give the Tribe something that the lake owners cannot have—irrigation from the lake?

Hawker: It's not DLWID giving it to the tribe. It is an agreement that is a senior water right that exists today.

Strayer: Who would measure pumping?

Hawker: Once the pump reaches the 500 GPM, the City and Water Resources Department will regulate. The meter is designed for .5 CFS only. The design shall perform to all applicable requirements and the meter must comply. It will be regulated by the Oregon Water Resources Department. The dam is upstream about 3 miles. Our concern is that the diversion from the lake not exceeds the allocation amount.

Strayer: Is it a monthly reading? What will be the sanction if they go over?

Hawker: I don't see it happening. They will not run this 24 hours a day, seven days a week for 30 days. This is the maximum rate that water will run.

If anyone would like me to e-mail the map to pinpoint the mouth of the creek, send me an e-mail to davidh@lincolncity.org. There are two tributaries downstream in the 3-mile reach, but I do not know how much water they produce. The water is not coming out of the stream—it is coming out of the lake.

Question: If water rights are in Rock Creek why is water coming out of the lake?

Hawker: Cost is prohibitive to place pumps out of the creek. It is preferable to bring the water out of the lake. It would be detrimental to take the water out of the stream.

Robertson said he spoke with Greg Beaman who said that the water rights would be subtracted from inflow. For instance, if the water that we are required to keep track of is 5 CFS coming in, we would subtract the .5 CFS and there would be 4.5 going out.

Hawker: ODFW will review the application after it is submitted. And, no, the City would not support any water rights for the lake residents.

Richards: The design is being worked on. Once it is completed, it will be going to the City and the State.

Strayer: Is it a pipe going into the water?

Richards: The pipe will be going under Highway 101 and the City will have to approve.

Strayer: Will it restrict any use of the lake?

Richards: We will not do anything that will hamper the use of the lake.

Hawker: The City will not support restriction if the lake decreases to a pre-determined level?

Question: Will the City and the Tribe consent to a five-year review?

Hawker has no problem with an assessment within five years. He would not support changing the agreement, but feels that an assessment would show its benefits.

Barnes asked about tapping into Rock Creek if there were a drought.

Hawker: Rock Creek could be tapped within the water rights, but we couldn't do this if we endangered the salmon. Remember, the City is taking a loss on revenue because the City wants to lower pollution and wants to extend the water supply.

In response to Bill Sexton's statement that the ponds in the wetlands of the golf course could be supplying more water, Richards responded: They do function the way they are supposed to. The one pond is off the City water and the second pond is next to wetlands and we cannot legally go in and dredge the wetland. We might gain a few inches, but it would not provide the water we need. The Tribe plans to use the ponds for storage water for use in July and August.

Strayer: Will the wintertime pumping be within your 75 acre feet.

Richards: We will pull some from the lake, but 75 acre feet is our maximum.

Green: The City water that is being used originates in Schooner Creek?

Hawker: This will extend the City's water supply for five years. We just completed a four million dollar project that could sustain us for 20 years. The Rocky Creek project near Depoe Bay is not feasible.

Strayer: Do you know what the City's water leakage is?

Hawker: We have a 25% loss. We are trying to lower it to 10%. We are spending a lot of money to do so. Also, to promote water conservation, Monday night, council approved a higher rate for water during the summer months to encourage conservation. It's a combination to cut our water losses.

Strayer: Has any testing been completed on the lake water?

Hawker: Robertson has provided information that DLWID has.

Richards: GSI has been tested. The cyanobacteria, no. But scientists say the water is what we need. The amount of fertilizer that we are using on average and a ball-park amount of reduction will be provided.

Hawker: Turf needs minor amounts of chlorine, it doesn't need the amount that the City water gives it. It's significantly hard on the grass at the level we have in the City water.

Richards: Details will be provided 60 days after the agreement is signed.

Strayer: We say, yes, and then 60 days later we will see what we agreed to.

Hawker: We are talking about a couple of hundred gallons a minute. A fairly small diversion is what we are talking about here.

Richards: We have been working on this and by July 8 we will have the structure design and pinpoint where the diversion is.

Green: Any further comments or questions?

Barnes: I think it's a great idea.

Green: I have the sign-up sheet for public comments.

Cheryl Smith: Her maiden name was Hill. In 1917 her grandparents homesteaded and have water rights that came in a little faster than the City's in 1933. She still draws water from Rock Creek. In the wintertime, it's okay. In the summer time, water level is beginning to go down. When the water gets really low and the city had water rights on Rock Creek, fish were having a hard time getting up. You have bedrock in the summer time when the creek gets low. That's her concern. Her concern is protecting salmon on Rock Creek.

Hawker: This water stays in the stream. It is the City's intention to keep the water in the stream.

Mitchell Moore: Regarding the benefits of irrigation of the golf course. Some of them have merit. He has concerns because it changes the water rights from one tributary to the entire lake. The point of diversion should require the water use to be discontinued should the lake go below a certain level. City or tribe should be required to create a water monitoring program and submit it to the District.

Larry Brown: He believes it's a horrible idea. If the City wants to save money and water, why are we selling water to one individual—the last one that needs help financially. Residents could use that water. The City could transfer the water rights to individuals and save water. The golf course is thousands of feet from the lake. Why don't we give the water rights to individuals rather than to the wealthiest citizens of the City?

Hawker: The tribe has the right to use the treated water and this is to everyone's benefit. If the Board does not wish to consider this, we want the Board to let us know because then we need to consider other options.

Question: What rate do they pay?

Hawker: The golf course gets a commercial rate. They receive no discount. \$2.46 per cubic foot is what everybody pays. The base rates are going to change, but residential and commercial are very close and they will remain the same under the new rate.

Green: Any further Board discussion or motion?

Barnes moved that DLWID Board support the agreement between the City of Lincoln City and the Confederated Tribe of the Siletz to provide 0.5 cubic feet per second of the City's existing senior certificated municipal water right in Rock Creek for the purpose of irrigation of the golf course, subject to the Oregon Department of Water Resources approving an additional point of diversion downstream in Devils Lake for water withdrawal.

Green: Seconded the motion.

Discussion:

Strayer believes there are some items to be considered such as how much fertilizer is used, the savings on fertilizer and whether the water has been tested to work on the golf course.

Hawker: They are going to regulate the water and the reduction in fertilizer is a positive thing. Richards will provide the ball-park amount of fertilizer that will be saved by tomorrow morning.

Green: There will be some reduction in the fertilizer on the course and it will be beneficial.

Weldon: If the City has the water right, it would be better to pull it out of the lake rather than out of the creek. If we can see a change in the fertilizer, that could have a huge impact on the lake with the phosphates that have a lot to do with the algae exploding. Lots of communities have outlawed phosphates. This could have a huge beneficial impact on the lake.

Green: Any further discussion?

**Voting Yes: Barnes, Green, Weldon, and Skirvin. Voting No: Strayer.
Motion carried.**

David Hawker and Sar Richards asked to be excused and departed.

Election of Officers

Skirvin nominated Green to continue as Chair of the Board and Barnes seconded the nomination. Green noted that it has been traditional to rotate the chair.

Green was unanimously elected to continue as Chair of the Board.

Green nominated Strayer to continue as Vice Chair of the Board.

Skirvin nominated Barnes to be Vice Chair.

Strayer seconded the nomination.

Barnes was unanimously elected as Vice Chair of the Board.

Strayer nominated Weldon to continue as Secretary/Treasurer of the Board.

Barnes seconded the nomination.

Weldon was unanimously elected as Secretary/Treasurer of the Board.

Establishment of Regular Meeting time, date and place

Green: The Meeting time, date and place should remain the same. 1st Thursday at 6 pm at 820 SE Hwy 101 Suite D , Lincoln City, Oregon

Green: In the future, we are planning on an Executive Session at 5:30 PM on the first Thursday of every month.

Robertson: The Board can call an Executive Session at any time at these meetings. We will just add it to the agenda each month.

Minutes of previous meeting

The Minutes from the June Board meeting were unanimously approved by the Board with the incorporated change as follows:

Mark Highland requested that his comments be changed to: “He has been on the lake some 40 years and is concerned about favoring a 9.0 lake level or a 9.53 lake level.”

Green moved to approve the June minutes as modified and Skirvin seconded the motion.

Vote: Unanimous. Motion carried.

Financial Report

Robertson: We do not have the Capital One invoice, but that payment will be added, as well as the one to Mills Ace Hardware and Century Link. All the rest are the same. As a note from the previous month, as we close our fiscal year, we had a request to buy a refrigerator and vacuum pump and we purchased those in June. The refrigerator was \$359.99 and the vacuum pump was \$319.

Green moved to approve the financial report and Skirvin seconded.

Vote: Unanimous. Motion carried.

Public Comment on Agenda Items

Donna Elsasser: Regarding the times of the meetings, I would like to see them changed to Friday or to a Saturday morning. You would have many more participants from the public. Some of us have to take Friday off to be here. I would like the Board to consider making the change to Friday evenings.

Also, regarding the point of diversion, where is Neotsu Creek?

Robertson: Horseshoe Bay. It is the first spot you see of the lake as you come around the north end of the lake.

The water will probably be removed from near the highway with the culvert that filters from the golf course. They might be able to run a pipe under the culvert near the marina.

Yvette Guyser: Would like to see the meetings held at the City Council offices. It is not so hot.

Discussion ensued regarding the feasibility of this suggestion.

Robertson: It would require some pre-planning. We could try to do some wireless connections for interfaces. We might not always have the information requested.

Green asked that Robertson check into it.

Green: We do not want to ignore the comment about the meeting change; however, Green and others frequently go out of town with kids and family and it is probably not feasible. He said he does not know of any public body that meets any evenings between Thursday and Monday. It makes it harder for board members to be present. Thursday evening was chosen many years ago as the best evening.

Mitchell Moore: Maybe meetings could be held on a different day once a year, perhaps a Saturday. He also gave an opinion on the proposal for measuring water via a simple table to show declining lake levels during August and September. He recommended that this be presented to the water master. You would begin at the 9.53 level and gradually lower to 9.0, below which they would be requested to be exempt.

Regarding the erosion study, he said erosion happens on Devils Lake and there is only one person who has come to complain. He does not feel the RFP should be released. The funds could be better used for the SOS program that provides visible evidence of the positive impact that the District is having on the lake.

Mark Highland: He picked up off the permit the purpose of volume of the lake is for recreation and water quality. There is no mention of irrigation. Will the State have to amend this permit to include irrigation as a purpose of the lake?

Barnes: The water rights are in place.

Skirvin: The Water Resources Department will have final say. They are just diverting the water.

Moore: Re Larry Brown's comment on the golf course being able to use the water, it seems the door is open a little wider for lake front residents to be able to irrigate with lake water. There may be a precedent set here, and I think by reason of the golf course being able to use the lake water, we are a little bit closer to having the irrigation for property owners. The District would be asked to comment when there is a request for a personal water right. It is a process and it's a difficult process, but if someone wishes to do it, they could.

Unfinished Business

Lake Level/Exploration Calculation

Robertson referred the Board to the Staff Report that contains a pro and cons list. Inflow has to equal outflow August and September. Direct measurement is most accurate. Direct streams from Rock Creek, Seid Creek, Thompson Creek and Neotsu Creek are coming in. There is difficulty in getting some numbers on Seid Creek. Greg Beaman mentioned something called diminishing reach, so instead of water actually accumulating as it does, when you get to a flat plane, there is water going into the ground, and you might not be able to capture all the water.

Strayer: Doesn't it go into the lake anyway?

Roberson: There is a diminishing amount of water near the wetland during the lower end there. We are looking at working with DEQ and trying to reduce the loads on Devils Lake. In order to calculate those loads, you need those calculations. Not just in August and September. It is time consuming to get to four or five streams. You need two hours

to do a stream. You have to take 20 readings. We have a right of way access to Seid Creek from the owner of Green Acres. Staff is not recommending an evaporation station due to the amount of variability. The District does not have any properties. Direct measurement is advantageous due to the hard data it provides.

Skirvin: When do you expect to hear back?

Roberson: Salem would have concur with his evaluation.

Strayer: Did you ask why this is required of us? We've got the world's shortest river, then the ocean.

Robertson: Did not ask why in 1998 they placed exclusions in August and September. There are fish and animals that use the water; if it were to dry up, we need to look at it from the standpoint of a public body. It would be negative. In my opinion, we need to be sure there is flow.

Strayer: I would say we should ask for an exception. Then if that doesn't work, we could go with your other ideas.

Barnes: Why would they care?

Strayer: Standard procedure. What comes in has to go out. But there are no downstream users.

Robertson: Keeping the river flowing is beneficial for water quality for the water to move out of the lake. We'd have to ask why those requirements were made. We can ask.

Strayer: Moved that the lake manager seek exemption from the water master for the requirement to have the inflows equal the outflows during August and September. Barnes: Seconded the motion.

Discussion:

Weldon: When we visquened it last year, I don't know if any animals passed on the river; I don't think any fish could pass through it. We were pulling the lake level up slightly.

Strayer: Wasn't that temporary?

Weldon: No, it took three or four weeks. It basically shut the dam off except for a trickle.

Robertson: That is all that's going to be flowing out of there.

Weldon: I think it's best to ask him why it's there. Then ask for an exemption.

Robertson: We are required to maintain some flow for fish passage.

Barnes: Maybe we could research it some more.

Voting Yes: Skirvin, Barnes, Green, and Strayer.

Voting No: Weldon.

Motion carried.

The Devils Lake Plan

DEQ 319 Grant

A couple of people have been interested. PAUG responded, plus another engineering group. Robertson has not heard from OSU, possibly because they are on vacation. The time frame for a decision is July 25. We need to have a decision by the next Board meeting.

Septic Tank Revitalization Ordinance

Lenaerts stated that he talked to David Hawker on June 22, and the latest possible estimate for a septic system draft is mid-July. It keeps getting pushed back. There is no hard date, but Hawker is pressuring the city attorney for a date.

This month Lenaerts has been putting together a paper filing system of properties on the lake as well as working on the RFP e-web inspection programs. The intention for now is to create something flexible that has background information, requirements that the City and District have agreed upon and to put it into a malleable RFP that can be adjusted.

Save Our Shoreline

Last month's presentation included looking at techniques to continue the program. If the Board would like, he would like to recruit for properties to be completed in the fall. We spent \$1,160. District's portion was 75% and the homeowner paid \$375. The \$1,285 will be the bill for the District or \$15 per linear foot of shoreline. Just over a dollar per square foot.

Lenaert would like to consider methods to recruit residents and expand the program. Two questions: How do we fund and who is eligible? We could consider future funding sources, such as mini-grants from the District with homeowners coming to request grants. The District could get plants available for people to do plantings. The one thing we can do is to make it as easy as possible for people to plant and not have to jump through hoops.

Strayer: Save our Shoreline stops about 3 feet from the shore. He is wondering if we could get something from DSL who owns 10.4 feet to 0 if we could get a variance from 10.4 to 9.6 from the water. We could plant in that zone where it's marshy and it would enhance the erosion aspect of the plantings and save our backyards.

Lenaerts: Shoreline stabilization is one of the key goals, but initially we are encouraging people not to water their lawns. DSL permits are expensive and take time. That's what hindered us from doing the first three plantings. The goal was to show people what could be done, giving something to look at and provide some ideas.

Strayer: I expected us to have the fabric. We are going down to 3 feet from the shore.

Barnes: That takes a DSL permit.

Lenaerts: The goal of those first three plantings was to provide a sample. We can encourage residents to decrease using fertilizer, but when the District is spending money, maybe there are certain plantings you want to do, such as only on the shoreline. A permit for a homeowner is \$150 and a permit for the District is \$600.

Strayer: Can't we do it for the entire lake? I didn't think the District would be planting everything—I thought we would lay out ideas and have the homeowners do the plantings and choose the plants.

Lenaerts: It can become the norm to have landscaping beyond grass. The District needs to be the catalyst for doing the plantings—it would be standard plantings.

Barnes: I think you can only get permits per tax lot.

Strayer: We were applying for the entire lake and they didn't balk. Maybe we would have them use our landscapers and our recommended plants.

Roberson: DSL has to approve it and ODFW has to approve it for NOAA Fisheries.

To create that precise document, you need to create all the variables. You need to say you are not going to bring in loads of concrete or fill. There would be some red flags.

Strayer: Maybe you could have a meeting with DSL and another Board member.

Robertson: They are going to want much information and more than you have. I am suggesting that you need to prepare for that.

Barnes: For the DSL permit, call them and ask if there could be a lake-wide application.

Robertson: Our application was requested for specified lots. They want precision.

Lenaerts: I talked with them and it becomes an issue if you are going to remove or fill. We reinforced what the homeowner already had. We grubbed up some grass and fortified the shoreline. It's like when you are talking about erosion logs or the cedar baskets. If we are very clear and say we are overseeing these projects, it might speed up the process. I'll get back to you next meeting and push hard to see what the possibilities are.

Strayer: We are protecting the shoreline by preventing erosion. It would be like a restoration project.

Lenaerts: I'm under Board action. Regarding the cost sharing, do we want to continue? How can we create more projects?

Skirvin: I would be willing to do another round in the fall.

Barnes: Moved to continue the cost-sharing program of Save Our Shoreline through the fall at an amount up to \$3,000. Skirvin seconded.

Strayer: Good plan for demonstration projects through the fall and we need to get some DSL permits.

Lenaerts: I would hope to get six done for the fall.

Vote: Unanimous. Motion carried.

Lenaerts to the audience: If anyone wants to do any plantings, get hold of me at seth@dlwid.org. The size and scope can greatly vary. Ten plants in the ground are better than none.

Strayer: It is keeping nutrients out of the lake.

Lenaerts: Of course, trees are better than smaller plants.

Native Vegetation

Robertson said he received the shoreline planting guide from the District contract with TetraTech—twenty copies and a digital to make to make use of. He intends to migrate this information and present it to the public to allow people access to this information. A contractor has a project on the lake and was told that this document would be available July 1 where he can link to it on the website. We can distribute copies to nurseries and contractors. We can look at the cost of printing 50 copies and we can get the entire document on the website and someone can download it.

Strayer: Moved to distribute the 20 copies of the Shoreline Planting Guide to landscapers and people who can make the best use of it. Robertson will provide a link to it on the website and obtain an estimate on the cost of printing 50 additional copies. Barnes seconded.

Vote: Unanimous. Motion carried.

Financial Oversight Committee

No update.

Communications Report

Robertson: The Board should have manager's edits on this lengthy document. How does the Board wish to proceed?

Strayer: Looked it over and says Robertson's comments were well taken. He is impressed with how Robertson adapted it to his needs.

Strayer moved that the Communications Report be incorporated into the Lake Management Plan and the lake manager report at the meetings on his progress on achieving his goals.

Green said that on Page 13 he has a problem with the plan to build our image through philanthropy. We are a public entity and should not be identifying philanthropic purposes or specific organizations as targets for philanthropy. There is the argument that if you haven't solved all the problems of your organization, why are you looking at making donations to the booster club. I realize this is for image building, but I think we build our image by doing things for Devils Lake. I don't think we should be listing specific philanthropic endeavors. I would like to delete those five bullet points.

Strayer moved to amend his motion to incorporate Green's deletions.

Barnes seconded.

Robertson: Regarding the Safety objectives on Page 12. When this draft was created, it was for brainstorming and not 100 percent vetted for all its uses. One of his comments is that it is something we can have as an objective, but safety it is the Marine Board's job.

Strayer: We could sponsor the Coast Guard representative to come down and do inspections on the lake.

Robertson: He felt it should be a template of resources and not so specific.

Skirvin: There could be just a small bullet for safety.

Robertson: This is not one of the five main goals.

Robertson: Is the Board comfortable with everything in it? I didn't make changes on everything.

Barnes: I would like to go through it again.

Strayer: Maybe Robertson could just comment on the objectives and we can fine-tune the rest of the printing at the next meeting.

Robertson: On Page 21, there is a comment that says this is a campaign.

Strayer withdrew his motion to incorporate the plan. Strayer moved that the lake manager review the Communication Plan and report to the Board on his progress on the campaigns at the next meeting, at which time the Board will consider his comments. Barnes seconded.

Vote: Unanimous. Motion carried.

Robertson: The Board asked for the second objective of the year to look at how we are communicating cyanobacteria levels. Did everyone get a chance to look at that sample he sent?

Skirvin: Didn't care for the manner in which the final cyano sign was worded in the banner—"It's going to happen, so pay attention!" Asked when the cyanobacteria began last year.

Robertson: Started mid-July; the previous year, mid-August. There is more toward the latter half of the summer.

Weldon: Discussed the designation of 8 parts per billion on the flyer that could be used as a quantifying number.

Robertson: Shows data from 2005, 2006, 2007, 2008, 2009 and what might happen in 2010. Discussed the signage regarding E.coli and explained the color coding.

Weldon: Would like to see black and white signage rather than the colors. People get too scared when they see red.

Robertson: We deleted the caution and red alert. What I am anticipating is that we would have green informational signage at every site—signboards on which we can place it on one sheet. What we understood was that there is enough information for people to view. He prefers color—the same as the E.coli model.

Barnes: Would like to take another look. How common do the symptoms occur?

Skirvin: The only thing that changes is the color.

Barnes: When we get into a red alert situation, maybe we could put the alert on.

Robertson: It is a significant portion of the recreational time that we have a red alert. The DHS doesn't have the staff to close the lake. If the Microcystin level is above 8 parts, they recommend the lake be posted. It's their guidelines.

Green: There are some liability issues if we don't post and it's in the red.

Barnes: I would like to see the language match the risk.

Discussion continued on the signage and the pros and cons of the red-alert advisory signage.

Robertson: All that he didn't incorporate from Washington was the yellow and black.

Barnes moved that the signage incorporate the Washington-area caution verbiage if the danger reaches the "red" level, and add the issue to the agenda at the next meeting. Strayer seconded the motion.

Vote unanimous. Motion carried.

Safety Report

Training completed on the new Dissolved Oxygen handling and disposal.

Vegetation Management

No update.

Thompson Creek

Robertson: Got in touch with Dr. Field who sent a sampling analysis plan that enables him to order the pump and the resources to sample and ship.

Strayer: What is the status?

Robertson: Will purchase the equipment. The pump is in shipment and he will order the flasks and the other items. Potentially, we can get it in two weeks in the best-case scenario, a month at the latest. As far as obtaining the data, Robertson has no control over that.

Strayer: When you mail it to OSU, and how soon can it be turned around?

Robertson: It is totally up to them. They are not a commercial lab. We need to see if there are human pathogens.

Strayer: Will it change from time to time?

Robertson: You will get variation on samples. It cannot be done in one sample because there wouldn't be much integrity. That's why you need to do it in multiple days.

The best thing is to store multiple samples and ship them in all at once.

Strayer: Did they ask you to batch them?

Robertson: They suggested that. It allows us not to have to ship overnight.

Sewer

Green: If this refers to our area, there is an unbelievable amount of material to compile. He will have a report for the next meeting.

Robertson: Received a call from Weldon's neighbor, someone who is definitely interested in obtaining sewer.

Green: Has not contacted any residents yet, but people are hearing about it.

Water Quality Update

Robertson: Monitoring is going well; we are sending out weekly reports. The lake quality is in the green. Rain events tend to rain E-coli. The tributaries are suffering. Rock Creek is one of the five and is below the water quality standards. The sources are upstream and that's why we are doing DNA work. Maybe we should incorporate it into other creeks. Cyanobacteria are starting to show up in Devils Lake State Park. When you take the bacterial sample, you see them floating in there. Your sources tend to die, drop, rest and regenerate. That is one of our six shoreline sample sites. It is showing up early. It shows up on the weekends. It can be a two-day change. That's been the pattern. It is a function of temperature and still water and if you get those events to coincide, they bloom very fast. They are replicating every two to four hours.

Erosion Study RFP

Robertson: It is available for review. He is getting prepared to release it.

Green: You wanted a revision and approval of the final draft.

Strayer: Do we have an estimate of the cost?

Robertson: The estimate from Environmental Services is from \$20 to \$25 thousand.

Green: Let's keep an open mind on the cost; Robertson should release it.

Staff Assessment

Robertson: The Board requested an assessment for an additional staff member. He created a two-fold proposal for a project management specialist. This staff member would dedicate two weeks out of the full year or ten days to water quality. The SOS program is a major component to which we would allocate 50%. Septic Tank Revitalization would consume about ten full days. Grant writing could be a large component. Robertson provided a couple of examples of grants for which they could apply. Basically, Robertson would leave it up to the staff member to apply for grants.

Skirvin: He is more interested in goal-oriented projects than grant applications.

"We have enough money in the bank and we need to focus on getting stuff done."

Robertson: Monies are available. He agrees we need to work toward the goals. This staff person would need to be contributing toward those; it will probably take two people to get some of the projects completed.

Barnes: Grass carp will entail a lot of work.

Green: I don't know if we can really solve all our problems with the money we have.

Barnes: If a grant really fits our criteria.

Robertson: It is the application process that takes time. Administration is also a major part of the process. Grants.gov is a huge resource for monies.

Green: There are sites you can monitor for grants.

Skirvin: We could post the job.

Lenaerts: Indicated he would apply.

Roberson: The City might be interested in funding two part-time positions. They have the septic tank inspection program that they will be doing. If the SOS program is our main issue, it could be spread out into additional years with a part-time position.

Skirvin: It is difficult to put two people on one task.

Strayer: What is the pay?

Robertson: He have budgeted \$35,000 to cover salary, taxes and benefits for 10.5 month program. The budget could change. This is a pretty skilled market. It's not a minimum wage job. Green estimated \$12 an hour. We would have taxes to pay, and with benefits, it would kick it up to that amount.

Green: We want to post it. The question is at what salary. How do we fill in the void between \$24,000 and \$36,000?

Robertson: You could add up to \$6,000 for health insurance.

Green moved for Robertson to create an RFP for a management specialist position as described in the manager's report with a pay range from \$25,000 to 35,000, including benefits. Barnes seconded.

Vote: Unanimous. Motion carried.

Contracts for Renewal

Green moved to adopt the contracts for payroll, legal services and minute recording as presented to the Board for the year 2010-11. Skirvin seconded.

Vote: Unanimous. Motion carried.

Green moved to extend the lake manager employment agreement for six months through December 31, 2010, with the understanding that the first three months of that time will be a probationary period and the position may be put out to RFP, subject to the review. Barnes seconded.

Vote: Unanimous. Motion carried.

New Business

Non-Agenda Items

Robertson: He received a proposal from Charter Communications for internet and phone service for \$100 per month that would be for faster service. We currently pay \$50 and \$54 for two phone lines. The \$100 is not an incentive rate. Internet is at 8 mb down and 1 mb up and would include two business lines and phone numbers and unlimited long-

distance. This would save some money over time. There is a \$148 installation charge. \$100 would be credited for Chamber membership with a \$48 net installation fee. After three months we would save money.

After due consideration, Robertson will retain current services.

Public Comment

Meaghan Chadwick: Asked questions about Board appointments and elections.

Skirvin: The next two-year period opening will be next May.

Robertson: In February, you can file an application for the election in May.

Strayer: The application is \$10 or ten signatures.

Strayer will be completing his term of four years. Weldon and Barnes were both appointed due to resignations, so their positions will be coming up.

Board Comment and Announcements

None

Adjournment

The meeting adjourned at 9:15 P.M. The next meeting will be held on August 5, 2010 at 6:00 P.M.

Respectfully submitted,

Linda Burt