



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

**DLWID OFFICE  
July 7, 2011  
6:00 P.M.**

**PRESENT:** Randy Weldon  
David Skirvin  
Brian Green  
Noel Walker  
Kip Ward

**ABSENT:** None

**AUDIENCE:** Patrick Alexander, Don Sell, Larry Brown, Joe Barnes, John Forse,  
Raylene Erickson, Mitchell Moore

**STAFF:** Paul Robertson, Seth Lenaerts and Intern, Lisa Lynch

**MEDIA:** None

Green called the Regular DLWID Board of Directors meeting to order at 6:00 P.M.

**Swearing in of newly-elected Board members: Walker, Ward and Weldon**  
The three new members read their Oaths of Office and signed them.

**Board elections: Chair, Vice Chair, Secretary/Treasurer**

Election of Officers:

For Chair, Weldon nominated David Skirvin. Green seconded.

Vote was unanimous.

As the new Chair, Skirvin asked for nominations for Vice-Chair.

Green nominated Weldon, Weldon declined.

Skirvin nominated Green and Walker seconded.

Vote was unanimous.

For Secretary/Treasurer, Green nominated Weldon and Walker seconded.

Vote was unanimous.

### **Minutes of the June meeting**

**Skirvin moved to approve the minutes of the June meeting and Weldon seconded.**

**Vote: unanimous. Motion carried.**

### **Financial Report**

Robertson noted that staff's medical insurance had increased and it is now over budgeted amount. He will work on bringing it down to the previous level.

**Green moved to approve the financial report with the understanding that Robertson will work on decreasing the insurance premium. Skirvin seconded.**

**Vote: Unanimous. Motion carried.**

Skirvin asked if special districts board training could be arranged again. It was determined that a Friday morning from 9:00 to Noon would be acceptable for most of the Board members. Robertson will arrange for training to take place prior to the next Board meeting.

### **Public Comment**

**Chris Castelli**, Department of State Lands Land Manager for Coos, Curry, Josephine, Douglas, Lane, Jackson and Lincoln Counties, reminded those present that the informational meeting on waterway rules and easements will take place on July 20 at the Lincoln City Community Center from 3:00 to 6:00 P.M. A lake inventory was recently conducted and he has been awaiting the outcome of Senate Bill 600. This Senate bill will permit registration of riprap and retaining walls at no charge to residents. The waterway rules and easement rules will be changed slightly. The Department is working on a web-based application so that residents can register on line. Residents will also be permitted to perform voluntary habitat restoration—placement of woody debris at no cost as long as it is not done for payment or to mitigate a removal/fill violation.

**Larry Brown** reminded Chris that when DSL has a need to notify residents of a meeting, DLWID has a mailing list.

Larry Brown said he would like to see the Board move the Public Comments section for non-agenda items to the first part of the meeting so that residents who wish to leave early could do so.

Robertson said that this is at the discretion of the Board. He does not see any real issue if the time elements are adhered to and the regular agenda can be completed in a timely manner.

**Green moved to change future meetings to combine public comments on non-agenda items and agenda items and to move them to the beginning of the meeting. Skirvin seconded.**

**Vote: Unanimous. Motion carried.**

**John Forse** noted that the entire project on which he had been working on Hostettler Park evolved from a grant that was available from Urban Renewal. He said he is withdrawing his grant application because he would like to see major improvements made to the area before a project can proceed. The goal is to create Hostettler Park similar to the way it was prior to the 1964 tsunami. He has researched the history of the park when it comprised a beach, shacks, swimming and areas for other activities. He is replacing his grant application with a simple Petition that reads, "We, the undersigned residents and business owners of Lincoln City, support the redevelopment of the D River area at Hostettler Park that is currently underutilized. We would like to see the area become a

popular recreational site as it has been in the past.” He said everyone he has approached has signed the petition and the Fire Department would rather have people recreate in the lake rather than in the ocean. He called Kurt Olsen and informed him that he wanted to place the grant request on hold. Eventually, he would like to organize an SUP (stand-up paddle board) contest in the area. Green asked what the grant was for, specifically, and Forse said it was for an RFP for improvements to the park that would allow a commercial venture there, such as a kiosk or a boat house. It will only be used three months during the summer.

## **Unfinished Business**

### **The Devils Lake Plan**

#### **Septic Tank Revitalization Program (Lenaerts)**

Lenaerts noted that Senate Bill 5022 (DEQ budget) requires septic inspections at the time of a sale and the second part requires maintenance agreements for sand filters. He noted that this relates to the coastal zone; however, it will be a couple of years before any action is taken.

SB 83 did not make it out of committee.

Regarding local action, the process slowed while awaiting the final outcome on bills. If a separate one had passed, it would have removed the “incentive” for the city to require septic inspections.

Now, we can work on the City’s support in assuring that we have a watershed with properly operating septic systems. Lenaerts said he will now begin dialog with Hawker, the mayor and city councilors next week to continue the process.

#### **SOS--Save our Shoreline Campaign (Lenaerts)**

Regatta Grounds is being weeded and watered.

The BLM/Salmon Drift Creek Watershed Council project, the Northwest Oregon Restoration Partnership, is evolving and expanding. Lenaerts attended a reorganizational meeting on June 30 with the group, who wishes to create a plan for success. BLM has funding to continue for two more years. The program is for harvesting of plants after seeding. The plants revert back to the groups who harvested seeds in the beginning. DLWID would benefit from being a partner.

BLM provides services for training partners how to collect seeds, verifies the seed genetics, picks up the seed, propagates and grows and delivers the plants. Since it is a collaborative effort, partners can access plants for which they did not even collect the seeds.

We have received no Memorandum of Understanding yet, but Lenaerts would recommend that the Board sign it—probably in October. Salmon Drift Creek Watershed Council will be one of the groups to help with the actual work. There will be no cultivating of plants required by District staff.

### **Vegetation Management**

Robertson was asked to outline some of the information needed for the grass carp appeal process—Topographic Survey, Aquatic Plant Survey and Economic Impact Study, all of which are budgeted items. Also, budgeted is \$10,000 to supplement the scientific study, which has seven levels. Section 7 comprises seven subchapters. Key to the study is that it must demonstrate, “How does your introduction of grass carp not impact the native population of wildlife?” There will be a lot of scrutiny by NOAA, USFWS, and ODFW since Coho salmon remained on the endangered species list as of a few weeks ago.

Discussion began regarding the complications of introducing grass carp vs. the effect on endangered species.

Ward asked what the total estimated cost would be for the grass carp appeal. Robertson replied it could be estimated at about \$165,000, plus staff time. He suggested this could be less, but could easily be double as well when considering the Coho issue.

Robertson discussed for new board members some alternatives to grass carp installation and noted that the number one prescription for Devils Lake as listed in the Devils Lake Plan, the 1990's Comprehensive Resource management Plan (CRMP), and in particular the 1983 Diagnostic and Feasibility Study, is nutrient reduction.

Green noted that it would be necessary to call for RFP's to determine the actual cost.

Weldon discussed the economic impact if the weeds come back and reminded the group that in light of that danger, the \$165,000 seems pretty reasonable.

Robertson said it would be beneficial to do some informational interviews—have Board members meet with consultants and then hire them if they appear to have the required credentials and knowledge that is worthwhile.

Robertson said Oregon DEQ is proposing to do three model TMDL (nutrient study)—one Alpine lake, one valley lake and a coastal lake, so they wouldn't be customized for an individual waterbody as has been the conventional method. If DLWID can get a grip on the 50- to 100-year horizon on restoring the lake, it's pretty good information to have.

Skirvin suggested that the Board move forward with consultants to validate the process and ensure that when they go to RFP it would be structured correctly for the right path.

Joe Barnes said that Laura Tessler is no longer working for the grass carp-related state department, but would be a good contact for information. He reminded the Board that she stated that approval was possible. He suggested that if a large group of people showed up at the appeal meeting, the state would probably consider the appeal more favorably.

Green suggested that Robertson search for experts that could be proponents for the appeal process for grass carp; Robertson should inform them that the Board is seeking to retain and pay experts to assist in the appeal.

Walker said he feels that the angle for appeal should be about continuing a successful program of grass carp. The Coho have been flourishing under the current program and this process should continue as in the past. Continuance of a good plan.

Skirvin and Robertson will attempt to meet with Laura Tessler for advice for choosing the best avenue for success.

### **Sewer (Brian Green)**

The sewer program is expanding and looking good. The original map indicated that easements were required and an agreement was found wherein residents had previously agreed to provide each other easements for future sewer. Oksenholt's want properties that they own further north to be included in the plan. [Here, Forse informed Green that he is interested in participating with his property at 1820, as well.] In the past month or two, all roads have been painted to indicate where utility lines run.

Green said they are working on logistics for additions—to be either all at once or in phases.

Communication between the project engineer and the city engineer seems to be positive. Green feels there are no serious issues. He is attempting to ensure now that the residents who initially signed up are not faced with any increased costs from adding properties. Cost estimates will be obtained and the LID should be approved as designed within approximately three months.

### **The Café – Union 50**

Green said he has not met with Kurt Olsen from Urban Renewal yet. He asked Joe Barnes if he would assist him in this project, since he had some great ideas. Joe said he would do so. Barnes noted that with an Urban Renewal grant, it is possible to rent out space. Green said he would like to see the college become more reasonable on their pricing.

## **Communications Report**

### **Devils Lake Revival**

Lenaerts reported that they are planning a celebration at Regatta Grounds for August 27 from 10:00 A.M. to 2:00 P.M. They have named it the “Devils Lake Revival” and are aiming for a water event and a band and are working on a food menu. They are targeting both kids and adults. Some shops will have stand-up demo boards and kayaks will be available. They are working with *Oregon Coast Today* on posters and ads. Promos will be sent to *The News Guard*, KBCH and, possibly, the *News Times*. Lisa Lynch is very involved in this project.

### **Safety Report**

Lisa Lynch has completed a review of the MSDS sheets.

### **Thompson Creek**

Robertson noted that the water quality near Thompson Creek has not yet been improved. He proposed that staff target the D River next to determine how it is impacted. The D River is an important recreation area and \$5,000 has been budgeted for a DNA component of the study. He would like to get the private sector entity involved and determine a cost.

Skirvin asked about any response to the Thompson Creek residents’ letter. Robertson said the KOA people did call and were concerned that they were the primary focus.

DNA costs will be investigated; previous quotes were at \$400 per sample, but were reduced to about one-fourth that by Oregon State.

Robertson said they would do three days at three sites near D River—one near Union 50, one down in the sand, and one near the dam. Discussion ensued regarding whether primary nutrients are generated by gulls. Weldon said maybe it is better to know for sure whether nutrients are from gulls or septic.

**Green moved to authorize \$7,200 for DNA sampling at three D River sites for three days. Weldon seconded the motion. Vote: Unanimous. Motion carried.**

### **Erosion Study**

Field work was completed on June 23. When the dam was installed on Wednesday, the water level was at 8.9. On June 30, it was at 9.18; on July 7, it registered 9.32’. There have been no significant rain events. Skirvin said we’ve gone up 4/10ths and we should be at 9.53 by mid-month.

August 1, it will begin to come down by virtue of evaporation to about 9 feet by the end of September. Robertson said he should receive the draft analysis and photo set by August with the report by about October.

### **Intern Report**

Lisa Lynch introduced herself. She is an Environmental Studies student focusing on water quality issues at Portland State University. This summer, she is doing the sampling and has been out collecting samples and posting results on the website. She will be doing cyanobacteria testing later

in the summer if necessary as well as outreach and education assistance. She is currently focusing on the Devils Lake Revival where she hopes to educate the community about their impact on nutrients. In addition to educational activities, she is soliciting donations for prizes. This summer, she will be working on the SOS program and is creating coupons for participants in projects. She is also creating a new brochure, cyanobacteria/Cyanowatch posting and is writing a script for the Devils Lake Radio, 1610 am on what it is and what to watch for. Robertson said the posting would be similar to the green poster—getting people to tune into the radio. Skirvin said he was concerned about directing attention to the cyanobacteria issue on a continual basis. Robertson replied that the message would also include information about the SOS program and inform people about various issues. Skirvin asked staff to wait on presenting any messages until it is absolutely necessary and he would like the Board to be able to preview the messages.

Robertson reported that Lisa is doing a great job; this internship is providing her with the opportunity to learn new scientific skills.

In response to the Board's asking about "lake time," Robertson said they could use Wednesday as "lake day" since they are out doing cyanobacteria on that day. Weldon said he feels Friday would be a better day since more out-of-town residents are available.

#### **Neotsu Public Beach – K Street**

Some issues were raised about installing signage here. Robertson proposes a four-foot-high sign. He needs to identify any issues that might occur prior to obtaining the county's permission to install the sign. He will try to get it completed in July. This is a new monitoring site and he wants to spread the word.

#### **New Business**

Lenaerts said he has a draft for signage identifying the Regatta Grounds rain garden. Two separate bids were obtained—one for \$100 and another for \$1,550. He will work on another bid from Station 3 for \$500 or less and would like the Board's approval to proceed with a sign.

**Skirvin moved to allocate \$500 toward the creation of the Regatta Grounds rain garden sign. Green seconded.**

**Vote: Unanimous. Motion carried.**

#### **Hostettler Park**

The previously-mentioned petition has been received by the District. Robertson provided background information on the RFP that Urban Renewal Agency recently released. Hostettler Park was once a highlight for North Lincoln County recreation. Anne Hall has much historic information on the Park. In the '80's, \$43,000 was invested to dredge the area of 42,000 cubic yards of sand. The District's Resolution 89.1 endorsed the Oregon Coast Interpretive Center to increase public access, improve the economy and protect the north bank of the D River, among other goals. To support this resolution, the District hired Bob Gibson, as a consultant, to analyze the city's acquisition of the property that included a museum with information similar to the CAFÉ concept, wading pools, restrooms, rental house, and boat launch. Hostettler Park comprises approximately 1.25 acres.

Walker opened a discussion regarding the equitability of Forse's grant application and goals. He said he did not take issue with whether or not recreational opportunities should be located there. He felt that Urban Renewal did not allocate enough time between the June RFP release and the July deadline for application.

Weldon said he felt that the Board should support Forse's Petition. [Petition is listed under previous "Public Comment".]

**Walker agreed, and moved to have Robertson write a letter in support of the Petition.**

**Skirvin seconded the motion.**

Board members discussed Robertson's writing a letter in support of the Petition prior to the City Council's meeting next Tuesday, July 12<sup>th</sup>. Green said the letter in support of the Petition should have attached a copy of the historical Board resolution directly supporting this project and indicating that the Board's policy remains the same.

**Vote: Unanimous. Motion carried.**

### **Non-Agenda Items**

#### **Lab Equipment. DO meter**

Robertson said that the previous purchase of a probe for the Dissolved Oxygen Meter has extended its life for a number of years; however, the time has come to replace the DO meter. The cost of the probe can be recouped. This is a higher-end piece of machinery with a life twice as long as any other piece of equipment.

**Skirvin moved to permit Robertson to purchase a new DO meter at a cost of up to \$2,000.**

**Green seconded.**

**Vote: Unanimous. Motion carried.**

#### **The Board went into Executive Session**

Upon returning to the regular session, and with regards to the Project Manager's employment contract, the Board agreed to changes as follows:

A base annual salary of \$37,800 from July 1, 2011 through June 30, 2012 at 40 hours per week and insurance coverage of up to \$500 per month. Also included is two week's paid vacation and 40 hours of sick leave, accumulative up to 15 days.

**Skirvin moved to accept the contract changes as specified. Green seconded.**

**Vote: Unanimous. Motion carried.**

Lenaerts thanked Aeropostole for allowing their staff to volunteer to help in the deadheading of iris plants around the lake. He also thanked Blue Heron Landing for their donation of four kayaks. Lenaerts said that they also performed yellow-flag prevention work— gathering four garbage bags of plant debris from Regatta up to the Blue Heron.

Robertson noted that when staff is analyzing cyanobacteria, they are using devices that make it difficult to accomplish the task. He requested authorization to purchase a new pipette at a cost of \$279.

**Skirvin moved and Weldon seconded allowing Robertson to purchase a pipette at a cost of \$300.**

**Vote: Unanimous. Motion carried.**

Robertson presented Brian Green with the Outstanding Service Award for 2010-2011 for his work on the sewer project and his years as Chair of the Board.

Green thanked the District and on behalf of the Board, thanked Jack Strayer for his work and dedication the last few years.

Raylene Erickson asked that the Board's letter in support of the Hostettler Park project reflect a desire to develop the area with an eye on environmental issues. Planting of hedge rows, following the SOS plan, maintaining an awareness of the birds and wildlife habitat, etc., are of utmost importance.

**Adjournment**

The meeting adjourned at 9:05 P.M.

The next Board meeting will be held on August 4 at 6:00 PM.

Respectfully submitted, Linda Burt