



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

**COUNCIL CHAMBERS, CITY HALL, 3<sup>rd</sup> Floor  
April 11, 2013  
6:00 P.M.**

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

**ABSENT:** None

**AUDIENCE:** Doug Pirie, Don Sell, Tom Dooling, Keith Galbraith  
(Tigersharks), Miles Schlessinger, Pat Dooling

**STAFF:** Lake Manager Paul Robertson and Seth Lenaerts, Project  
Manager

**MEDIA:** None

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

**Consent Agenda**

**Green moved and Skirvin seconded approval of the Minutes from March and the March financial report. Vote: Unanimous. Motion carried.**

**Unfinished Business**

**The Devils Lake Plan  
Septic Tank Revitalization Program**

Lenaerts reported that a joint meeting with city council, DLWID and the county representatives was held on April 9 in Council Chambers to discuss septic inspections. Video of the meeting can be accessed on the city's website at [www.LincolnCity.org](http://www.LincolnCity.org), under agenda/packets/meetings. Videos of DLWID board meeting can be found there as well.

The meeting was focused and went well. Lenaerts presented an introduction and an update of past and current issues, including technologies and limitations. Within the next six or eight weeks, city staff will outline the program and present it to the DLWID board and city council. Consideration was given to the county doing inspections rather than private companies; this is flexible. The city came up with the idea that they can assess a surcharge in the event property owners refuse to agree to an inspection of their septic systems. This will negate the need for water shut-off that has been so controversial. The city should have a criteria draft by June.

Walker thought the meeting was informative. He asked what would be done with any funds collected on surcharges.

Lenaerts said one program where monies could be spent would be in helping in some way to move the sewerage of the lake along.

Green said that the idea was that in lieu of threatening people with water shut-off, if they refuse to have an inspection, a surcharge would be added to their water bill, and if they continued to refuse, the surcharge would be escalated until they were persuaded to have an inspection. It is the idea of threatening people with water shut-off that has met with resistance.

Robertson added that any funds collected could go to engineering studies for sewerage; however, these issues are a long way out.

Discussion ensued regarding inspecting septic systems on the lake's west side vs. the lake's east side vs. inspecting the entire watershed.

Discussion continued about the effectiveness of doing strictly dye tests for septic inspections. Skirvin said perhaps a maximum time of two years could be permitted for the city inspections to see what works and what doesn't. Robertson said he was leaning toward inspections lake-front-wide for the best impact.

Weldon said he would like to see the lakefront and a couple of hundred feet back from the lake inspected.

Discussion ensued regarding what type of endorsement the Board should submit to the city.

Skirvin suggested that if the city came up with an outline of their criteria for the June meeting, the board could take a look at it and provide additional support at that time.

Further discussion about how long the program would continue in the long-range plan.

Lenaerts said that David Hawker will take his consensus points and come up with options.

He believes the board should wait and see what the city presents.

Green said what the city comes up with will be pretty general; he feels the board should wait and they will have plenty of opportunity to provide input as long as it is not more than two or three months out.

Robertson said he favors having Lenaerts create a general letter of support indicating that we are supportive of whatever the city comes up with and we look forward to their recommendations in six to eight weeks. The wider the footprint the better.

Green asked if Lenaerts could provide information that can be discussed at the next meeting.

### **Save our Shoreline (SOS)**

Lenaerts reported that the rain garden training with Maria Cahill was successful on March 30 with about a dozen attendees, including members of the community and visitors. The event was filmed by Cody Cha so that it can be edited and shared with the public at a later date.

The group then went to the rain gardens to view and critique the project.

Staff should have a version of the SOS video for the board to review in May.

### **Vegetation Management**

Robertson said that work continues on this project from MaxDepth Aquatics and staff.

Timelines for completion of this project are tentatively as follows:

June 21 for the engineering study. Robertson does not feel there is a need for any additional expense except for time to assemble a topographical survey with existing data.

July 19 for stocking schedule. This will be an evaluation of the available historical data on grass carp and suppression of aquatic weeds. An updated stocking plan would call for more modest stocking numbers than previous ones.

Outreach campaign. It has been initiated. A survey/questionnaire was sent out and the surveys will be ongoing; 43 people participate in the initial questionnaire. Another one will go out in the June newsletter. Staff will solicit a candidate pool for people to write letters of support and notify their friends and neighbors to get involved. They are collecting e-signers for the petition and have links on the website and postings on Facebook and Twitter.

Additional letters of support will be secured. Robertson is asking Chair Skirvin to send out letters to the new state representative and senator and the U.S. Senator and Congressman.

To be proactive, Robertson drafted a letter to the ODFW commission telling them what has been accomplished and the needs for ongoing vegetation management. It isn't just about grass carp; it's about repairing the lake.

By getting all the documents and information to Joe Eilers, he will have a month to polish his report and by July 19, submission should be ready.

One of the meetings is in Newport on October 4, and Robertson might be able to get a slot at that meeting. Otherwise, it will be in Eugene, Medford or Portland.

Robertson said he heard from the consultant on the NOAA Fisheries issue. ODFW asked that the District present to NOAA Fisheries at the same time; however, they want to wait until they see the ODFW report first. Going through ODFW, then through NOAA could be an 18-month process because of their time frame, according to a person who once worked for NOAA.

Weldon, Joe Eilers and Robertson attended a meeting in Salem with the warm water working group where Devils Lake was on the agenda. They wanted to know if an application had been submitted to ODFW. Robertson said they met and talked with people who are in the working group and ODFW staff was there. Robertson said they suggested that someone from the District could get on their agenda as a guest speaker. It was determined that Robertson should try to attend the meetings quarterly to become acquainted with the people involved. Skirvin asked Robertson to check to see if they have any past minutes of their meetings. This is primarily a group of private individuals who may not be receptive to the grass carp issue.

Skirvin agreed that it would be a good idea to plan for the October meeting in Newport so that more people might be able to attend.

### **Sewer**

Green reported that the public hearings for the city council were held in January and February. Out of six council members, five were in favor of the LID and one wanted more

time to review, but was leaning toward favoring it. The city has 90 days from the public hearing to pass a resolution. Green reminded the city council that 90 days will be up meeting after next. He spoke with David Hawker after the septic inspection workshop and he assured Green that the resolution should be completed at the next council meeting. If it is not on the agenda, Green will contact the council.

The city had sent two employees from the waste water treatment plant to inspect similar sewer lines in Washington. They had glowing reports about how effective they are and the minimal incidents of repairs needed. Low pressure technology has brought the cost of sewerage down. And, with the requirements for septic systems increasing, they are about the same price.

Ward asked about testing septic tanks in blocks.

Green: If you look at systems that have no record and they have been there for a long time, you will probably find a high rate of problems and they are probably going to support sewer going through. They will discover that they have to take drastic action with their septic system and they can have sewer brought in for similar costs.

Discussion on inspections and the effectiveness of the pressurized sewer lines.

Green: The key to getting people to support this is to provide information. We don't have to do a sales job; we just need to provide all the information. People just want to know how it's going to work and what they are paying for. It tends to sell itself.

Weldon: It might be a good idea to create a video to explain how the sewer works.

Robertson said the E-1 system is great. Focusing on the west side of the lake is best right now. Septic inspections will get people motivated.

Green said the expenses are already quite low; maybe engineering expense would be less for future LID's. It is so much easier than gravity lines that have to be 20 feet in the ground.

Robertson said the city is impressed because they had put a lot of effort into one idea that fell flat. The city owns the tanks and the easement. They will be a big partner in this. It is exciting that they were willing to send staff to Washington to study the projects.

One county has 700 and one has 900 (Mason and Pierce Counties).

### **Communications Report**

Seth will appear on KBCH on Tuesday. The ListServe E-newsletter went out. People are being encouraged to complete the grass carp questionnaire telling how they are willing to support the grass carp project. The questionnaire is also advertised on Facebook and Twitter. Meetings of the DLWID board are available for live streaming on the internet. And, Channel 4 broadcasts the meetings live.

Robertson said Devils Lake will be featured in *Oregon Magazine* in May along with 700 other lakes.

Community Days is coming up where the Lake Steward awards will be presented on April 27.

Devils Lake Revival will be held on July 20 from 10:00 AM to 2:00 PM at Regatta Grounds.

### **Safety Report**

Staff is developing some policies based on the recommendations and materials of the SDAO's summary report. These will be presented at the May meeting.

### **MidCoast TMDL**

DEQ sent a memo explaining the status of the review in regard to the EPA's deadline to comply with the Coastal Zone Act. The project has stalled and they will not complete it in their time frame. They are still working on it and we are meeting on the issue.

The component that is part of the memo is that DEQ had hoped, as part of meeting their legal requirements, to get a proposal zone on the septic. They pieced together something with a fee associated with it during real estate transactions. The State of Oregon voted not to allow a fee to be attached to a real estate transaction. Now, DEQ is working on a voluntary issue. Lenaerts added that the state will not be building a data base. Lenders will perform the inspections; however, they will keep the data in-house and not furnish it to the state.

### **East Devils Lake Road**

No new updates. Salmon Drift Creek Watershed Council is working on a third grant from OWEB to be submitted this month. The District is providing a letter of support.

## **New Business**

### **RARE Program**

This is an acronym for Resource Assistance for Rural Environments. The District is considering a RARE program for 2013-2014. Lenaerts was one of the former RARE participants. Partners of these participants are non-profit organizations who put together an 11-month program. The cost is \$20,000 plus staff time to coordinate the application and interview applicants and then oversee the projects. The university and AmeriCorps provide wages, insurance and school deferment. It is a real benefit to students and the entities and the applicants are highly qualified people who perform projects that you would not be able to perform otherwise. If the initial application is accepted, a 25-page proposal is then completed wherein you discuss the community, etc. Robertson said information from the previous application can be recycled. If you submit by April 15 and get approved to participate, a final application is due in June.

Projects the RARE participant could work on would be the signage previously discussed to expose Devils Lake to the driving public as they pass by near the golf course. Robertson suggested a map of the lake on a billboard with a slogan entitled, "Devils Lake is Half the Fun!" The RARE person could spend about 30 percent of their time promoting Devils Lake. Other projects could be website redesigning; Devils Lake Revival and the water quality program as well as other community outreach projects, including four quarterly E-newsletter templates that could be used in the future.

Discussion ensued regarding what focus the participant would have.

Robertson said the interns are "planning" people. They normally are not so much technically inclined as they are community builders and economic development people.

Robertson said the \$10,000 that is normally allocated to a summer intern could be used as half of the \$20,000 for the RARE participant.

**Skirvin moved for the board to consider the RARE program for the fiscal year 2013-2014. Green seconded the motion.**

**Discussion:** Green said what we are authorizing is asking the manager to make a pre-application and a line item in the budget for the RARE intern for 2013-2014. He said perhaps staff could do a lot of the projects listed; but the benefits might be worth the expenditure. He likes the idea of more time to think about it.

Ward said he is not for the project. He said in a small town, it takes a longer time to develop relationships.

Weldon said he doesn't have a problem with putting a line item in the budget and completing the pre-application.

Green said he believes there is not a downside in leaving the option open until a final decision needs to be made.

Skirvin expressed support for the pre-application.

Robertson and Lenaerts researched the time line:

Pre-applications due by April 15.

Member applications are due April 26.

Full member applications due June 3.

Matching funds due by July 1. Interviews July 15-19.

Robertson said hopefully by May, they would let him know if the pre-application is approved.

**Walker, Skirvin, Green and Weldon voted "Yes." Ward voted "No." Motion carried.**

Robertson was asked to prepare an approximate dollar amount of what each of the proposed projects would cost to complete for presentation at the May meeting.

### **Devils Lake Community Grant Program**

Robertson said the District has offered grants previously to PADL and another to Salmon Drift Creek Watershed Council. The board has expressed an interest in creating a program for considering applications for funds to help people achieve similar goals to the District's. Robertson suggested a certain percentage of the annual tax base, such as 1-3% or \$2,000 to \$6,000 for an annual line item in the budget. Eligibility and criteria could be refined; basically, that the project demonstrates community support and the capacity of the applicant to complete the project and its worthiness. Some possible targets would be education, training for boat safety, youth programs, and recreational events.

Discussion continued about criteria for the grant consideration; frequency of contribution and entities to be considered.

Robertson said he was considering an amount of \$1,000 for the current budget.

Green said the board is establishing criteria against which proposals could be measured—a good idea for inviting ideas from the community. He said we have to trust that we are not going to be creating this line item to automatically donate money. It might be more effective to make people meet measurable criteria.

Walker said he is for a criteria policy without a "program."

Discussion about the amount to allocate for next budget continued.

Skirvin suggested \$2,500; Green said he feels comfortable with \$6,000. The funds must be a partnership.

Weldon said it's most important to establish criteria to limit the number of people who ask for funds.

Discussion ensued regarding establishing a cap or a percentage of a project that the District would fund.

Ward said he would like to have a \$10,000 amount as the budget line item.

**Skirvin moved to create a budget line item for 2013-2014 of \$5,000 and adopt criteria that the managers put forward for the remainder of this fiscal year to consider projects with the existing \$1,000. Green seconded.**

**Vote: Unanimous. Motion carried.**

### **Policy Updates**

Policy review will be included in the August meeting for consideration. For May, Robertson will work on the insurance.

### **Tigersharks Surf Club Partnership**

Keith Galbraith and Skye Anderson are co-founders of the Tigersharks Surf Club. Keith previously approached the board about contributing to the Tigersharks Surf Club. They would like to partner with the District to promote the mission of the Board to make the lake more user friendly and get the community involved. Water safety is a huge part of the club's mission. Water survival and safety and graduating participants from the lake to the ocean to continue their fun and learning are their goals. He said he is present tonight to learn what the Board's response is.

Discussion ensued regarding what the requested funds would be used for--\$125 per scholarship per enrollment.

Galbraith said that insurance is currently secured through the 4-H program's umbrella and the cost is \$25 per enrollee. Since there are not a lot of volunteers who can help, some funds are allocated to secure instructors. There are so many kids who are going to be junior leaders so they are trying to provide summer jobs for them. The enrollment fees are more of an operating cost for staffing and fuel, etc. Most of the equipment is donated.

Robertson said that he met with Galbraith and he was suggesting four \$125 scholarships. He said they are asking for a partnership because they are trying to create something more permanent that is basically similar to any school or intramural program.

Galbraith suggested the participants could assist in the Devils Lake Revival and any other projects that would expose them to environmental issues, such as the rain garden maintenance, etc. The goals are to teach kids accountability. He said they would like to obtain more community partners and expand the project.

Weldon said he believes the group's activities mesh with the mission of the District.

Galbraith said last year there were 20 kids involved; this year, they are hoping for more. They would take any funds offered and divide it among the number of applicants since they cannot single out anyone. They are also planning to do fundraisers. He said the surf shop is committed to this season.

Ward and Walker both suggested that the grant should be increased—perhaps \$1,000.

Galbraith said last year they raised \$4,500; total costs were \$35,000.

**Walker moved to donate \$1,000 to the Tigersharks Club to use as they see fit for scholarships. Weldon seconded. Vote: Unanimous. Motion carried.**

Galbraith said they can be followed on Facebook and he will be happy to report on the program at the end of the summer.

## **Public Comment**

**Pat Dooling.** Last summer he came and explained that the water level in Horseshoe Bay was very low. He presented a large poster with photos of the area, docks and canal.. He said all of the docks in the bay are unusable. One dock on the opposite side has only 3 inches of water at the boat ramp and the dock is not floating—there is mud beneath it.

Skirvin asked if six inches would make a difference between usable and unusable.

Dooling said that six inches of water at the dam has a greater effect than six inches in the north end of the lake. He said in the summertime nobody can get a boat in.

Walker asked if the area was dredged out previously.

Dooling said it was; but now sediment is moving in. The real issue is that people who have property there have previously been able to use their boats and now they cannot. There is also a putrid smell.

Weldon asked if the property was private. He asked Dooling if he had checked into dredging the canal.

Discussion ensued about dredging and whether or not the canal was private property.

## **Board Comments and Announcements**

The meeting adjourned at 9:20 P.M.

The next regularly scheduled Board meeting will be May 9, 2013 at 6:00 P.M.

Respectfully submitted,  
Linda Burt