



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

**LINCOLN CITY COUNCIL CHAMBERS
November 14, 2013
6:00 P.M.**

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

ABSENT: None

AUDIENCE: Miles Schlessinger

STAFF: Paul Robertson, Lake Manager

MEDIA: None

Chairman Brian Green convened the meeting at 6:00 p.m.

I. CONSENT AGENDA

(6:01 p.m.)

David Skirvin moved to approve the consent agenda (including minutes of October 2013 meeting and financial report). Noel Walker seconded the motion. Unanimous vote in favor.

II. PUBLIC COMMENT

Miles Schlessinger, 1192 Lake Street, Lincoln City, Oregon

Miles reported that Seth Lenaerts, the former DLWID project manager, asked him to help coordinate plans for bringing Dragon Boat Races to Devils Lake. Miles met with a Dragon Boat representative, who suggested holding the races in August. Miles then met with Shirley Hill, who suggested coordinating the races with the Chinook Winds Casino Community

Days celebration in April. Miles asked the Dragon Boat rep about coordinating the races with Community Days, but the Dragon Boat rep said the earliest possible date would be July, possibly during the Devils Lake Revival. The Dragon Boat rep still preferred August, but Miles pointed out that August is already busy with crowds of tourists, and he reiterated a preference for April. Miles said the Dragon Boat rep is consulting with team captains and the Portland Dragon Boat Association. Miles was invited to the Dragon Boat Association monthly meetings, and he said he was willing to attend the next meeting, which is in December.

Discussion continued on best time for races in terms of lake usage, hotel space, traffic, and so on. July to Labor Day generally seen as a time when the lake and the town are already full.

Miles said Portland has 40 Dragon Boat teams, and the teams have 20 members each plus families. Fewer boats would probably come to town though. Miles said the Dragon Boat season runs from March to October, so an April date in coordination with Community Days would help kick off the boat season.

Skirvin suggested having the Dragon Boats as an exhibition during the Devils Lake Revival in 2014 and then holding races in 2015, giving everyone more time to prepare. Miles said the Dragon Boat rep said they could bring perhaps six boats to the Revival.

Green thanked Miles for his efforts and encouraged him to continue to pursue the idea.

Miles asked about planning for the Revival now that Seth has left and sought assurance that the Revival would continue, saying he didn't want to invite the Dragon Boats unless he knew the Revival would take place.

Board members said it is their intent to continue the Revival, even though no plan is in place yet to fill Seth's role. A lot of groundwork is in place, so less work will be needed to organize the event this year.

III. UNFINISHED BUSINESS

a. The Devils Lake Plan

i. Septic/Sewer

(6:12 p.m.)

SEE STAFF REPORT re: summary of project to date now available on request; authority for sewer district.

Robertson and Green met with County Counsel Wayne Belmont and City Attorney Richard Appicello to discuss establishing Sanitary Authority; financing questions (charging fees per lot or per size of lot); development issues related to sewer, such as runoff, since development will become more attractive after sewer is in place; possible Urban Growth Management Agreement (UGMA) between city and county addressing how development should proceed.

Such an agreement would set up means for city, county, and developers to work together, through incentives, to create parameters for usage, setbacks, and so on.

GREEN: the idea is not to impose requirements and restrictions on property owners, but to create incentives that encourage property owners to voluntarily respect environmental concerns while gaining a right to perhaps develop other areas away from the lake.

SKIRVIN: an agreement would give the city and county a voice when considering variances.

ROBERTSON: an agreement would give developers and the government negotiating tools. Also discussed concept of Advanced Finance District, which would give private developers the capacity to build roads and other infrastructure with future reimbursement by neighboring properties. Also discussed whether city could establish Lake Improvement District (LID) outside city limits. City and county agreed to work with planners to determine development potential of east side of lake, Neotsu. Discussed concern that installation of sewer could lead to unintended consequences from unplanned development. (Does a sewer permanently ruin Devils Lake or does it help fix it?) An Urban Growth Management Agreement between the city and county would be a tool to control or address issues before they arise.

GREEN: next thing that will happen is the city and county planners will be asked to determine how many properties could now be developed with septic and how many could only be developed with sewer. Development is inevitable; how much harm could be caused by increased development after sewer is in place. Green believes benefits from a sewer would far outweigh any damage that might occur by developing properties that can only be developed with sewer.

SKIRVIN: asked for better understanding of UGMA.

GREEN: Appicello promised to provide a summary of the meeting, and this could be put online. Good news is city and county moving forward unless planners determine that sewer could be detrimental to the lake. Also, nothing new to report on LID sewerage; property owners have been given time to identify preferred location for hookups.

ii. Save our Shoreline (SOS)

(6:29 p.m.)

SEE STAFF REPORT re: summary available on project to date.

ROBERTSON: asked about possible renewal of maintenance agreement at Regatta Grounds.

Board asked Paul to assess need and decide next month on renewing agreement.

iii. Vegetation Management

(6:33 p.m.)

SEE STAFF REPORT re: submitting a response to the Oregon Department of Fish and Wildlife to address ODFW questions regarding the grass carp application. Response will be posted on the website.

GREEN: we submitted a draft amendment to ODFW rules that would allow carp to be placed in the lake as the best option for controlling vegetation in the lake.

b. Communications Report

(6:37 pm)

SEE STAFF REPORT re: regular appearance on KBCH radio (AM 1400), Internet, Channel 4, plans to continue Devils Lake Revival.

Skirvin made a motion that the DLWID plan to have the Devils Lake Revival as an ongoing annual event.

WALKER: how do we do that without Seth? Do we need to hire somebody?

ROBERTSON: could farm it out under contract to a private event-organizer; could hire someone; Paul could do it (allowing for six solid weeks of preparation); could staff a second person by April, which would allow enough preparation time and also provide a person to work on water quality testing.

GREEN: any estimate of price for contracting a planner?

ROBERTSON: we have priced this work before but do not have a specific estimate; it's not cheap; in-house work involved about \$10,000 of costs and staff time, so maybe farming it out for \$12,000 would be better than hiring someone full time.

Discussion continued on cooperation with the Lincoln City VCB, timing of the event, considering weather issues, availability of grounds, timing of HABS, combining event with ski races, general desire to continue event.

Consensus was to use the December meeting to review options (whether to hire an event-organizer, hire staff, decide on a summer internship). Robertson noted that Seth left step-by-step plans to organize the event.

WALKER: noted he will be out next meeting.

Call for a vote. Board voted unanimously in favor of planning to continue to hold the Devils Lake Revival.

c. Safety Report

(6:53 pm)

SEE STAFF REPORT. Nothing new.

d. MidCoast TMDL

SEE STAFF REPORT re: update.

e. East Devils Lake Road

ROBERTSON: no update; discussed use of \$10,000 fund for possible rescue of fish stranded on flooded road.

SKIRVIN: are plans in place for use of those funds?

ROBERTSON: would work with Salmon-Drift Creek Watershed Council; lake manager could administer.

GREEN: idea was to administer the fund on as-needed basis.

Green moved to authorize Lake Manager to administer previously authorized funds on as needed basis. Weldon seconded.

SKIRVIN: objected to unstructured nature of fund as far as what the money could or could not be used for; should have plan in place regarding when the fish are likely to run and what can be done to address the problem.

GREEN: Lake Manager needs flexibility to respond to needs of Salmon-Drift Creek Watershed Council.

ROBERTSON: urgency of problem may be reduced since road has been repaved; primary use of funds would be to pay personnel to rescue fish; could be volunteers, but this would provide funded time to ensure people there.

Consensus of board was that directive to Lake Manager is as specific as it needs to be.

Call for vote. 4-1 in favor, with Skirvin opposed.

SKIRVIN: I want to save the fish, but I was really hoping we'd have more structure, more of a plan.

f. Policy Updates

(7:02 pm)

SEE STAFF REPORT. No update.

g. Water Quality

SEE STAFF REPORT. Preliminary results from November 7 sampling are good for 3 of 4 toxins, so good chance lake will be delisted. Expect to be well below state standard for toxins.

h. Office and lab space

(7:05 pm)

SEE STAFF REPORT re: agreement with Oregon Coast Community College for new office space; college willing to open the wall between two existing offices after 6-month lease at DLWID expense; college agreed to request for signage within city regulations; issue remains with need for a freezer in science lab: consider replacing current inadequate household unit with two countertop lab-quality units; problem with current unit is that the freezer defrosts and damages specimens; minimal lab-quality units would cost \$600 each.

Board asked about purpose of 6-month delay in opening space; discussed freezer replacement; discussed automatic renewal of lease unless 60-days' notice given.

Consensus from board is that proposed lease with Oregon Coast Community College would give DLWID improved space for less money.

Green moved to approve lease and to authorize Board Chairman Green to sign the lease. Skirvin second.

Board continued discussion on renewal terms, agreeing that lease as written is for one year with a provision for renewal. Also discussed continued storage of DLWID items at current office (in Bruce Polvi's building) for \$25 a month or until he gets new renters (terminable with 15 days notice).

Call for vote. Unanimous in favor.

VI. NEW BUSINESS

(7:30 p.m.)

a. Surplus

SEE STAFF REPORT re: list of property to be sold.

Board discussed pros and cons of storing surplus versus selling it.

Skirvin moved to allow Lake Manager to declare a surplus list based on the surplus property description table in the staff report for November 2013 with modifications at the Lake Manager's discretion. Green seconded.

Board discussed need to follow appropriate legal procedures regarding disposition of surplus property.

Green moved to authorize the Lake Manager to declare this list surplus property and that he follow the legal process for disposing of surplus property, and that he provide an accounting of the disposition of the assets. Skirvin seconded and withdrew his earlier motion.

Call for vote. Unanimous in favor.

IV. NON-AGENDA ITEMS

(7:42 p.m.)

None.

V. PUBLIC COMMENT

(7:42 p.m.)

None.

VI. BOARD COMMENTS AND ANNOUNCEMENTS

(7:42 p.m.)

SKIRVIN: next month, will we get a rundown on NALMS [North American Lake Management Society meeting in San Diego]?

ROBERTSON: yes, time was tight this month for a report on NALMS and OLA [Oregon Lakes Association/Washington Lake Protection Association Joint Conference].

SKIRVIN: went to OLA conference in Vancouver, WA; learned about variables of organisms that become HABs; different portions of organisms grow at different times of year; some years, some organisms thrive, some years they do not.

ROBERTSON: conference was valuable; also benefited from serious level of networking, particularly with Washington folks; able to see new aquatic mapping software; good vendor connections; bought microsystem test kits at \$600 savings (half the cost of conference); could provide full report on both conferences in December.

SKIRVIN: could summarize in an email rather than staff report.

WELDON: question in Oregonian recently re: HABs alerts on website and funding for brochures.

ROBERTSON: brochure funding is ending; Oregon Lakes Association talking about ongoing information sharing re: cyanobacteria; state will still list advisories.

WALKER: reminder that he will not attend December meeting.

VII. ADJOURNMENT

Green adjourned meeting at 7:55 p.m.

The next regularly scheduled Board meeting will be December 12, 2013, at 6:00 p.m.

Respectfully submitted,
Rick Mark