



MINUTES
DEVILS LAKE WATER IMPROVEMENT DISTRICT
REGULAR MEETING
Lincoln City Council Chambers
May 12, 2016
6:00 pm

Call To Order: Kent Norris called the Regular DLWID meeting to order at 6: 05 pm

I. Roll Call

Directors Present: Kent Norris, Tina French, Bill Sexton, Brian Green, David Skirvin

II. Consent Agenda

- a. Minutes of the Previous Meetings
- b. Financial Report

Kent Norris said that the financial report is not presented and that all bills have been paid to date.

Tina French moved, "To approve the minutes from the last meeting as presented."

Brian Green seconded the motion. Motion passed.

III. Comments from Citizens Present on Agenda/Non-Agenda Items:

Barbara Lay, Lincoln City KOA, had several items to comment on. 1. Please include dates of your tests or reports when siting results. 2. When discussing Thompson Creek please include all animals that are in or part of the creek. 3. Thompson Creek is at the bottom of the hill and when it rains all surface contaminants washes down and into the Creek. 4. In past years there have been problems with septic systems near Thompson Creek before blaming us make sure all septic systems are in good working order. 5. The park should not pay for sewing if annexed into the City and put on city sewer. The price for 81 sites is astronomical. 6. Everyone entering the park must be registered. If anyone enters the park and is not registered they are trespassing and subject to arrest. This includes everyone. 7. A request was sent out on April 26 to the Board and the Salmon Drift Creek Watershed and you have twenty days to get that information to them. 8. A formal letter has been sent requesting an apology for damage to their business due to the remarks made. Director Brian Green was asked for an apology. 10. When offering information into the record related to Thompson Creek you may be affecting our business and other businesses or residents with true or untrue information. We are being blamed for the pollution at Thompson Creek and this has to stop today. Please notify us fourteen days in advance of a meeting that we will be mentioned in. Finally, you will be mentioned to my Attorney if you mention us again.

Sandy Gruber said, The Boards action to fire Paul Robertson at the March 10th meeting was offensive due to the manner in which this hanging was conducted. 1. Changing the agenda so that there were no comments taken at the end of the meeting was gutless by Mr. Norris. Those actions will not be forgiven or forgotten by me. 2. She pays taxes to keep the lake healthy, useful and enjoyable for everyone. By firing the Manager with one day notice knowing he was leaving on vacation the next day my tax dollars were thrown out the window. Why not keep him until the end of his contract period? 3. The Mission Lists states to improve and maintain the water quality of Devils Lake and to improve the environment for fish, wildlife and human. Paul was a scientist and a good asset for the lake.

Marg Hurl said she sees the algae every summer and has done some research. She read information from the Department of Environmental Quality on lake mythology stating that Devils Lake has a 303D Status. This means that every two weeks testing must be sent in and asked if this has been done. She is concerned about the Coho and the damage that is being done to the Lake. Kent Norris said that the reports start Memorial Day for a time period and that reports and programs will continue.

Jim Hoover thanked the Board for their service. He was compelled to speak about the KOA Camp Ground issue and reminded everyone that the comments from the March 10th meeting are on the web site for everyone to hear. From what he has read there isn't any report that states that the KOA Camp Ground is responsible for the e-coli report. Reasonable for the KOA to ask to receive an apology from Mr. Green for not representing the information correctly.

Brian Green said in response he would post on the web page the email that he sent in reply to the complaint, the letter that was sent to him and the letter which was sent from the Salmon Driftcreek Watershed Council Volunteer. At the City of Lincoln City Sewer Workshop the issue came up that the properties on Thompson Creek inside the Urban Growth Boundary that many of them including the KOA were not included in the project design. There was another area down south that was not included also and these were omissions that people were questioning. He has no reason to believe that any rules and regulations are being violated.

Tina French clarified that the e-coli from D River, Regatta Grounds and Thompson Creek are not human.

IV. Unfinished Business

a. The Devils Lake Plan

i. Septic/Sewer

Voyage Lake LID:

Brian Green gave an update that he received a door hanger letting him know that on May 16 and 17 paving would be occurring. This will finish the project. He also shared that sewerage on the east side of the Lake does not mean annexation.

ii. Save our Shoreline

Mariellen Rich, Committee President shared that Save our Shoreline Committee met April 28th. The Committee has a \$7500 budget to put plants around the Lake. A demonstration planting will be done in and out of the water on the west side of Regatta Park. This will be an example of what others can do to help with algae and help to improve the lake. Having a stable water level will help and might be able to get three sites in. Demonstrating planting will be friendly to Lake and yards and easy to obtain. The Committee elected officers. Kent Norris shared that they have a goal of ten projects and the Committee will be taking on the duties of water quality testing.

Devils Lake Dash

Miles Schlesinger met with Bill Cox and a local resident won in his novice class and received a trophy. An organized group of jet skier's took video of the race and category. Encouraging to get the info to the City of Lincoln City. Had about 70 attend. Activity good for the town.

iii. Vegetation Management -- No report at this time

- b. Communications Report -- No Report at this time
- c. Safety Report – No report at this time
- d. MidCoast TMDL – No report at this time
- e. East Devils Lake Road – No report at this time
- f. Harmful Algal Blooms/Aeration

Dr. Alex Horne, using a power point, discussed his 17 In-Lake and 5 Water Shed methods of the Phase 1 report and recommendations with the Board.

Summary of recommendations: 3 main in-lake methods

- 1. Hybrid aeration-VEM -Oxygenation
- 2. Biomanipulation and dredging
- 3. Algaecide

2 other in-lake methods

- Lakeside direct algae filters
- Macrophyte, water weed harvesting

Summary of recommendations: Watershed

- 1. Septic tanks and fertilizer reduction
- 2. Sediment detention basins
- 3. Side-stream nutrient removal wetlands

Summary of further needs

- 1. Data loggers in deep water this summer-fall: needed to make choice of aeration or pure oxygen in deepest sites (can rent)
- 2. Nutrient surveys in all 6 creeks (base flow and storm flow): needed to see in side-stream wetlands are needed
- 3. Sediment cores: a few (6?) are needed in shallow and deep water to assist decision on dredging

Summary of costs

- Range is \$500,000 to \$15,000,000
- More expensive options will require other sources of funding which can include state and federal grants since Devils Lake has good public access and a migrating salmonid population
- DLWID has some time and flexibility for costs
- Basically, you (& others) will be paying for 100 years of low cost use of the lake

Preliminary problem definition for recreational use of Devils Lake, Oregon

- The 17 in-lake and Lake methods

Aeration and Vigorous Epilimnetic Mixing (VEM)

- Aeration mixes surface oxygen down deep
- VEM is like aeration in shallower water
- VEM stirs the surface water layers where the blue-green algae grow & thus decreases them
- Mixing is not very vigorous for humans but it is for tiny algae

Oxygenation (pure oxygen) May need this.

Bubble-free plume: Speece Cone

Unconstrained oxygen bubble plume

Pure oxygen facilities

HOS Oxygenation in Camanche Reservoir: first decade of eutrophication reversal

- Biomanipulation and dredging
May seem an odd combination but, in this case, they complement each other
- Uses natural filtering ability
Daphnia grazes algae, plant roots stabilize sediments, carp removal prevent nutrient recycling

Physical methods e.g. dredging. This is something to seriously consider. You can get grants and bond issues to help pay for the dredging.

Algae-filtering wetlands (& islands)

Advantages and Disadvantages

Filtering wetlands on shore: YES

Floating Islands: NO

Large aquatic weeds: they like shallow water but can be harvested!

Copper algaecides Don't use unless have to.

Various kinds including CUSO₄, organic chelates

Watershed concerns at Devils Lake

The 5 watershed methods

- Treat domestic sewage (and other point source waste waters, including industry)
- Treat nonpoint sewage (usually replace septic tanks with sewers)
- Decrease landscape/agricultural fertilizer input
- Detention basins to block entry of storm runoff and sediment out particles
- Constructed wetlands to filter inflow "(biological filters")

Future large agricultural wetland River Road Treatment Wetland Project -- shown as an example.

Kent Norris clarified that they need more information through the summer to move forward to consider options and plans. Dr. Horne suggested that more information does need to be gathered to proceed including engineering, planning and design.

Andrey Chernishov, HBH Engineering, agrees need to move forward as planning and permitting will take up a lot of time before the main engineering. Location of the shed for equipment does need to be considered and that it will be cost effective.

Dr. Horne explained that Phase I of the 17 In-Lake and 5 Water Shed methods has now been presented showing the analysis and it is time to move forward for Andre' to get involved for organizing the permitting, design and planning.

The Directors, Dr. Horne and Andrey discussed duties of the Bid Assistance, what to expect from the contractors and permitting, the responsibility of each and who does the oversight of the project.

Bill Sexton ask Dr. Horne if he had done any other project similar and the success.

Dr. Horne said Cherry Creek in Denver was one example of part of the project.

Tina French asked about dredging. Dr. Horne said that dredging is too far out in the future you need help now. Aeration is what will do the job now.

Kent Norris talked about the upfront costs as they move forward. Board needs to make a motion that they want to recover any upfront cost in designing.

Kent Norris moved, "That the Board will choose to recover any upfront funds that go into the design to the financing of the eventual project."

David Skirvin seconded the motion.

Discussion:

Tina French questioned that if funded by grants and they don't allow any money that is expended to that point is that OK? She is fine if it is an intent to recover those funds.

Motion passed unanimously.

Tina French motion either purchase or rent the data loggers and get them in the water as soon as possible and moved forward with Dr. Horne and HBH.

David Skirvin asked that this be two motions.

David Skirvin questioned are data loggers short term or needed. Dr. Horne said may need for at least 6 months and just rent them.

Kent Norris seconded the motion.

Tina French moved to withdraw her motion.

Brian Green moved "To authorize our Manager to acquire three data loggers in the most cost effective and sufficient way possible for measuring dissolved oxygen and temperature as suggested by Dr. Horne"

David Skirvin seconded the motion. Motion passed unanimously.

David Skirvin motion, "To proceed with second half of the contract with Dr. Horn and HBH."

Brian Green seconded the motion. Motion passed unanimously.

- g. River Dredging – No Report at this time
- h. Committees

Sewer Committee: Director Brian Green

Events & Communication Committee: Director David Skirvin

Septic Inspection Committee: Director Tina French

Save our Shoreline and Water Monitoring Committee: Director Kent Norris

Special Projects Committee: Director Bill Sexton

Kent Norris moved, "To appoint Irving Potter to the Sewer Committee, Dana Moore to the Septic Committee and Pat Dooling to the Save our Shores Committee respectively."

Tina French seconded the motion. Motion passed unanimously.

- i. Lake Manager Search
SDAO is still constructing the job description and application process and is waiting to begin soliciting applicants.

V. New Business

- a. Interim Lake Manager Position

The Board met in executive session on Monday, May 2, 2016 for the purpose of interviewing Thomas M. Wood for the position of Interim Lake Manager. As a result of that executive session the board will discuss whether to offer Mr. Wood a contract.

Final Action and Discussion:

David Skirvin commented: When Paul was released from his position the only decision the board made at that time was to appoint you, Kent Norris, as Interim Manager while looking for a permanent manager. From a procedural perspective how can we end up with no process and not having an interview process for something the board never made a decision on. It is wrong that the board made a decision and did not have a public meeting with public comment. Not allowing anyone to apply to that position that may be interested is wrong. There was no process here and this is his position.

Kent Norris said we are not not searching for a Lake Manager. He has had several people contact him once there was an opening. When Tom came forward and he saw on his application and his background he thought this may be a good stop gap while looking for a manager. Kent said he volunteered and has been doing it for two months. He could continue but felt that can be better served with someone with better qualifications than himself.

David Skirvin said he doesn't disagree with those points. What he does disagree with is that the Board never made a decision in a public meeting to hire an interim manager and this doesn't set right with him.

Kent Norris said that David Skirvin's comments were dooley noted. He asked Tom Wood to give some background as David was not at the executive session meeting.

Tom Wood gave his background which has been in management of design and construction. He has completed many projects and has gathered teams together working for and beside him and as individuals.

Kent Norris asked Mr. Wood to explain what he knows about Devils Lake currently.

Mr. Wood explained that since hearing about this opportunity he has spent hundreds of hours researching and studying the information, maps, projects etc. He understands history and read as much as he could and has an interest to maintain, construct and operate the Lake. He has had discussions with permitting agencies and their knowledge of Devils Lake.

Brian Green asked what agencies has he worked with for permitting.

Mr. Woods explained Military Department, State Fair and Department of Fish and Wildlife. He has received permits from CORE and DSL.

Tina French most appealing was through the workshops with the help of SDAO and trying to design the perfect person for this job doesn't feel they ever came to exactly what they were looking for. When Tom came to them looking for a challenge and wants to accomplish this for you was good to hear and he is not looking for long term employment. He buys them some quality time. They can move forward with Dr. Horne and HBH and he can help with who his replacement should be.

Brian Green asked Mr. Wood if he had experience with grant application writing and administrating.

Mr. Wood said that as a co-requestor on several and has not taken a grant from scratch and worked it all the way through to success. Supervised those that have worked on grants on a daily basis and insured the actions have been done.

David Skirvin commented that Mr. Woods is qualified as a project manager and does not doubt his skill and ability. He said he doesn't appreciate the process. He will probably do a great job and the process leading into it is not an open and fair process by a public body.

Tina French asked what David would have preferred.

David Skirvin said that notice to other people to apply. Granted he has great skills for what they have going on. Why did we not give anyone an opportunity?

Brian Green said they have been working with SDAO and seeking a process for applicants.

Tina French said they are not stopping the process with SDAO.

Kent Norris said that he felt they would be better served if they had an actual employed manager.

Tina French motion, "To offer Thomas Wood the Interim Manager contract employment agreement as presented to each Board member."

David Skirvin seconded the motion. Motion passed with 4 ays and 1 nay,

VI. Non Agenda Item

Tina French commented she has a conflict with the date next month 9th. She asked to be excused. Unless they can change the time. It was agreed to change the time if the Council Chambers is available at 5 pm.

VII. Additional Comments from Citizens Present on Non-Agenda Items

Sandra Gruber questioned the public comment period and not being a discussion time.

Kent Norris said that it was up to the board if a comment was made.

Sandra continued explaining, Mr. Hoover came back up and talked disrespectful and the board did nothing to bring it under control. She said she would appreciate it if Kent Norris took control of his meeting and wants to hear a civil meeting. Expects the head of a board to bring the meeting under control.

Agrees that the process was not followed in hiring this Interim Manager and agrees with David Skirvin and that they need to go through a public process. We need a lake manager that knows about the lake.

Brian Green said that if it seems to him that the public record is going to be distorted and a false impression created then he will say something that was his reason speaking up. This is his criteria when speaking up during a public comment.

Larry Brown doesn't disagree with the point that David Skirvin brought up just didn't need to belabor it. He appreciates finding someone with the qualifications and the help. Dr. Horne's time talking about e-coli test on Thompson Creek and the only time the test came in was "dog" and not human waste. How effective will aeration be? He has a lot of questions on aeration and how effective it will be. He would suggest to have a public meeting to have a discussion.

Tina French commented it may be a good idea to have a work shop for a question and answer session.

Mark Christie personally thanked Kent Norris for all the work he has done in the last couple of months. The open of this board, transparent and being willing to listen to everyone and doing a fantastic job. In reference to David's comments have a good interim in Tom Woods and the process keeps going on so nothing has changed that. Doing a great job! Keep up the great work!

Tina French thanked Kent has done a great job and has gone above and beyond.

VIII. Board Comments & Announcement

David Skirvin thanked Kent for all that he has done.

IX. Adjournment

Kent Norris adjourned the May 12, 2016 Regular Meeting at 9:20 pm