

**APPROVED BY THE COMMISSIONERS FEBRUARY 24, 2012**

**MINUTES OF MEETING OF THE COMMISSIONERS  
PIPE LAKES PROTECTION AND REHABILITATION DISTRICT  
DECEMBER 15, 2011  
2198 WEST PIPE LAKE COURT**

**ATTENDING:**

Carol Vantine, Tom Ohern, Joe Zaspel, Brooke Thill, Herschel Brown, Dan Paulson, Curt Deering

**GUESTS:**

Ron Vantine, Larry Bresina

**MEETING:**

The meeting was called to order by Chair Carol Vantine at 3:00 PM.

The commissioners discussed and unanimously approved a motion by Tom Ohern to transfer the ongoing maintenance of the district web site to JJ Web Services and More LLC. Service fee is \$50/month.

Reviewed the 2011 budget:

Loan of	\$95,000	with 1 <sup>st</sup> payment due February 1, 2012
Balance	5,800	

The loan for the retention basin has been issued. The commissioners unanimously approved a motion by Joe Zaspel to pay back up to 75%, or up to \$80,000 of the reimbursed amount by the Wisconsin DNR, whichever is greater.

Tom O'Hern provided the 2012 projected budget. It includes a grant reimbursement estimated from the DNR of approximately \$95,000 to \$108,000, and a loan payment of \$95,000.

The commissioners unanimously approved a motion by Carol Vantine to pay back approximately 75% of the loan and then pay back the remaining balance of approximately \$15,000 over 3 years.

Discussion regarding the retention basin status:

- Polk County is pleased with the construction of the basin
- There have been some changes, lapses and errors by various parties causing some challenges:
  - Retention basin built to specifications of County Engineer including inlet and outlet weirs. Preconstruction calculations of soil and tree removal costs were in error. Added costs were incurred to haul stumps off site (owner originally offered to retain on site), repair driveway and parking pad.
  - County Engineering Services are being billed at full charge, \$6200 of \$8300 has been paid to date.

- DNR requires a notarized maintenance contract form signed by the property owner to proceed with reimbursement. We have a simple signed (not notarized) agreement. We will work with the owner to obtain the notarized form.
- Owner changed his mind on several matters
  - Asked that tree stumps originally planned to be disposed of on property be hauled away, added expense
  - Additional silt fencing required, added expense
  - Restoring driveway and parking pad with gravel added expense
- The DNR:
  - Is now stating they require notarized approval from the landowner stating that he will allow the retention basin to be maintained by the District for 25 years and the streambank to be maintained for 10 years.
  - Indicated the County would normally acquire this approval
  - Was surprised that the County Engineer hadn't conveyed requirement
  - Now has all other information it needs for approval
- Left to do:
  - Stormwater basin design assessment
  - DNR approval of maintenance plans
  - Maintenance agreements signed by PL P&R District
  - G. Christensen sign-off on 25 year basin maintenance agreement and H. Black sign-off of 10 year streambank maintenance agreement

The commissioners unanimously approved a motion by Carol Vantine to approve the annual maintenance plans as amended.

The commissioners unanimously approved a motion by Curt Deering for the Treasurer and President to make changes to annual maintenance documents based on discussions with the DNR.

The commissioners unanimously approved a motion by Joe Zaspel to commit the PL P&R District to carry out the maintenance of the retention basin and streambank as outlined in the agreements.

The DNR has requested the PL P&R District send all bills into them together.

The commissioners unanimously approved a motion by Joe Zaspel to authorize Treasurer Tom Ohern and President Carol Vantine to submit documentation for reimbursement.

Guest Larry Bresina voiced questions/concerns:

- Was there any discussion or study of the retention basin to evaluate this designs performance?
- What was county engineer's update to the model calculations based on?
- Was there discussion regarding the cost for the Weirs and was it an approved part of the expenses?
- Was the county engineer on site? Were others called in?

- How do we learn from this experience for future opportunities?

There was a discussion regarding what is the DNR going to do if there is an issue and what will the resulting contingency plan be?

- May have to adjust how the remaining grant will be spent
- Currently are tracking to approximately \$85,000 of grant funds remaining
- Remaining funds may exceed \$85,000 because grants for “shoreland practices” have not been as high as expected
- Approximately 12 assessments scheduled for spring
- Only 5 property owners have sought payments beyond assessment fees so far
- Some property owners have opted to do the work themselves, without compensation

The commissioners reviewed and unanimously approved the Minutes of the September 19, 2011 Bid Opening Meeting.

The commissioners reviewed and unanimously approved the Minutes of the October 21, 2011 Commission Meeting.

The commissioners reviewed and unanimously approved the Minutes of the August 12, 2011 Commission Meeting.

Herschel Brown, Polk County Representative, indicated the District’s valuation decreased by \$11,000,000 in the past year and the mil rate will be adjusted up.

Guest Ron Vantine shared experience with respect to corporate governance and how that may apply to this board of commissioners during this challenging time with the retention basin project.

An executive session was held, without Chair Carol Vantine present to review the retention basin project and how it has progressed. As a result, the commissioners unanimously commended Carol Vantine for all her hard work, supported the decisions made to date and recommended she continue to lead the completion of the retention basin project.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Curtis Deering  
Secretary