

Springville Pond Management Committee Meeting
Tuesday, November 15, 2011
6:30 p.m.

Members Present: David Worzella, Jason Nafe, Tom Davies

Excused Members: Patrick Martin, Fred LaRosa, Mike Kochinski, Steve Anderson

Others Present: Dan Mahoney, Village Administrator

1. **Call to order.** Due to the absence of Mr. Martin, Mr. Mahoney was elected temporary chairman for tonight's meeting. Mr. Mahoney called the meeting to order at 6:30 p.m.
2. **Approval of minutes of meeting August 31, 2011**
Due to excused members resulting in no quorum there was no motion on the floor for approval of the August 31, 2011 minutes. Minutes will be reviewed and considered for approval at the next scheduled Springville Pond Management Committee meeting.
3. **Tom Meronek – WI DNR – Fish Survey Update.** Mr. Meronek went over an interim fish survey that was completed in September 2010, over a one hour timeframe. He noted that the trout did not show up in the survey although they are there and restocked each year. Fish count was done by a shocking survey (as compared to a netting survey). The survey results were as follows:
 - Bluegill, length ranged from 2-7 inches with 1-2+ catch rate per hour
 - Pumpkinseed, length ranged from 4-5 inches with 1-2 catch rate per hour
 - Yellow Perch, length ranged from 3-8 inches with 1-3 catch rate per hour
 - Large Mouth Bass, length ranged from 3-14 inches with 1-9 catch rate per hour
 - Survey showed that largemouth bass found in the pond is greater in Springville Pond than what has been found in the Central Lakes. Mr. Meronek noted that bass is the strongest component in the pond.

Mr. Meronek stated that the interim survey shows a good distribution of fish. Mr. Meronek added that an interim survey such as this does not provide as much detail as a regularly scheduled survey. Mr. Mahoney asked when Springville Pond is scheduled for a regular survey. Mr. Meronek stated that he didn't know where it fell in the order, but will get back to Mr. Mahoney on the pecking order. Mr. Gifford asked where the fish go when the pond was down a couple of times. Mr. Meronek stated that they will stay in the river channel.

4. **Amy Thorstenson – Golden Sands R C & D - Weevil Distribution Update.** Ms. Thorstenson, who was unable to attend the meeting, was to be part of a conference call; due to an incorrect phone number Mr. Mahoney was unable to connect with Ms. Thorstenson.
5. **Review of Springville Pond Dam Repair Work and Associated Costs.** Mr. Mahoney went over the breakdown of dam repairs and overall project costs. Dam repair costs totaled \$121,484.05. A DNR grant will cover \$60,742.03 of dam repair costs. The Village of Plover's portion of dam repair costs will be \$21,061.77. A net total of \$39,680.26 will be assessed to 55 landowners east of the dam.

Mr. Mahoney stated that initial bids for the project came in significantly higher than anticipated, which the Village felt was inconsistent with what was explained to property owners. Staff worked with the engineer and WDNR to modify the project. As such, the engineering agreement was

amended and the project rebid. The revised project bids came in less than the estimated project cost.

Mr. Mahoney reported that the Village received a phone call from Betty Iber who stated that the two downstream properties were not to be assessed per previous Village Board action because they did not benefit from the dam. Mrs. Iber requested that the Village research its deeds and minutes regarding this issue. Mr. Mahoney reported that minutes were discovered from 1994 and 1995 that addressed the issue.

Mr. Mahoney then reviewed the March 29, 1994 Water Quality Committee meeting minutes, which discussed the DNR order to repair the dam, that the Konopackys and Ibers were considering abandoning the dam, and whether or not the Konopackys and Ibers were to be assessed for such repairs. Mr. Mahoney added that the possible abandonment of the dam led to a discussion between the Village board and Springville Pond property owners on how to address the potential abandonment of the dam. A Negotiating Committee was then formed to discuss the issue and make recommendations to the Springville Pond property owners and Village Board.

Mr. Mahoney then reviewed the February 15, 1995 Village Board meeting minutes. Mr. Mahoney pointed out that the minutes reflect two recommendations from the Springville Pond Dam Negotiating Committee, which were to negotiate with the owners to pay the cost of engineering study and submit a grant application, and to stay with the usual and customary method of assessing back costs to benefitting property owners. The minutes included approval of a bid for engineering and design work that was to be paid by Ibers and Konopackys (with any DNR funding reducing their costs by up to 50%). The minutes make it clear that the money the Ibers and Konopackys paid was for engineering costs and not for assessments. The minutes also make it clear that the Ibers and Konopackys were not to be assessed then or in the future for dam repairs because they were not benefitting property owners, as recommended by the Village's Attorney.

The minutes also point out that the DOT paid for dam improvements in 1983-1984, which is helpful to the Village as it works with the DOT to cover dam repair costs when Business 51 is upgraded across the Springville Pond dam.

Mr. Mahoney then reviewed minutes from the February 27, 1995 Public Works Committee meeting. The Committee adopted the Preliminary Resolution for Special Assessments. The Committee reiterated that the Iber and Konopackys properties are not to be assessed for future dam repairs to Springville Pond. (The Village Board ultimately approved the Preliminary resolution for Special Assessments on March 1, 1995).

Mr. Mahoney stated that the charges were revised for Springville Pond property owners because it is now apparent that the Iber and Konopackys properties are not to be assessed for Springville Pond dam repairs. Mr. Mahoney explained that charges to waterfront properties with 100 feet of frontage were revised (increased) to \$674. Parcels with more or less than 100 feet of frontage were assessed accordingly.

Mr. Mahoney stated that the Village Board would be considering approval of the Preliminary Resolution Levying Special Charges for Municipal Dam Repair Improvements to Springville Pond Mill Dam at its November 16th meeting at 7:00 p.m. Mr. Mahoney invited Springville Pond property owners to attend the Board meeting and express any concerns they may have. Mr. Mahoney stated that staff checked with the Village attorney who has informed them that no case law changes have occurred that would affect the assessment policy.

Mr. Mahoney stated that the minutes from 1994-1995 highlights that the DOT paid for the expansion of the dam as part of the 1983-1984 Business 51 Widening Project. The minutes also reflect that the dam was to have a 50 year warranty.

Because of discussion on property values on the dam, as compared to other residential properties, Mr. Mahoney stated he would ask that the Assessor prepare a breakdown on property values for Springville Pond landowners versus non waterfront properties. This information should be available for the January Springville Pond Committee meeting.

Barb Gifford, 2421 Rainbow Drive, suggested the following: "As riparian landowners our property taxes are significantly higher per acre than properties not on the pond. I respectfully request that the Springville Pond committee ask the Village of Plover to create a non-lapsing fund which would improve funds for maintenance, repair and replacement of the Springville Pond Dam by annually setting aside a percentage of the riparian landowners additional taxes; this would be forward thinking and be proactive instead of constantly having this reactive situation." Mr. Mahoney suggested that Mrs. Gifford's request be placed on the January Springville Pond Committee agenda as well.

Mr. Gifford suggested another option might be the formation of a Lake District to help defray costs, but stated that with the Village owning 1/3 of the property on the pond, riparian landowners would need the Village to give approval of a Lake District. The Village did not approve a previous request to form a Lake District.

6. The meeting was adjourned at 7:40pm., subject to the call of the Chair.

Submitted by Bonnie Wiczek