

APPROVED

**City of Tumwater
Barnes Lake Management District**

Meeting Minutes

January 12, 2006

City Hall, Main Conference Room

I. Call to order

Dan Smith called to order the regular meeting of the Barnes Lake Management District (LMD) Steering Committee (SC) at 6:00 PM on January 12, 2006 in the Main Conference Room at City Hall.

II. Roll call

Dan Smith conducted a roll call. The following persons were present: Rosemary Walsh, Bill Baxter, Bob Hayes, Kathy Peterson, and Judith Loft. Paul Strawn and John Swander called to advise the group they will not be attending due to scheduling conflicts. Ron Lumaguip was not present.

III. Approval of minutes from last meeting

Dan Smith read the minutes from the last meeting. The minutes were approved as amended. Ms. Walsh asked for clarification on the role of Thurston County relating to nutrient source identification. Staff Rep. Smith explained that the water quality survey scope of work as presented by Thurston County does not identify the source of nutrient loading, but quantifies the amount of nutrients observed in the lake. Additional studies would be needed to identify the actual sources of the nutrients. A minor typographical error was corrected and minutes were approved.

Staff Rep. Smith advised the group of a minor change to the agenda. As all meetings are open to the public, staff recommends an agenda item be added to this and all future meeting agendas reflecting opportunity for members of the public (non-Steering Committee members) to provide comment to the group. This comment period may be limited to 10 minutes as necessary.

IV. Public Comment – 10 minutes

No public comment to report.

V. Open Issues

a) Review of changes to Draft Charter and Ground Rules

Staff Rep. Smith stated the draft Charter and Ground Rules were revised based on conversations with the City Attorney. The majority of changes were

minor language revisions, but there were a few changes that warrant review of the SC.

1. The draft charter and ground rules are to be adopted by the City of Tumwater Council by resolution. While this has no immediate effect on the SC, it sets City policy as to the function and role of the SC.
2. A Quorum of the SC is defined as having representation of three neighborhoods, one of which must be the Southern neighborhood. The Southern neighborhood represents the largest group of LMD members, including residential and commercial interests. The quorum is attained by the neighborhoods represented, and not the individual members present. As long as one member from the South neighborhood is present, that area is represented and SC work can move forward. Language was amended to read that the SC will adjourn, not disband, if a quorum can not be met. A discussion on neighborhoods and representation followed. Ms. Peterson recommended that 2nd Avenue be removed from the East Neighborhood representation, as there are no assessed parcels on 2nd Avenue represented by the East Neighborhood.
3. Emergency Expenditures. Revisions were made to this section reflecting Council authority to approve expenditures and direct project management. A statement was added to address SC concerns regarding additional unforeseen expenses. These additional costs will be summarized and presented to the Steering Committee as soon as possible once costs are incurred. The City Attorney clarified a statement in the Charter reflecting the definition of “emergencies” as those that are direct threats to public health, welfare, safety, etc.
4. Language was added stating:
 - a. a simple majority will determine the outcome of a vote,
 - b. sub-committee meetings are open to the public, and
 - c. amendments to the charter require a 2/3 majority vote and approval by the City Council. A simple majority vote is required for adoption of revisions to the ground rules.
5. Minor formatting and language changes were reviewed by the SC. Dates will be added to the final version of the draft documents reflecting the most current version.

Ms. Peterson requested clarification on the status of the draft Charter and Ground Rules. Staff Rep. Smith stated that both documents will be reviewed by Public Works Committee on January 20th and pending no major revisions, will be forwarded to Council on February 7th. Once Council has reviewed and approved the documents, a date will be added to reflect the most current version.

Ms. Peterson requested clarification on the term of office for elected positions. The draft charter states that the minimum commitment of SC members is two years. Beyond that, SC members can continue voluntarily. The Chair and Vice-Chair will be elected annually. Ms. Loft questioned what happens when

a member needs replacing. The draft charter outlines member replacement and provides for a membership sub-committee that will monitor SC member participation.

Ms. Loft asked why the draft charter has references to two objectives stating the same thing – Development of the IAVMP and Vegetation Management. SC discussed the differences between the statements. Staff reported that the goals and objectives were taken directly from the original petition on the formation of the LMD and that since vegetation management was a major goal of the LMD, it was not removed from the Charter. The overall difference between the two statements is that the IAVMP is a vehicle for vegetation management and outlining management activities. The draft charter states that it is a goal of the SC to develop and monitor implementation of the IAVMP to achieve the other major goal of vegetation management.

Ms. Walsh commented on the amount of paperwork involved. Discussion by the group followed on proper documentation of activities and requirements for the expenditure of public funds.

The SC reviewed the draft ground rules commenting on provisions related to negotiations in the media, representing their own individual opinions and not characterizing the intent/opinion of other representatives and/or the City of Tumwater. The SC can develop a joint statement for the media which may include a dissenting opinion if necessary.

b) Annual Work Plan

Mr. Baxter asked for clarification on the difference between the Annual Work Plan and the Integrated Aquatic Vegetation Management Plan (IAVMP). Discussion followed stating that the annual work plan is a timeline for completion of the activities set forth in the IAVMP and is dependent on staff resources and budgetary constraints. The implementation of the IAVMP will take a “phased” approach, as discussed by the SC at the last meeting. Once the annual work plan is approved by the City Council, implementation of the IAVMP will commence as needed to fulfill the objectives of the work plan. While the Council needs to approve the annual work plan, they do not need to review and approve the individual sections of the IAVMP prior to its completion. Mr. Baxter clarified that the work plan is the driver of the IAVMP activities. Group discussion centered on the fact that the IAVMP needs to be completed before herbicide applications can be made. During this initial planning phase, the work plan shall identify elements of the IAVMP to be developed by the SC and not the elements of the IAVMP to be implemented at this time. In future years, after completion of the IAVMP, the annual work plan will be the driver of implementation.

Staff Rep. Smith advised the SC that the annual work plan will also need to identify budgeted funds. Mr. Baxter asked if funds have been allocated

towards the Thurston County water quality survey. The SC stated that they were waiting for additional bids from private consultants before making that decision. Staff Rep. Smith reported that one bid from EnviroVision Co., Olympia, WA, had been received detailing the same scope of work as Thurston County and would cost approximately \$10,350. An additional bid was sought from another consultant qualified to complete the work but that had not been received yet. Considering the travel expenses from the consultant in Port Orchard, it is expected costs would be the same if not higher. SC discussion centered on recommending a firm/agency to provide water quality assessments. As scopes are exactly the same, the SC recommends Thurston County complete the assessment due to lower costs and limited available LMD funds.

Mr. Baxter asked why the City Council needs to approve the annual work plan and not the IAVMP. Staff Rep. Smith stated that the Council needs to authorize the work plan annually, which will account for funds expected to be spent on management activities. The WA Dept. of Ecology will “approve” the IAVMP once completed, and that the City of Tumwater will “adopt” the plan.

Discussion continued on the draft annual work plan developed by staff. The draft work plan detailed nine goals as outlined in the draft charter (prior to revisions) and associated tasks. Staff Rep. Smith stated that the design of the draft work plan was to stimulate conversation among the SC members.

SC members recommended the Thurston County Scope of Work for water quality monitoring be added to the annual work plan.

Mr. Hayes recommended the SC review the goals on the draft and prioritize them based on achievability. The SC discussed goal prioritization. Ms. Peterson suggested that Goal #1 be removed from the work plan, as that is the “purpose” of the LMD, describing the outcome and not a goal to achieve that overall purpose. Future activities recommended for inclusion in the work plan include:

- a) WA Department of Ecology aquatic vegetation survey
- b) Election of officers and sub-committee nominations
- c) Preparation of Aquatic Herbicide permit application
- d) Development of the IAVMP

Mr. Baxter stated that he has concerns about the application of aquatic herbicides during the spring season due to wildlife concerns. He stated the last applicator used a hydrofoil for mobility and a sprayer akin to a fire hose to apply the herbicides, which amounted to an excessive amount of over-spray applied to the vegetation. Discussion by the SC suggested that the City and SC request that limitations be applied to the scope of work for the applicator relating to time and method of application.

SC members reviewed the timeline of future activities.

a) Vegetation Survey (DOE) – May through September. The SC suggested it would be best to get DOE to perform an initial survey earlier than the June start-up to identify solely the lilies in the lake. After that initial survey, DOE would be requested back to survey the rest of the aquatic plants. Staff recommends that the survey be complete before herbicides are sprayed due to the potential for killing of non-target or other beneficial species. Ecology will also want to know the extents of the application area and all species targeted.

b) Mr. Hayes suggested that the vegetation management goal be addressed over a two-year period – one to insure appropriate planning has taken place, and the second year for the actual application. SC members discussed permit elements, survey needs, and timing of herbicide application. The SC members acknowledged pressure from LMD members to make something happen as soon as possible, but recognized that the planning process they are currently engaged is the most time consuming element of lake management.

c) Mr. Hayes requested that a wildlife survey also be completed prior to herbicide application to address Mr. Baxter's concerns and minimize any potential impacts to wildlife from management activities. Staff Rep. Smith stated that the WA Dept. of Fish and Wildlife (DFW) maintains an extensive database of known areas of wildlife and this would be consulted during the IAVMP development. Smith also suggested DFW may offer surveys similar to DOE. Staff will follow-up with DFW.

d) Ms. Loft asked for a clarification on the herbicide application process and the appropriateness of a single, late-fall application. SC discussion stated that Ecology recommends a two-phase approach for the most efficient application of herbicides – one in the late spring/early summer to catch emergent plants and a second in the fall to treat undergrowth that was missed during the initial treatment. A single application in the fall will kill off most of the target species present at the time, but the total effects will not be known until the next growing season.

SC discussion moved to budget preparation. Ms. Peterson stated that is was her understanding that monies may be borrowed from future years assessments if the need arises. The Aquatics permit is good for 5 years, therefore once the IAVMP is complete, funds will be available for the SC to move forward with management activities. Staff Rep. Smith stated that funds collected but not spent are carried-over to the next years budget and that there is no penalty for non-expenditure.

c) Discuss Elements of IAVMP to be completed in-house

SC members will review model problem statements provided by staff in preparation for IAVMP elements for next meeting. DOE's guidance on developing IAVMPs will be used.

d) Election of Officers – Chair and Vice Chair

Votes were cast by ballot on the nominations of Kathy Peterson, Ron Lumaguip, and John Swander. The SC opted to elect Chair first. Remaining nominations would be voted upon for election to Vice Chair. Paul Strawn asked the City to present his votes for officers. One SC member, Bill Baxter, abstained from voting.

Election of Chair:

Kathy Peterson – 4 votes

Ron Lumaguip – 1 vote

John Swander – 0 votes

Election of Vice Chair:

Ron Lumaguip – 3 votes

John Swander – 2 votes

Congratulations to Kathy Peterson and Ron Lumaguip for accepting nominations and being elected to the new leadership of the SC. Kathy Peterson will take on the role of meeting facilitator and present future agendas to the SC. The roles and responsibilities of the Officers is outlined in the Draft Charter.

VI. New business

- a) DOE Lake Water Quality Presentation, February meeting
- b) Sub-committee nominations

VII. Tasks for Next Meeting

- a) Staff Assignments
 - a. Contact Ecology re: the feasibility of completing an initial survey prior to June.
 - b. Review DFW database for Barnes Lake area.
 - c. Inquire with DFW if a biological assessment would be needed prior to application of aquatic herbicides.
 - d. E-mail problem statements to SC for consideration.
- b) Steering Committee Assignments
 - a. Review model problem statements and develop language for IAVMP.
 - b. Consider options for sub-committee membership.
 - c. Review draft work plan and determine attainable tasks to be completed during 2006.

VIII. Adjournment

Dan Smith adjourned the meeting at 8:10 PM.

Minutes submitted by: Dan Smith, City of Tumwater

Minutes approved by: Barnes Lake Management District Steering Committee