

Badger Oversight Management Commission
Meeting Recap
August 15, 2013

The Badger Oversight Management Commission (BOMC) convened at the Sauk County West Square Building, Baraboo, for a regular meeting on Thursday, August 15, 2013.

Chair Wenzel called the meeting to order at 6:05 p.m. Staff affirmed compliance with Open Meetings Law.

Attendance:

Commission Member	Commission Representative	Present
Ho-Chunk Nation	David Greendeer Randy Poelma	No Yes
Wisconsin DNR	Steve Schmelzer Ryder Will	No Yes
Sauk County	Bill Wenzel	Yes
Town of Merrimac	Richard Grant Judy Ashford	Yes (Arrived 6:20 Left: 7:20) No
Town of Sumpter	Peter Mullen	Yes
Stakeholder Interest	Stakeholder Rep	
Badger History Group	Michael Goc	Yes
Citizens for Safe Water around Badger	Laura Olah	Yes
UW-Baraboo	Seth Taft	Yes
Baraboo School District	David Haseley	No
Bluffview Sanitary District	Jeff Little	No
City of Baraboo	Eugene Robkin	Yes
Sauk Prairie Cons. Alliance	Dave Tremble	Yes
Sauk Prairie School District	Teresa Kreutzmann	No
Wisconsin Wildlife Federation	Don Hammes	No
The Village of Sauk City	Bill Stehling	Yes
Commission Liaison	Liaison Representative	
USDA-DFRC	Rick Walgenbach Lori Bocher	No No
U.S. Army	Joan Kenney	No

Others present. Rob Nurre, Gail Lamberty, Craig Schlender, Mary Carol Solum, Donna Schmitz, Frank Olah, Ed Kremenauer, Cherrie Nolden, David Serafy-Cox.

Motion by Will, seconded by Mullen, to adopt the agenda for the August 15, 2013 meeting. **Motion Carried.**

Motion by Will, seconded by Mullen, to adopt the amended minutes from the July 25, 2013 meeting. **Motion Carried.**

Wenzel introduced Seth Taft from UW-Baraboo as the new stakeholder representative. Taft is an Archeology Research Assistant.

Public Comment:

None

New Business – Commissioner Reports:

1. Wisconsin Department of Natural Resources. Ryder Will reported on the status of concrete removal. The DNR has been working with the Army and the DOT to re-use the concrete off-site as part of the Hwy 12 project. The Army is actively removing slabs on parcel M1. Stehling stated he saw a map where removal is taking place and asked if removal will take place farther to the north. Will said they can't because the property has already transferred. Discussion ensued regarding the potential of soil contamination under the slabs. Will indicated that he will check with the Army to see what type of testing is occurring. Will reported that invasive species removal continues by LTEs and that the Natural Resources Board tour was a success. There were over 30 additional members of the public who joined the tour.

2. Town of Merrimac. Dick Grant passed out a copy of the draft minutes from the Town of Merrimac Town Board meeting that was held on Wednesday, August 1, 2013. Grant noted that the minutes explain the town's stance on the various alternatives and Alternative 4. The town board adopted resolution 2013-05A supporting Alternative 3. Grant also noted that the Town of Merrimac's support is conditioned on Town of Sumpter support since the ATV and shooting range uses, if implemented, would be located in the Town of Sumpter. Grant reported that Sumpter rejected Alternative 3 and supported the BOMC's Alternative 4. Grant stated he wanted to introduce Alternative 4 to the Town of Merrimac Town Board, but was not able to and apologized for not getting that done. Grant was able to reference Alternative 4 under the Committee reports section of the Town of Merrimac Town Board agenda.

Robkin noted that in the Town of Merrimac minutes comment was made about a 1941 aerial photo and about settling ponds. Robkin asked Poelma if there were any permanent water/wetlands.

Grant arrived at 6:20 and asked how the DNR studies areas to determine if a wetland is present. Poelma said it does not matter whether historically there was a wetland or not, but that the study attempts to identify the presence of hydrophilic conditions (plants can only survive wet conditions and soil borings characteristics). One indicator of wetlands is to look at old photos. Need ten days of saturated conditions in most years to be classified as a wetland. Olah commented on Town of Merrimac's

resolution and asked about the last bullet on the bottom of page 1 regarding zoning on the property. Grant stated that as the DNR receives properties, that they are affected by zoning.

Tremble asked that given the action by the Town of Sumpter to support Alternative 4, following action by the Town of Merrimac supporting Alternative 3 if the Town of Sumpter also supports Alternative 3, is it a reasonable assumption that the Town of Merrimac supports Alternative 4 (with the knowledge that Alternative 4 is similar to Alternative 3)? Grant stated his concerns to the town board as a committee report. Grant stated that Tremble is not too far off. Tremble asked if Merrimac would amend their decision to support a shooting range and ATV course despite Sumpter's response. The Town of Merrimac's Town Board meeting is the first Wednesday in September (Sept. 4).

Wenzel spoke about criticism of the BOMC not taking a vote on Alternative 4, and that the BOMC should vote on Alternative 4 before the end of the meeting. Grant said his stance on Alternative 3 conveys the support of Alternative 3 by the Merrimac Town Board. Grant left at 7:20 prior to subsequent action.

3. Town of Sumpter. Pete Mullen reported that the Town of Sumpter Board voted to support Alternative 4. Mullen stated that people in attendance at the meeting were very happy with the decision. Gail Lamberty thanked Mullen for giving Merrimac a copy of Sumpter's resolution supporting Alternative 4. Mullen also spoke about another resolution before the Town of Sumpter Board to withdraw from the BOMC. Mullen stated that at the Town board meeting he made the motion to withdraw from BOMC, which he later withdrew. The option for the Town of Sumpter to withdraw has been tabled.

4. Bluffview Sanitary District. Mullen presented the ordinance for both sewer and water for the sanitary district. Mullen reported on continued grinder pump problems and if residents did not comply with what can be put down the drain, their water would be shut off- there have been no problems since. The sanitary district office will be relocated across the road in the old fire house. The sanitary district will be joining the Wisconsin Rural Water Association. Jeff Little, the current manager of the sanitary district, is working on getting parcel T1 transferred to sanitary district. The sanitary district does not cost the Town of Sumpter anything. The average effluent concentrations have been decreasing since September 2012. Tremble asked if Mullen is the official representative of the sanitary district. Mullen stated that he is.

5. Sauk County. Wenzel reported on the joint meeting of the Executive & Legislative and Conservation, Planning, and Zoning Committee which took place on August 5, 2013. Wenzel noted the agenda items from the joint meeting. Wenzel recalled that it was the consensus of the committees to have another meeting and consider the DNR selected alternative after the August 31st deadline to submit comments on the alternatives to the DNR. Lamberty said we need to remember that DNR is presenting goals, a vision, and alternatives. Wenzel said that it may not be until next June until a preferred alternative is chosen and there will be a comment period once the alternative is chosen.

Robkin stated that the three alternatives are not exclusive choices and, in fact, were put out to stir opinion and garner participation. The DNR is not required to choose one single alternative. Robkin stated that he sent an e-mail to Diane Brusoe asking if the DNR must choose one alternative, but did not

get a response. Robkin asked Ryder to see if he could get a response. Robkin would like this response to be officially noted by someone at the DNR.

Mullen stated that he would like to know where people live and what their opinions are, for those who commented. Will indicated that this data may not exist and that everyone is allowed to comment.

Robkin stated that the issue is not where you come from and the problem with data collection online is that there is no statistical foundation of any kind for that information to be valid. Robkin noted that the utility in public comment is to mine the public for ideas.

Wenzel noted that at Sumpter's meeting, Mullen is paid a per diem by the town. Robkin felt it is the responsibility for each entity to determine if per diems should be paid.

Wenzel spoke about the idea of getting administrative support for the BOMC and asked for comments/thoughts from others. Wenzel spoke about outreach to all of the partners. If there are suggestions on how to improve BOMC outreach, Wenzel would like to hear them. Wenzel would like to expand the BOMC outreach beyond just the commission and stakeholders.

6. Ho-Chunk. Poelma reported that he received a call from DNR regarding three piles of concrete on land to be transferred to Ho-Chunk. The Ho-Chunk roads department is interested in looking at the product at Badger. The DNR indicated they are interested in using the pines at the NW corner to pile material out of public view. Olah asked if the Ho-Chunk intend to draft and submit comments to the DNR, similar to DFRC.

New Business – Committee Reports:

1. Executive and Finance. No Report.

2. Planning and Land Use. Poelma reported on the July 8, 2013 meeting where the preliminary vision and goal statement were discussed. Discussion ensued regarding the inclusion of a slightly revised version of the vision and goals to be submitted along with Alternative 4 to the DNR. Poelma gave some example of changes made to the vision and goals.

Robkin stated that the City of Baraboo received correspondence indicating that there are only 3 alternatives.

3. Education and Outreach. Tremble noted that there is no Education and Outreach Committee and suggested that this committee be eliminated. Will asked if it would be appropriate for the Education and Outreach Committee to take up the mantle of getting the word out about Alternative 4 or other ideas generated by the BOMC. Taft suggested that Education and Outreach work with UW-Baraboo clubs and groups to provide insight and get input. Tremble suggested that the representative from the school districts participate as well. Olah suggested that Taft talk to Bill and check the bylaws and report back to BOMC.

4. Ad Hoc Committees. No report

New Business – Stakeholder Reports:

CSWAB. Olah reported that the Village of Prairie du Sac and Town of Prairie du Sac passed a resolution supporting Alternative 4. Olah noted that on the SPRA website, there was a memo from the division of health. There are still concerns regarding DNT and contamination in the settling ponds. Olah spoke about new toxicity levels established by the EPA. The groundwater contaminant plumes are not yet defined. CSWAB will have a report from a consultant in early fall. Gruber's Grove Bay and mercury sediment contaminant levels are still being reevaluated. Olah noted that this area is the second most contaminated area in the State. Asbestos in soil is still a concern and there has been no testing other than a visual inspection. Olah suggested that now that the properties are transferred, the property owners should get funding to get baseline testing. Olah stressed the importance of getting information from a non biased party.

Tremble talked with Woody Meyer, team leader for cleanup and suggested that Meyer come to a BOMC meeting to talk about cleanup. Tremble noted that Meyer said they are trying to keep the cleanup issues separate from the reuse issues. Tremble suggested that an appeal be made to have Meyer participate in a discussion at a BOMC meeting.

Sauk Prairie Conservation Alliance (SPCA). Tremble reported on the volunteer groups annual picnic and extended an invitation to anyone who wants to get out to Badger and participate in work parties at the Hillside Prairie on the second Saturday of every month. SPCA put some signs up for the edification of the Natural Resources Board during their tour. The highlight of the tour was during an explanation by Cherrie Nolden regarding the use of goat to control succession and invasive plants. There has not been enough explanation as to why the high impact uses have been promoted. Mullen said someone asked someone from Natural Resources Board why they picked the southern end for shooting range and ATVs. The response was that they did not want these uses near Devils Lake.

Badger History Group. Goc complimented the work put into Alternative 4. The next time the Badger History Group meets, he will suggest the endorsement of Alternative 4.

Wisconsin Wildlife Federation (WWF). No report.

New Business – Liaison Reports:

1. Army. No Report. Tremble noted that if the BOMC had questions, that Joan Kenney would respond.
2. USDA. No Report. The USDA-DFRC letter in support of Alternative 4 was noted.

Other New Business Items:

1. Review of BOMC organizational documents and history. Will moved to table this item. The documents were handed out for reference.
2. Discussion of and possible action to approve BOMC Alternative 4: Conservation and Low-Impact Recreation. Robkin suggested that the revised vision statement and goals not be attached to Alternative 4, but be a stand-alone document. The group agreed to adopt the vision and goals as an attachment to Alternative 4.

Mullen moved that the commissioners vote to allow the BOMC to decide on Alternative 4 through a consensus, seconded by Poelma. All in favor- DNR abstains.

Wenzel called for consensus to accept and submit Alternative 4 to the DNR with the vision and goals as an attachment. There were no commissioners who voiced concerns or objected. Will went on record as having no opinion in favor or against, as the DNR representative on the BOMC.

The BOMC directed Wenzel to submit Alternative 4 to the DNR by the August 30, 2013 deadline. Olah suggested copies of Alternative 4 be sent to the BIA, NPS, state, federal, local officials, and the Natural Resources Board. Alternative 4 should also be sent to respective state representatives, the Sauk County Board of Supervisors, and the media, especially the editorial board at Wisconsin State Journal.

3. Discuss DNR tour of Badger and Natural Resources Board meeting.

This item was previously discussed. Will appreciated and felt that Wenzel's comments representing the BOMC were appropriate.

4. Public tour of Badger on August 24.

There will be a public tour on August 24 that will be similar to the tour in October 2012. The maps for the tour will have the original letter drafted by the BOMC. Tremble stated that he asked Mark Aquino and Diane Brusoe if a hospitality tent could be set up. Will suggested talking to Joan Kenney since the tent will be on Army property.

5. Discuss loss of wetlands and contaminated soil in the settling ponds area.

Deferred to next meeting. Poelma noted that until an official delineation is done, the loss of wetlands cannot be determined. Not all of the settling pond areas were previously wetlands. Olah would like BOMC support to complete the delineation project. Discussion ensued regarding delineating wetlands that are no longer wetlands. Tremble suggested that a letter be sent to the DNR to determine if the DNR will be delineating the wetlands. Olah said that CSWAB will write the letter.

6. Next meeting date. September 19, 2013.

7. Public Comment. Lamberty thanked everyone for a great meeting tonight.

Ed Krumenauer made a comment about the Olin warehouse and deer hunting.

Frank Olah urged everyone to identify and diffuse any misinformation that is out there regarding the purpose of the BOMC and accusations that the BOMC will disappear once the DNR adopts the master plan.

Robkin complimented the group's acceptance of Alternative 4 and stated that, "through the consensus procedure we have multiplied the BOMC's power."

Nolden expressed appreciation to Mark Aquino for being allowed to speak on the Natural Resources tour.

Motion to adjourn by Will, seconded by Mullen Motion Carried. Meeting adjourned at 9:34.

Respectfully submitted, Judy Ashford