



“APPROVAL PENDING”
HARBOR COMMITTEE MEETING MINUTES
WEDNESDAY, JANUARY 23, 2008 – 9:00 A.M.
PAUL J. BERTSCHINGER COMMUNITY CENTER
7860 Hwy 42, Egg Harbor, Wisconsin

Members Present: Acting Chair Ken Mathys, Bill Cammack, Skip Ballje, and Josh Van Lieshout
Members Absent: Mike Fitzgerald, John Hurckman, and Steve Smith
Also Present: Charity Buhr and Ken Mathys, Sr.

1. Call meeting to order.

Acting Chair Mathys called meeting to order at 9:10 A.M.

2. Approval of the November 28, 2007 Harbor Committee Meeting Minutes.

Ballje moved, seconded by Cammack to approve the November 28, 2007 Harbor Committee meeting minutes. Motion passed unanimously.

3. Open Session (Limited To Ten Minutes).

Nothing at this time.

4. Harbormaster Report

See attached report.

The committee discussed Harbormaster Smith’s concerns regarding silting in of the gas dock area and the well area.

The Village will contact JJR, LLC and get some information on dredging the areas in questions.

5. Harbor Design, Engineering, and Financing Progress Discussion

Van Lieshout explained that he, JJR, LLC representatives and representatives from the DNR and the Army Corps of Engineers met in December to discuss the project and voice any concerns.

The DNR was concerned with the safety aspect of people fishing on the inside of the breakwater and casting lines onto the floating dock. The Village explained that they didn’t feel this was an issue since most of the fishermen are regulars and are very respectful of others.

The DNR liked the bridge aspect free allowing circulation of water.

The DNR wanted to make sure that the least amount of impact on the littoral drift (drifting of sand with the currents) would be reached.

The DNR thought the length of the breakwater was excessive.

The Village questioned the length of existing piers in the Harbor and why they think ours has an issue if we aren’t much longer than they are.

The DNR insisted that small boat activity happens around the mouth of the marina. Smith sent the attached letter refuting this claim.

The Village will have to address the need for this marina for the public and will also have to address the issues of the warden before the permit would be granted.

The DNR questioned the amount of parking.

The Village explained that we are planning on expanding the parking and that there is a public parking lot on Church street.

There will be a dredging permit that the Village will need to get to remove the existing breakwater.

The Village will also need to test the sediment to make sure that it isn’t polluted.

The village will pay \$2,000 for an expedited permit review to get the Chapter 30 permit.

The Army Corps of Engineers doesn’t seem to have any issues with the project.

The State Historical Information Office will have to be contacted to make sure there aren’t any historical sites in the lake bed area that will be disturbed.

Funding:

The Village is applying for a harbor of refuge grant and a fuel tank replacement grant. The Village may need to make sure that there is enough depth near the launch ramps for boats to qualify for these grants, this may mean there is some work that might need to be done on the launch ramp area.

Christine Halbur of the DNR stated that there is only \$1 million available for great lakes projects this year. She also stated that in the past the waterways commission hasn't funding projects exceeding \$200,000-\$300,000. Additionally, the commission has been deferring large projects. The funding that has been awarded historically is at the 50% level of the entire project.

Ms. Halbur expressed concern regarding the launch fees and Van Lieshout sent her a response explaining the Village's fee structure.

The location of the Harbor Master building may need to be changed, due to the high water mark setback restrictions.

The modeling isn't yet done, the data first went to Ontario this week.

Van Lieshout will check the date the permit application needs to be to the DNR with JJR, LLC.

Mathys would like to know what happened with JJR, LLC not getting the data to the modeling company by the December date that was given to the Village at the November meeting. He would also like to know what assurances the Village has that this project will be handled professionally and timely from this point forward.

Van Lieshout has told JJR, LLC to look at the project from a cost approach and see where expenses can be lowered to address the funding issues.

The Committee would like JJR, LLC to send a letter clarifying that the Village permit application will not be affected by the change in modeling dates.

The Village is working with Ehlers and Associates to obtain financial advice for the financing of this project. There will be a meeting with the Village, JJR, LLC and Ehlers to discuss the project in the next few weeks.

By the next meeting Van Lieshout will have more information on the financing issues for the Committee to consider and discuss the different options available.

Van Lieshout is going to contact local dock building contractors to verify projected estimates that were provided to the Village by JJR, LLC.

6. Report from Village Office – Charity

The renewal forms went out for the 2008 season. There have been approximately 20% returns as of the meeting.

7. Adjournment

Ballje moved, seconded by Cammack to adjourn at 11:03 A.M. Motion passed unanimously.

Next meeting time and date

February 27, 2008 at 9:00 A.M.

Respectfully Submitted,
Charity Buhr
Deputy Clerk-Treasurer/
Administrative Assistant

Harbor Master Report to the Harbor Committee: January 23, 2008

I am sorry that I cannot attend this meeting. If any questions arise during the meeting that need my immediate input, please feel free to call me on my cell phone: 920 559 7686

Egg Harbor Marina and Harbor Improvements Project: Opinion of Probable Costs:

I have reviewed this document and would like to share my initial first impressions with the committee. First, JJR has generated a comprehensive list of items to be purchased and tasks to be accomplished. Secondly, the estimates in the document are very credible in some areas but less so in areas that are somewhat off the "normal track" of what a firm like JJR might typically generate a bid for. Specifically, Section 2, Break Water Construction, made up exclusively of items common to the construction of a harbor seem to me to be very credible. The estimates are mostly crisp and not rounded. Some numbers, however, are seemingly just proxies for "we are not sure what this is going to cost but want to make sure we can cover it." I have no problem with this philosophy, generally, but we should do our own research on many of these line items. For example: I doubt it will cost a nice round \$5000 to "Reinstall the yardarm and lights." It may be more or less but the number is really not known, at this time. Some items, such as cleats, may not need to be bought new but simply moved. If you see a number like \$5000, \$20,000, \$50,000, I would like us to see if we can pin this amount down to a more specific number. The bigger the number, the more I would like to know what is contained in the consideration.

Another impression I have is that much of the section called "Upland Development and Improvements" should be considered separate from the rest of the estimates. A lot of this, we can do ourselves (using Village and local assets) at a lower cost and at our own speed. If it would cost \$50,000 to move the existing Harbor Master building, we can save a lot of money by simply knocking it down (I would sell it), and building a new one ourselves. Just give Rick and I the \$50,000 and we will take care of it...a palace compared to what we have now.

Some of these costs obviously include "installation" which is also difficult to estimate. Let's take the example of the two small cranes. JJR has given a nice round estimate of \$20,000. I know I can buy the cranes for \$3945 plus \$2540. After shipping and accessories, I think we can wire and install them for less than \$13,000, assuming the electrical power to the units was included in section 5. Same for the pump-outs, (We should price this out from a manufacturer like "Sani-Sailor"), and several other line items.

Section 5 should also be looked at very carefully. It may cost \$500,000 for electrical but given the current economy, it may cost a lot less as well. This will be bid, I assume.

Final thought, This is a "hopeful" document in my opinion. Given the "contingency fee" and believing we may be able to save a few bucks here and there, I am more convinced than ever that we can accomplish what we have set out to do at a price we can afford. A little more investigation is in order but I, for one, am pleased to see this initial estimate, even with the few shortcomings.

Water Levels:

I was back in Egg Harbor recently, and I was shocked to see that water levels continue to fall. Some of this may be seasonal shrinkage due to the temperature of the water but one can now see portions

of the dock that have never been visible before. In summary, it ain't pretty. A lot of damage is evident.

I am more concerned about water levels in the "well" and in front of the fuel dock. In the well, *Judville Queen* and *Bear* may start having problems maneuvering. Some of the well may not be rentable this coming year, even to transients. Other areas are becoming more marginal, as well.

We may not be able to rent the area from the existing dinghy dock to the fuel pumps to big transient boats. It was too shallow last season and may be worse this coming season. This would be a substantial monetary loss as these spots are big revenue generators. We have no other place to moor large deep draft boats. This could also impact on fuel sales.

I think we should talk to JJR and see if we can do some "pre-dredging" or worse consider dredging these two areas while we wait. I don't want out revenue numbers to slide on these two problem areas.

Steve

Respectfully submitted, Steve Smith

Village of Egg Harbor

7860 Hwy 42, P.O. Box 175 | Egg Harbor, Wisconsin 54209
920.868.3334 telephone | 920.868.9507 fax | www.villageofegg harbor.org



January 11, 2008

Ms. Kristy Rogers
Ms. Carrie Webb
Ms. Christine Halbur
Wisconsin Department of Natural Resources
P.O. Box 10448
Green Bay, Wisconsin

Re: December 21, 2007 Meeting
Egg Harbor Municipal Harbor

Dear Ms. Rogers, Webb and Halbur,

Thank you for meeting the Village and our engineering representatives Bruce Lunde, P.E. and Christopher Boldt, of the firm JJR, LLC on December 21, 2007. I very much appreciated your candid description of the permit process and required permits and their requirements.

At our meeting of December 21, 2007 you and Ms. Halbur had informed me that the Department had received complaints about the rates for launching boats at the Egg Harbor Municipal Dock. Using NR 1.91 (11), I developed the table below, which shows that our current harbor rates are as much as fifty three percent below that allowed by administrative code.

	Established Rate	Rate Allowed by NR 1.91(11)
Daily Pass	\$10.00	\$14.00
Seasonal Resident/ Slip holder	\$60.00	\$140.00
Non Resident/ Non Slip Holder	\$100.00	\$210.00

Concern about public access to the balance of the harbor, including breakwaters and finger piers for fishing had also been expressed. I have enclosed a copy of a brochure published and distributed by the Village of Egg Harbor that encourages public use of the dock and harbor facilities. After reading this pamphlet, you will get a better understanding of our philosophy and proactive approach to encouraging the public to use this facility.

Enclosed is a letter from our Harbor Master, Captain Steve Smith to me, in which Captain Smith very eloquently explains what we believe the circumstances to be regarding the fishing access complaint, water skiing, tubing, jet skiing and other recreation boating activity concerns near and around the harbor brought to you by Warden Neal, and iterated to the Village by yourself and Ms. Webb.

Should you have any questions you may contact me (920) 868-3334.

Very truly,

A handwritten signature in black ink, appearing to read "Josh Van Lieshout", with a long horizontal stroke extending to the right.

Joshua J. Van Lieshout
Administrator
Village of Egg Harbor

Enclosure: Captain Smith letter date January 7, 2008
Pamphlet titled "Fishing In and Around Egg Harbor"

cc: Captain Steve Smith
Harbor Committee
file



*Harbor Master
Village of Egg Harbor Municipal Dock
P.O. Box 175
Egg Harbor, WI 54209
920-868-2048*

January 7, 2008

Josh Van Lieshout
Village of Egg Harbor
Egg Harbor, Wisconsin 54209

Dear Josh,

I have read your 1/03 letter concerning your recent visit with members of the WDNR several times. I am completely surprised that anyone could say we are anything but welcoming to all fishermen. As you know, Rick Konetski, our other supervisor, and I, are avid fisherman and boaters. We go out of our way to be supportive of the sport and anyone who practices it. I would encourage you to provide the DNR representatives with a copy of our pamphlet "*Fishing in and around Egg Harbor,*" which we have passed out to hundreds of visiting anglers of all kinds. I cannot speak for the period of time prior to my employment, as Harbor Master, but I can certainly attest to our firm "open to all fishermen" policy since July 4, 2006. I can categorically state that no fisherman has ever been turned away from our marina, including the finger piers, since that date. Literally hundreds of visitors fish from the marina every month during the season. As a matter of fact, Rick and I keep five or six personal rods and reels in the office to loan to folks, especially kids, who want to fish but have no equipment.

We do occasionally have complaints from slip holders about careless fishermen on the finger piers but each of these brought to our attention has been resolved amicably. I have had only one complaint from Officer Neal, that I recall. It had to do with some spear fishermen swimming directly in front of the launch area. I deemed that activity unsafe and contrary to the Village policy of no swimming in the Marina. Since our discussion, these spear fishermen, and others, have returned several times and we have worked out their ability to spear fish all around the harbor without swimming in the boat traffic area. I see Officer Neal around the marina on occasion, always go out of my way speak with him and other sworn officers, and also have listened to him at many fishing tournaments representing the DNR. I would welcome hearing any concerns he has in the future and would take his advice seriously, just as I did with the spear fishermen incident.

The amount of jet ski activity, water skiing, tubing, kayaking, swimming, small boat sailing and even anchoring, in the large body of water called Egg Harbor, has risen dramatically in the past two seasons. Thankfully, from a safety point of view, very little of this activity is actually near the marina because these water enthusiasts seek to avoid the heavy amount of large boat traffic especially near the main break water and the harbor entrance. Fast movers also avoid our "no wake" buoys in front of the marina. Instead, these activities have mostly moved far away from the marina towards the West and North but especially South towards the Village Beach, where the clean white sandy bottom is a big draw. In the big scheme of things, extending the marina further out into the harbor a hundred feet or so, in a body of

water more than a half mile across, will do nothing to change this pattern of small or fast moving watercraft avoiding larger craft or avoiding the path of the numerous boats leaving the harbor after using our launch ramps. To the contrary, it appears that a more modern, larger marina will enable us to provide services (fuel, restroom, dinghy dock, jet ski, small sail boat, dockage, transient short term tie-ups, access to the Village amenities, etc.) to more boats and boaters of all kinds and more importantly enable us to provide safe refuge to many more boats when the weather quickly changes for the worse. I would also point out that we allow short term transients, like fishermen seeking lunch, to tie up at the marina for up to two hours at no charge whatsoever. As a side benefit, the larger marina will provide boatless anglers with even more good fishing access...truly a bonus for many, many of our visiting guests, especially families with eager young anglers.

Josh, I hope this letter answers the questions you and the DNR have raised. I would be happy to respond to any further inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'JSS', written in a cursive style.

Steve Smith
Harbor Master, Village of Egg Harbor Municipal Dock



**Egg Harbor Marina and Harbor Improvements Project
Opinion of Probable Cost - Concept Level**



Amendments: Show job breakdown structure and site work in accordance with Village Board approved report concept of November 13, 2007, with modifications to lower construction costs.
Date: December 18, 2007

ITEM	QTY	UNIT	UNIT COST	ITEM TOTAL	SUBTOTAL
1.0 Design Development, Permitting, Construction Administration					\$966,230
1.1	1	LS	\$31,000	\$31,000	
1.2	1	LS	\$93,000	\$93,000	
1.3	1	LS	\$105,730	\$105,730	
1.4	1	LS	\$16,500	\$16,500	
1.5	1	LS	\$130,000	\$130,000	
1.6	1	LS	\$30,000	\$30,000	
1.7	1	LS	\$100,000	\$100,000	
2.0 Breakwater Construction					\$3,442,388
2.1	1	LS	\$50,000	\$50,000	
2.2	1,663	TON	\$16	\$26,608	
2.3	53,534	SF	\$30	\$1,606,020	
2.4	108,600	LB	\$2.50	\$274,500	
2.5	14,693	TON	\$25	\$367,225	
2.6	3,600	SF	\$60	\$216,000	
2.7	2,772	TON	\$27	\$74,844	
2.8	1,663	TON	\$35	\$58,215	
2.9	48	LF	\$800	\$38,400	
2.11	2,025	SY	\$4	\$8,100	
2.12	715	LF	\$150	\$107,250	
2.13	1,614	TON	\$35	\$56,490	
2.14	145	TON	\$40	\$5,800	
2.15	2,900	CY	\$30	\$87,000	
2.16	1	LS	\$20,000	\$20,000	
2.17	13,671	SF	\$25	\$341,775	
2.18	1	LS	\$5,000	\$5,000	
2.19	1	LS	\$1,200	\$1,200	
2.20	6	EA	\$1,500	\$9,000	
2.21	16	EA	\$200	\$3,200	
2.22	1	LS	\$20,000	\$20,000	
3.0 Existing Facilities Removal/Demolition (in Water)					\$239,695
3.1	1	LS	\$20,000	\$20,000	
3.2	6	PER DAY	\$5,000	\$30,000	
3.3	415	LF	\$3	\$1,245	
3.4	33	EA	\$700	\$23,100	
3.5	10	PER DAY	\$5,000	\$50,000	
3.6	1	LS	\$25,000	\$25,000	
3.7	1	LS	\$6,000	\$6,000	
3.8	24	EA	\$1,000	\$24,000	
3.9	1	LS	\$10,000	\$10,000	
3.10	1	LS	\$30,000	\$30,000	
4.0 Dock Structures & Anchorage					\$762,200
4.1	4,075	SF	\$35	\$142,625	
4.2	3	EA	\$30,000	\$90,000	
4.3	1,557	SF	\$35	\$54,495	
4.4	4,583	SF	\$35	\$160,405	
4.5	6,357	SF	\$35	\$222,495	
4.6	150	SF	\$35	\$5,250	
4.7	1	LS	\$5,000	\$5,000	
4.8	1	LS	\$54,500	\$54,500	
4.9	1	LS	\$18,000	\$18,000	
4.10	1,908	SF	\$35	\$66,780	
5.0 Dock Utility Services and Appurtenances					\$490,000
5.1	70	EA SLIP	\$3,500	\$245,000	
5.2	70	EA SLIP	\$1,800	\$126,000	
5.3	70	EA	\$700	\$49,000	
5.4	1	LS	\$20,000	\$20,000	
5.5	1	LS	\$50,000	\$50,000	
6.0 Upland Development & Improvements					\$624,454
6.1	1	LS	\$20,000	\$20,000	
6.2	4,100	SY	\$5	\$20,500	
6.3	456	LF	\$3	\$1,374	
6.4	1	LS	\$10,000	\$10,000	
6.5	1	LS	\$10,000	\$10,000	
6.6	1	LS	\$25,000	\$25,000	
6.7	80	CY	\$10	\$800	
6.8	120	TON	\$15	\$1,800	
6.9	850	TON	\$70	\$59,500	
6.10	1	LS	\$3,500	\$3,500	
6.11	63	EA	\$100	\$6,300	
6.12	72	TON	\$15	\$1,080	
6.13	1,900	SF	\$6	\$11,400	
6.14	8	EA	\$300	\$2,400	
6.15	1	LS	\$100,000	\$100,000	
6.16	1	LS	\$50,000	\$50,000	
6.17	1	LS	\$25,000	\$25,000	
6.18	1	LS	\$50,000	\$50,000	
6.19	1	LS	\$5,000	\$5,000	
6.20	1	LS	\$20,000	\$20,000	
6.21	1	LS	\$25,000	\$25,000	
6.22	5	EA	\$8,000	\$40,000	
6.23	1	LS	\$100,000	\$100,000	
6.24	2	EA	\$5,000	\$10,000	
6.25	2	LS	\$3,000	\$6,000	
6.26	1	LS	\$10,000	\$10,000	
6.27	1	LS	\$10,000	\$10,000	
6.28	180	LF	\$40	\$7,200	
6.29	1	LS	\$3,000	\$3,000	
SUBTOTAL for Design and Construction					\$8,084,967
CONTINGENCY			10%	\$812,745	\$812,745
TOTAL OPINION OF PROBABLE COST					\$8,997,712

NOTES:

Contractors have noted that construction prices are likely to be more favorable if the breakwater can be constructed in fair weather conditions (spring, summer, fall).
Estimated RBF Grant Eligible Costs are approximately \$4,385,477.07