

# DEVILS LAKE WATER IMPROVEMENT DISTRICT

Regular Board Meeting

Taft Hall  
1206 SE 48th St.  
Lincoln City, Oregon  
and via zoom

April 9, 2026

## MINUTES

- 1. Called to order at 6:00 pm** by President Tina French,
- 2. Roll Call:**  
**Board members present:** Dayton Mays, Tina French, Keith Fowler  
**Board members absent:** Susan Elworth, Bob Stolberg  
**Staff present:** Boone Marker, Lake Manager
- 3. Approval of April Consent Agenda and March 12, 2026 Board Meeting Minutes**

**Discussion: None**

**MOTION:** Moved by Dayton Mays, seconded by Keith Fowler, to approve the April Consent Agenda as presented, and minutes of the March 12, 2026 meeting as presented.

Voting: Dayton Mays – yes; Tina French – yes; Keith Fowler – yes; Susan Elworth – absent; Bob Stolberg – absent

Motion passed unanimously.

- 4. Approval of Monthly Financial Report - March 2026**

**Discussion:** Tina said that Bob didn't bring up any issues, and Boone did not either

**MOTION:** Moved by Dayton Mays, seconded by Tina French, to approve the March 2026 financial report as presented.

Voting: Dayton Mays – yes; Tina French – yes; Keith Fowler – yes; Bob Stolberg – absent; Susan Elworth – absent

Motion passed unanimously.

- 5. Public Comment on Agenda Items**

None at this time

- 6. Budget Committee**

**Discussion:** Boone said he had received one budget committee application from Anne Nites, who is new to the area and interested in HABs.

**MOTION:** Moved by Tina French, seconded by Dayton Mays, to appoint Anne Nites to the budget committee.

Voting: Dayton Mays – yes; Tina French – yes; Keith Fowler – yes, Bob Stolberg – absent; Susan Elworth – absent

Motion passed unanimously

After discussion, it was agreed that Mark Lowen is already on the budget committee and there is still one budget committee seat open.

## 7. Water Sampling Quote – Spheros Environmental

**Discussion:** Boone reported that the cost has increased due to more testing sites requested.

Boone said the CTCCF applications are due June 1th, and will be awarded the end of July. Boone has completed the application to help fund the water sampling. Tina asked about the amount for testing in the current budget. Boone said \$11,000 was budgeted and \$113 has been spent. Keith asked about things OHA wants tested.

Boone reported that the results are sent to DEQ and OHA and posted on the DLWID website.

Boone said he had a conversation with DEQ staff last week, and was told that there are no labs in Oregon to test HABs, but can be tested by DEQ in-house. Discussion took place about labs in Oregon and Washington. Tina mentioned Water Lab in Salem that could be available. Boone would have to deliver. He will contact them. Testing beginning Memorial Day. Possibility of every other week testing, or ten days and extend until September, from last week of June. Boone tests early in the week, so results are in by the weekend. Expedited results can bring results in one week, from two weeks. It was agreed to begin 26<sup>th</sup> of June to get test results before July 4<sup>th</sup>. Discussion of timing of algae bloom last year. It was mentioned that the aerator was not working last summer. It was suggested that this be revisited at the June meeting. Discussion of beginning end of June 24<sup>th</sup> for every other week, until end of September. Good plan to get first results back before 4<sup>th</sup> of July. Discussion of other things to be tested. If oxygen is low, algae blooms probably coming. Most of the time not toxic. Discussion of lakes on the coast on the advisory list. Keith said that education is the key with algae, and suggested that DLNA help with education, along with social media posts on Instagram and Facebook. Keith suggested red or green button on the website, indicating if water is safe to enter.

## 8. Notifications

Tina asked if others are getting meeting notifications via email. Boone will check to see if he needs to do that.

## 9. Blue Heron Landing

### a. Buyer's update

- **Discussion:** Buyer provided update on 4/4/25.
  - Pre-application meeting with City has been completed.
  - Conceptual site plan materials have been developed.
  - Wetland delineation has been completed on the property.

- Inspection and renovation estimate for existing docks completed.
- Development of estimated budgets and projections are in progress
- Lender's appraisal and loan approval is complete.
- The buyer agrees to waive the financing contingency in the purchase & sale agreement.
- Buyer found most terms and conditions for dock lease feasible. Will be willing to sign at the end of due diligence through the current DSL agreement of 2034.

### **b. Dock Lease Agreement**

**Discussion:** Buyer not ready to address the dock lease this year, but willing to extend through current DSL agreement of 2034.

### **10. Dredging Project Update**

**Discussion:** Boone said the project is one step closer, DEQ is ready to sign off after CUP approved. Waiting for CUP from City, and Boone said he will follow up tomorrow.

### **11. DEQ loan application**

Boone was told that the District is in a good position for a DEQ loan of \$100,000, with interest rate below market. Timing was discussed. Boone has application 90% complete and can submit tomorrow. Keith said he would feel better about asking for higher amount and not using it all. Loan is available for up to \$750,000. K&E's estimate was \$500,000 two years ago. The need expect more than that estimate was discussed.

Boone said that his meeting with Anne Williams was delayed because of her conversation with City staff. Boone talked with Terry at the City about the timing of the City's project. Discussion took place about the City's plans. Tina suggested sitting down with Anne and K&E to coordinate the needs of the two projects. Dayton suggested talking with Special Districts to narrow the scope of the RFP for K&E to get the bid.

Mark Lowen said that K&E will want to get it all done at once. Discussion of RFP process took place. Dayton suggested asking K&E to help.

### **12. Staff Report**

## **District Projects & Operation**

### **Devils Lake Aquatic Vegetation Management & Water Quality**

- Coordinating with the testing facility, Spheros Environmental, to start sending samples in July-August. Quoted for \$19,600 for 8 weeks (3 locations) to sample microcystin, anatoxin-a, and saxitoxin. These are the toxins OHA recommended for regular testing.
  - Applying for STCCF to help offset these testing services. This application is ready to be sent for the next application period, July 1 and awarded July 31.

- Oregon State Parks treating Yellow Flag Iris on the shoreline and riparian areas.

**Discussion:** None at this time.

### **Blue Heron Landing/Marina**

- BHL Sale – Update
  - Buyer provided update on 4/4/25.
    - Pre-application meeting with City has been completed.
    - Conceptual site plan materials have been developed.
    - Wetland delineation has been completed on the property.
    - Inspection and renovation estimate for existing docks completed.
    - Development of estimated budgets and projections are in progress
    - Lender's appraisal and loan approval is complete.
    - The buyer agrees to waive the financing contingency in the purchase & sale agreement.
    - Buyer found most terms and conditions for dock lease feasible. Will be willing to sign at the end of due diligence through the current DSL agreement of 2034.

**Discussion:** None at this time.

### **Devils Lake Flood Protection & Dredging Project**

- JPA permit application progress:
  - We have received approval from Department of State Lands. ✓
  - USACE has approved our renewal of our no-test determination. ✓
  - DEQ 401 permit application has been submitted. DEQ said once they receive the LUCS/CUP from the City they will approve our permit. This permit will be the last to be approved as it requires a CUP from the city, flood development permit, and natural resource development review.
    - LEI submitted updated CUP to the city on 3/16.
- LEI Engineering with RFP once all permits/applications and final plans are complete. We should be able to prepare for bids in April/May. This will also help with the budgeting process if we can have a contractor approved before our budget hearing.
- DEQ Clean Water State Revolving Fund
  - This is a DEQ loan service for district led projects for restoration. I've submitted a request for more information. This loan also offers principal forgiveness.
  - Susan and I met with DEQ and an application is ready for submission – Due April 10<sup>th</sup> or Oct. 9<sup>th</sup>. They offer below market rates for payments and may be
- No meeting with Anne Williams on 4/7 to complete contract agreement. Anne was contacted by the City regarding their project and said she wouldn't enter into an agreement. Coordinating with city on project timeline and work plan.
  - I spoke with Terry Chamberlin who requested a work plan from their contractor. He believes there is room for us to work together for both projects.

**Discussion:** None at this time.

### **Operations**

- REMINDER: Public Meetings Law training for board on Vector Solutions
- New ADA updates on website compliance. Streamline offers an additional service called DocAccess. This is \$3K per year with a 5% uplift. Or there is another company that charges \$7 per page. However, I've found that most pages that are not accessible, can be fixed easily and I know how to format the pages now moving forward. 250 documents that don't meet accessibility requirements, but will edit them to make them compliant.
- Boat slip lease
- Bill Sexton – plans to remain in Lincoln City the next few years. Plans to install impoundment structure when the lake level drops closer to 9.53.
- HB 5202 – keep reporting until funds are all spent – we are up to date -\$184K balance remains – harvester lease is \$184,800.
- Loop Dr. house falling into lake – reported to DSL. DSL contacted owners. He was given a deadline of May 1 – which might not be attainable to completely take care of things. However, as long as the Department is aware of a good faith effort to get things rectified, or we get a request for an extension, at least we know it's being taken care of. DSL will follow up with him after May 1, to get a status update if I haven't heard back by then.

**Discussion:** Boone reminded board members about public meetings law training. Boone talked about ADA updates for the website, the logo needs to change to all words. House bill money doesn't run out. Discussion of harvester lease and how to return the machine. Discussion of house that has fallen into the lake, small house on a large lot. Owner passed away and his adult children live out of state and probably not aware of the state of the property. Chain link fence with two gates around the property. Tina asked about another house that was falling into the lake, a red house just past Leisure Bay.

Next meeting, budget hearing before board meeting.

### **13. Public Comment:**

none

**Next Meeting:** Thursday, May 14, 2026

**Meeting adjourned at 6:58 pm**

Submitted by Susan Wahlke