



BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

Monthly Meeting Minutes March 19, 2022 8:30 AM

JOIN ZOOM MEETING:

<https://us02web.zoom.us/j/89652309167?pwd=eTlZQVhkZmYramV5UTExRERYbWJkUT09>

Call in phone number 612-508-0879

1) CALL TO ORDER:

- Commissioner Kelly called the meeting to order at 8:31 AM

2) COMMISSIONERS PRESENT:

- Tom Kelly (Zoom), Gary Schneider (Zoom), Dale Ulbrich (Zoom), Andy Wilhoit (Zoom)

3) OTHERS PRESENT:

- Patty Kabus (recorder, Zoom)
- Brian Wenger (Lakeshore owner)
- Chris Nelson (County Board Chair)

4) APPROVE AGENDA:

- Commissioner Wilhoit motioned to approve the agenda, Commissioner Schneider seconded, all approved. Motion carried.

5) APPROVE MINUTES: December 2021

- Review February Minutes. Commissioner Ulbrich motioned to approve the February Meeting Minutes, Commissioner Wilhoit seconded, all approved. Motion carried.

6) AIS Transportation Amendment - BOAT CLEANING STATIONS / Mark Apfelbacher CD3 Systems

- Covered under Old Business, Mark was not in attendance

7) PUBLIC COMMENTS:

- Large Waive Boats – Fran Lauenstein email was shared with the board

- Email shared with the board from Mary Skaret, regarding the use of a float plane. She still believes that the plane is too large. Commissioner Kelly noted that there are no restrictions in place at the lake, and there are currently no plans to change this.
- Brian Wenger – Gave a background relating to his request to cancel the deed restriction on his property
- Brian Wenger had also called Commissioner Wilhoit to note the large amount of rip rap that was installed in prior years. This helps protect the shoreline due to waves being created. He has also installed a fair amount of rip rap
- Chris Nelson shared updates to the shoreline ordinance. He also noted that he did a fair amount of work to reduce runoff on Brian’s property. The County took advantage of Brian’s knowledge to help revise the shoreline ordinance. The current ordinance is the most substantial ordinance in Polk County to protect shoreline runoff. Some of the loopholes in the old ordinance would allow for as much as one private dwelling for every 5 feet of shoreline. Major changes in VRBO ordinance says that for new VRBO’s can only have 7 days in the summer, with a maximum of 8 people. Also, easements to any property requires a county review and survey, to prevent non-riparian landowners from gaining an easement to a lake. Also, campgrounds and mobile home parks cannot be within 1000 feet of the water body, and density has been substantially and they will have to follow the shoreline runoff guidelines. This will positively impact all the lakes and ponds in Polk County. This ordinance will go into effect on Wednesday, March 23rd. The only exception to this, is if a municipality has control of both a property seeking to give and receive lake access, then the municipality overrides the shoreline ordinance and is in control of both properties.

8) TREASURER REPORT:

- February Financials / Schneider
 - Financials / Schneider - Commissioner Schneider presented the February Treasurer’s report. Commissioner Ulbrich motioned to approve the February Financial Reports, Commissioner Wilhoit seconded, all approved. Motion carried.

9) Water Quality

- East Balsam EBWQ / Wilhoit
 - 2022 Alum treatment – Commissioner Wilhoit reported that everything is on target to get the second treatment done in June. UEI number so they have received it.

10) Aquatic Plant Management and Invasive species

- CBCW / Mork
 - Commissioner Kelly confirmed that Terry Morton will again lead the CBCW program this year. They are currently working on increasing the hourly rate to be competitive while remaining consistent with the budget numbers
- Purple Loosestrife Yellow Iris eradication / Mork
 - The County is in process to do a beetle release in East Balsam this spring.

- Commissioner Schneider asked if there was a plan to also release near the town bay. Commissioner Kelly reported that there is already a health beetle population in the town bay.
- Harvesting CLP & Navigation / Kelly
 - Commissioner Kelly is working with Harmony to obtain the permit for harvesting about 80 acres. Don Coddington is pretty well set up with his staff. Start dates will likely run between the first of June and the first of September.
 - We are working on permitting for weed spraying in the event is needed this year. It was not needed last year. There are established guidelines to determine whether spraying will be needed this year. We will know whether it is needed by about June first
 - Matt is aware that there is concern about spraying from some of our constituents
 - Commissioner Kelly is working with the harvester team to increase the wages, per the increased budget for this item

11) Water Patrol / Schneider

- Tommy Thompson's budget has been approved, and Commissioner Schneider reported that Tommy is working on hiring another person
- Tommy reported that attendance in the water safety classes was only 5-7 kids last year so Tommy is wondering if it's worth it. Commissioner Ulbrich noted this is a good public relations opportunity, and that 5-7 kids isn't a bad number. Online classes is also available. Commissioner Kelly asked if we can do it this year, Commissioner Schneider will follow up with Tommy and will try to publicize it. Commissioner Ulbrich mentioned that the Homeowner's Association may be able to help with promotion via an email blast.

12) OLD BUSINESS:

- No Wake Zone Marina / Schneider
 - At the last meeting, we decided on the larger boundary. This has been sent to Jeff Reed but we have not heard back yet. The next step would be a board resolution, drawn up by the attorney to amend the local ordinance and then do a public notification and hold a public meeting.
- Polk County AIS decontamination ordinance / All
 - To use the stations at each landing, it could cost as much as \$40,000 per landing. About 85-90% of the total inspections are done in Town Bay and 46 store. About 75% of the cost can be raised through a grant (if approved). It is anticipated that the project be put out for a bid due to its size.
- Public use of conservancy land / Kelly
 - No Update
- District member survey / Ulbrich
 - Commissioner Schneider has communicated with Cheryl at Harmony regarding updating of the long-range plan
- Shoreline title lien Wenger Property / All

13) Commissioner Kelly noted that we would need to receive a ‘hold harmless’ notice from the DNR in order to pursue removing the lien. Commissioner Ulbrich noted that it seems as though the property owner is doing a lot to protect the shoreline and mitigate the runoff. He felt that we should consider pursuing this for all affected properties. Commissioner Wilhoit feels it’s excessive to have this be in perpetuity. Commissioner Schneider agrees that the landowner has improved the property sufficiently. He asked what we know about the others who have the same agreement. Commissioner Wilhoit feels we should handle it on a case-by case basis. Commissioner Kelly also is in favor of removing the lien from the title. Once this is done, we could create some guidelines for future requests. They may include verifying 10 years have passed, as well as what has been done and the condition of the property. Since this is unanimous by the Commissioners present, Commissioner Kelly will pursue this with the owner and the DNR. This would be started once the initial public funds have been repaid to the district and forwarded to the DNR. We will only pursue this if we receive a ‘Hold Harmless’ letter from the DNR. Commissioner Ulbrich suggested letting the DNR know what the owners have done to mitigate runoff.

14) NEW BUSINESS

- **2021 Aquatic Plant Management Plan / Kelly**
 - Commissioner Kelly has reviewed the entire plan again, and noted that we need to vote on accepting the plan.
 - **Commissioner Schneider motioned we approve the Aquatic Plant Management Plan, Commissioner Ulbrich seconded, all approved. Motion carried.**

15) OTHER REPORTS:

- Village / Schneider
 - Street number signs visible from the water only pertains to homes located on an island
 - We got an invoice for dam maintenance for \$2800.00. The fund is down to \$94,000. The village will match our payment. Once the fund gets back to \$100,000.00, it will be back to the desired \$100,000.00 level. This is the second year we’ve been billed, and were not billed the 2 years prior to that.
- County / Mariani
- Commissioner Mariani was not available to join us, but Chris Nelson provided an update.
 - CAFO Zoning

16) FUTURE AGENDA ITEMS:

- Large Wave Boats added to future agenda items
- 2023 budget cycle will begin next month
- Dockside articles will be in the April agenda
- Commissioner Schneider noted that we may want to consider naming the town bay park after Rod Preble as a tribute to his work with the Village, the church and the Lake. Commissioner Kelly noted that would likely fit into the church and the village oversight.

All Commissioners support the idea. Commissioner Kelly suggested that Commissioner Schneider bring that to the church and the village.

17) ADJOURN:

- Commissioner Ulbrich motioned to adjourn, Commissioner Wilhoit seconded, all approved, motion carried. Meeting adjourned at 11:07 AM