



BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

Monthly Meeting Minutes November 21, 2020, 8:30 AM

Polk Business Center Meeting Room

1) CALL TO ORDER:

- Tom Kelly called the meeting to order at 8:33 AM

2) COMMISSIONERS PRESENT:

- Tom Kelly, Rod Preble, Gary Schneider (teleconference), Dale Ulbrich (teleconference), Andy Wilhoit, Dave Mariani (teleconference)

3) OTHERS PRESENT:

- Patty Kabus (recorder)
- Tommy Thompson
- Milt Stansey
- Linda Moore
- Brian Wertish

4) PUBLIC COMMENTS:

- None

5) APPROVE AGENDA:

- Rod motioned to approve the agenda, Andy seconded, all approved. Motion carried.

6) APPROVE MINUTES:

- October minutes - Gary motioned to approve the October Meeting Minutes, Andy seconded, all approved. Motion carried.

7) TREASURER REPORT:

- Financials / Schneider

- Gary presented the October Treasurer’s report. Rod motioned to approve the October Financial Report, Andy seconded, all approved. Motion carried.

8) Water Quality

- East Balsam EBWQ / Wilhoit
 - Alum treatment progress
 - Still waiting for a final report. General opinion is that the water treatment was very successful, the report provided for the Dockside was very good
- Healthy Lakes Native Plantings / Kelly
 - Nothing new to report

9) Aquatic Plant Management and Invasive species

- CBCW / Mork
 - Nothing new to report
- Harvesting CLP & Navigation / Preble
 - Nothing new to report
- Purple Loosestrife eradication / Mork
 - Nothing new to report

10) OLD BUSINESS:

- Bylaw review / Mariani
 - Nothing new to report, postpone to next month
- No Wake Zone Marina / Schneider
 - The no wake zone would have to be established by the village
 - We can present this to the village and provide reasons we want to have this established.
 - The no wake zone would need to delineate the boundaries of the no-wake zone
 - We would need to make a proposal to the Village Board. This would allow for public participation and comments
 - The village would need to express interest, and attorneys would need to get involved
 - Tom asked Gary to contact Tiffany to give her a heads up, Gary stated she is already aware of it
- Water patrol / Kelly / Preble
 - Former police chief Tommy Thompson attended today’s meeting.
 - Tom and Gary attended last month’s village meeting, in which they stated they do not have the resources to participate in the boat patrol. A boat was on the water 36 hours in 2020.
 - Tom confirmed that the BLPRD does have the authority to participate in the boat patrol. He stated there is a need for boat patrol on Balsam Lake. He informed that the boat used was owned by the Homeowner’s Association.
 - There is a grant available for boat purchase from the Coast Guard, administered by the DNR, and it includes a ‘performance review’ – the grant covers 75% of the cost of the purchase of the boat, as well as eligible operating expenses. The Village

managed the program, and the Homeowner's Association covered the balance of the costs that the grant did not cover.

- Tommy explained that there has to be 1 citation or 2 warnings every 16 hours, with 1 citation for every 2 warnings. A few years ago, the program required a minimum of 80 hours on the water, but he thinks there may be more hours now.
- Tommy said you have to establish a police department to manage this program. You have to have a police department or you have no authority to stop or issue citations. Tom stated it would be approximately \$8000.00 to run such a program, mostly covered by the grant and by the Homeowner's Association.
- Tom asked what it would cost to set up a police department, and Tommy said you would need to contact an attorney as he did not know that. Discussion about the steps to set up a police department, and Tom confirmed that chapter 33 states that we do have the right to establish a department.
- Tommy noted that a drawback to doing it on your own, is that you only have authority on the water – not on landings.
- Tom asked Tommy how he would see this functioning. Tommy stated that you have to hire state certified by the state by December 31 of the prior year in order to be reimbursed by the grant. He stated that current wages in other lakes is about \$32 per hour. He is not sure if the current number of hours required is 80, 100 or 120 hours per year.
- Tom asked if Tommy could arrange coverage Friday, Saturday and Sundays. Tommy described what he did when he was working the patrol – he said he worked every major holiday, at least one day every weekend, when there were any events around the lake, and had others work to fill in the rest of the weekends.
- Tommy also handled the boater safety program.
- Dale asked if we have money in the current budget to cover this. Tom noted we will discuss that when we cover financials.
- Dale asked if the Homeowner's Association may have some time to do this if we help fund it. Rod noted that the Village does not want to have anything to do with it. Tommy said the Homeowner's Association is willing to help with funding and that they are willing to transfer funding to the BLPRD (but to be determined if we move forward) which basically covers the cost.
- Tommy noted the minimum hours is only one 8 hour shift per week, and stated that more hours on the lake would be better. He also noted that in 2020, Balsam Lake Patrol by the DNR is very random as they have many lakes to monitor and just pick a lake. We may not see them for a full year.
- Tommy stated that boater safety normally occurred on the Friday evening and Saturday of Memorial Day Weekend and that worked well.
- Tom asked Tommy to pencil in a proposed schedule for between 120 and 200 hours a year, and get it to Rod. Gary will speak with the insurance carrier to find out if

there is any additional insurance noted, and Tom Kelly will speak with the attorneys to find out what our options would be

- Dale requested we outline options moving forward, and potential approaches. He recommended we put a paragraph with pros and cons of each option so we have documentation for our approach.
- Tom asked Dave to contact the county to see if they are an option or if they want to engage or partner (or sponsor) in policing, and then stated that Rod will lay out the alternatives we have investigated and what the conclusion is for each option. Basically, describe in detail the question, 'how did we get here'?
- Tommy closed by stating that the grant application needs to be in by February or March, so things need to move quickly. Tom will clarify timing with Cheryl at Harmony Environmental.

11) NEW BUSINESS

- Polk County watershed project / Ulbrich
 - Dale did send the information to the DNR and Tom stated it is the Land and Water department that we should communicate with.
 - Dale said he would look at past projects to see if we should talk about whether it makes sense to pursue any of them. He will present information at the next meeting.
 - Tom stated that looking at potential water runoff hotspots may be a good thing to look at for potential mitigation projects.
- Paradise Lounge proposed addition – presentation by Brian Wertish
 - Brian Wertish has land contiguous to Paradise Landing. There was a permit application from Paradise Lounge to put in a hotel. During the discussion the Paradise owner stated there will be a second proposal for a 3 story, 12 unit condo addition at a later time. There is a large concern that the 1st addition was about half completed, before the permit was ever granted. They do not want the condo to be allowed and they have a concern that the condo would be started again, before the permit was granted. They wrote a letter expressing concern about the condo system, signed by everyone in surrounding areas. Brian would like the BLPRD support to assist in stopping this proposal from moving forward.
 - Paradise Property is in the waterfront zone. There are a lot of ordinances addressing waterfront property.
 - Brian presented a series of slides, describing issues with any proposed condominium development, and requested the Balsam Lake Protection District to support the position and to submit a letter to the Village, supporting this position.
 - Milt then spoke, providing a history of his land between Paradise and the marina. He was the original signer of the dock permit. His concern is that boat and road traffic will be bad. He stated that even when it was just people who came to eat, they would walk on his property and discard trash. He is concerned that there will be a lot more traffic across their property. Linda also stated she is concerned about

the boat traffic, and that there is so much congestion in that section of the lake that it is not safe. They are both concerned about where people who stay in the hotel will have boats as well, and is not sure what condo owners would do with their boats.

- Tom described the BLPRD’s role in commenting on variance requests, as well as their role in safety and water protection. He informed Brian that the board will discuss the request later in the meeting. Tom thanked Brian, Milt and Linda for attending and for their input. Milt then presented some history another property including the BLPRD’s position on a former request for a similar variance request many years ago, which was denied and which the BLPRD supported at that time.
- In separate discussion, Tom asked if we want to send a letter to the village. General consensus is that yes, we do want to send a letter requesting a runoff mitigation plan and expressing concern with water quality impacts. Tom will draft a letter and send to the rest of the board for input.
- The owners of the boarding house property are selling the property to qualified private party and it will now be a private residence.

12) OTHER REPORTS:

- Village / Schneider
 - No additional updates
- County / Mariani
 - No additional updates

13) FUTURE AGENDA ITEMS:

- None

14) ADJOURN:

- Rod motioned to adjourn, Andy seconded, all approved, motion carried. Meeting adjourned at 11:27 AM