



BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

Monthly Meeting Minutes June 17, 2023 8:30 AM

Polk Business Center

Call in phone number 612-508-0879

1) CALL TO ORDER:

- Commissioner Kelly called the meeting to order at 8:30 AM

2) COMMISSIONERS PRESENT:

- Tom Kelly, Gary Schneider, Jack Weix, Bill Mork, Dale Ulbrich

3) OTHERS PRESENT:

- Patty Kabus, recorder

4) APPROVE AGENDA:

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

5) APPROVE MINUTES: May 2023

- Review minutes. Commissioner Weix motioned to approve the May Meeting Minutes, Commissioner Mork seconded, all approved. Motion carried.

6) PUBLIC COMMENTS:

- Comment from resident (Jeff Nicholson) in East Balsam asking when harvesting will happen. Commissioner Weix has been in contact with Don Coddington who runs the harvesting program, and will let him know to do that area first.

7) TREASURER REPORT:

- Financials / Schneider
 - Commissioner Schneider Presented the May Financials
 - Special note that legal was significantly over budget due to extensive contract work for the cleaning stations

- The other over budget item was work on the website rewrite. This is now complete and we do not anticipate additional website development expenses
- Commissioner Mork motioned to approve the financials, Commissioner Ulbrich seconded, all approved. Motion carried.

8) Water Quality

- East Balsam / Kelly
 - Commissioner Kelly distributed the Alum Resolution for review, and read the following resolution to the board, into the meeting minutes (it will also be read at the annual meeting and voted on by the constituents):

BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

RESOLUTION TO BORROW

A Special Meeting of the electors and property owners, was duly called and held on **June 17, 2023**, at which a quorum was present; and at which the electors and property owners approved the following:

WHEREAS, the Balsam Lake Protection & Rehabilitation District (“District”) is presently in need of funds in the amount of Three Hundred Twenty-Four Thousand and no/100 Dollars (\$324,000.00) for purposes of treating Balsam Lake with Alum;

WHEREAS, the District deems it necessary and in the best interests of the District that, pursuant to the provisions of Section 33.31, Wisconsin Statutes, the sum of Three Hundred Twenty-Four Thousand and no/100 Dollars (\$324,000.00) be borrowed for such purposes upon the terms and conditions hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED, that for the purposes hereinabove set forth in the District, pursuant to Section 33.31, Wisconsin Statutes, may borrow from Hiawatha National Bank (“Lender”) the sum of Three Hundred Twenty-Four Thousand and no/100 Dollars (\$324,000.00); and, to evidence such indebtedness, the District shall make, execute and deliver in said principal amount with interest at the rate of 5.5% per annum and payable as follows:

The term will be twenty-six (26) months and principal and interest shall be due and payable February 28th and August 31st of each year with the first payment due February 28, 2025, and the final payment due August 31, 2026. The interest rate shall be fixed at 5.50%. The loan will be fully amortizing and shall not have a prepayment penalty. Grant proceeds are expected in mid-August of 2024 in the amount of \$200,000.00 and if received, said grant shall be paid to Lender toward the amount borrowed.

BE IT FURTHER RESOLVED, that the District shall, and is hereby authorized to adopt such taxes and levys as necessary and appropriate to ensure that payment the loan is repaid pursuant to the terms of the Promissory Note (“Note”).

If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Note when due, the requisite amount shall be paid from other funds of the District then available, which sums shall be replaced upon the collection of the taxes herein levied.

In the event that the District exercises its prepayment privilege, if any, then no such direct annual tax shall be included on the tax rolls for the prepayments made and the amount of direct annual tax hereinabove levied shall be reduced accordingly for the year or years with respect to which said Note was prepaid.

In each of said levy years, the direct annual tax so levied shall be carried into the tax rolls each year and shall be collected in the same manner and at the same time as other taxes of the District for such years are collected; provided, that the amount of tax carried into the tax roll may be reduced in any year by the amount of any surplus in the debt service account for the Note. So long as any part of the principal of, or interest on, said Note remains unpaid, the proceeds of said tax shall be segregated in a special fund used solely for the payment of the principal of, and interest on, said Note.

BE IT FURTHER RESOLVED, that the proceeds of the Loan shall be used for the purpose of paying for the cost of treating Balsam Lake with Alum.

BE IT FURTHER RESOLVED, that there be and there hereby is established in the treasury of the District, if one has not already been established, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the District may be considered as separate and distinct accounts within the debt service fund. Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for Promissory Note dated June 20, 2024" which account shall be used solely for the purpose of paying principal of and interest on said Note. There shall be deposited in said account any accrued interest paid on said Note at the time it is delivered to the Lender, all money raised by taxation or appropriated pursuant hereto, and such other sums as may be necessary to pay principal and interest on said Note when the same shall become due.

BE IT FURTHER RESOLVED, that the proceeds of said Note shall be used solely for the purposes for which it is issued, but may be temporarily invested until needed in legal investments.

BE IT FURTHER RESOLVED, that the projects financed by the Note and their ownership, management and use will not cause the Note to be a "private activity bond" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended, and that the District shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Note.

BE IT FURTHER RESOLVED, that the Secretary shall keep records for the registration and for the transfer of the Note. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on the Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid. The Note may be transferred by the registered owner thereof by presentation of the Note at the office of the Secretary, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his legal representative duly authorized in writing. Upon such presentation the Note shall be transferred by appropriate entry in the registration records and a similar notation, including date of registration, name of new registered owner and signature of the Secretary, shall be made on such Note.

BE IT FURTHER RESOLVED, that the District officials are hereby authorized and directed, so long as said Note is outstanding, to deliver to the Lender any audit statement or other financial information the Lender may reasonably request and to discuss its affairs and finances with the Lender.

BE IT FURTHER RESOLVED, that said Note shall be delivered to the Lender on or after the date of said Note, upon receipt of the total principal amount of the loan evidenced thereby, plus accrued interest, if any, to date of delivery, provided that, if this is a refinancing, the refunding Note shall be immediately exchanged for the Note being refinanced.

IN WITNESS WHEREOF, the parties below have set their hand to this Resolution on the date set forth above and affirm that this Resolution was adopted by the required number of votes at a meeting of the District which was duly called, and at which, a quorum was present.

Tom Kelly, Chairman

Dale Ulbrich , Assistant Secretary

- The board discussed and agreed it will be read at the annual meeting and voted on by the constituents

- Commissioner Kelly motioned to create an Assistant Secretary position for those times when the Secretary is not available. Commissioner Weix seconded, all approved. Motion carried.
- Commissioner Ulbrich agreed to fulfill this role
- Commissioner Kelly motioned to appoint Commissioner Ulbrich as Assistant Secretary position. Commissioner Schneider seconded, all approved. Motion carried.
- Commissioner Schneider motioned to approve the financials, Commissioner Weix seconded, all approved. Motion carried.

9) Aquatic Plant Management and Invasive species

- CBCW / Mork
 - CBCW is going well and is fully staffed
 - CBCW is helping with the cleaning stations information. Per the county ordinance, if you don't use the stations, you get ticketed. In cases where the boaters do not use them (about 5%), the CBCW crew are conducting a visual inspection. The Village of Balsam Lake are resistant to ticketing for non-use. Some trucks are being parked blocking the stations. It has been pretty successful however.
 - Balsam Lake Village says if there is a county sheriff there, he can write out a ticket but the village will not enforce it. They prefer it is a voluntary use, Commissioner Kelly let them know that it is a county ordinance and is not voluntary. However, the county is responsible to enforce; not the village and not the CBCW staff
 - The Village of Balsam Lake is still working on the contract and most likely wants to lessen the term of the contract. Milltown is also still working on the contract.
- Purple loosestrife yellow Iris eradication / Mork
 - Colton Sorenson has responded that they will be using beetles in Town Bay and in East Balsam. They also said they did do this last year, however, the BLPRD was not aware that they actually did do it
- Harvesting CLP & Navigation / Weix
 - Matt Berg sent a map of CLP beds needing to be harvested, and said this is the best year ever with the least amount of CLP.
 - However, the native weeds are worse than ever. We need to educate residents that with the Alum Treatment as well as zebra mussels, the water will get clearer, and will cause more native weeds to grow. This will be communicated again at the annual meeting
 - There are some areas where we have limited permits to harvest for navigation. This is based on permits, we can only harvest where we are permitted to do so
 - We do expect to see less hours of harvesting this year
 - We are still looking for a replacement person to run the harvester program
 - One of the issues they would like to see, is getting power in the storage building, whether it is a gas generator or electricity. Commissioner Mork suggested we look into getting electricity installed since we will need this long term. We would also need to contact the village to make sure they are ok with it. Commissioner Weix will get back to us with a price

10) Water Patrol / Schneider

- Large wave watercraft / Schneider
 - We are executing on the action plan as laid out last month. The wake boat surf club has been very cooperative and have provided a brochure to every wake boat owner on the lake. There will be some new signs addressing this as well. Commissioner Schneider is attempting to contact the Homeowner's Association to have them send out a blast, and it is in the Dockside
 - Tommy Thompson is also handing out brochures, as are the CBCW staff members. He has handed out 7 citations this year for various things
 - Next year, we may want to hold a boater safety class ourselves that is targeted for Balsam Lake. Tommy Thompson can conduct the class. Commissioner Schneider will organize this and will talk about it during the annual meeting
 - The "See Something, Say Something" phone number will now go to Tommy Thompson's dedicated cell phone

11) OLD BUSINESS

- Watercraft CLEANING STATIONS CD3 / Ulbrich
 - 2 contracts have been returned. We are still waiting on the Village of Balsam Lake. Milltown has agreed on the language and we are just waiting on the signed contract. We are waiting on the final signed contracts before we can apply for the final grant reimbursement
 - New signs went into all the boat launches yesterday. Informational brochures are also in mailboxes attached to the cleaning stations as well
 - We had an issue in East Balsam where brushes and the wrench keeps getting stolen. They will be retrofitted to attach them better. The East Balsam station was originally put into the wrong place. It may be moved to a better location near the sign, but it needs to be moved with a skid loader
 - Discussion about adding no parking signs to prevent people from blocking the stations, particularly at the East Balsam and Little Balsam launches
 - The Forest Circle launch now has a large rock in the middle of what used to be the launch. However, the harvester used to use that launch site extensively so this may be an issue. It looks like the rock was put there intentionally
 - Violation reporting – there is a complaint form on the website for people to report violations. Our landing monitors are not using that form and have only called to report one person. There is also a form for citizens to report a complaint against an employee, but this is a different form. We are very concerned about the safety of our monitors and want to make it clear to them that they are not expected to report people not using the stations
 - The recommendation is that if someone starts to get aggressive, they can take a picture but they should walk away, because we want them to be safe. The BLPRD will communicate that monitors do not confront anyone. If a monitor feels threatened, they

should just walk away and can call the sheriff if they choose. We need to minimize confrontation with boat users

- Bone Lake CBCW monitors take down license numbers and report them to the sheriff, but they also have cameras. The cameras help with enforcement. Counties put in cameras in the launches they own
- Zebra Mussels /Ulbrich
 - This is the year the zebra mussels become fertile so this will be the year we will see how they will spread. Zebra mussels can lay up to a million eggs a year and the shells are razor sharp
 - We can tell people they can put a cinder block to attract the mussels and then scrape them off if they want to. Tyler at the DNR doesn't recommend this but it can be a way for residents to monitor this themselves if they want to
 - In the next few years, more permanent docks will tend to be used because the roll-in docks will get covered with zebra mussels and the rollers and adjusters will no longer work
- Recorder/Admin position – All
 - We continue to keep our eyes open for a replacement for this position
- Website enhancement – Weix
 - Commissioner Weix will again tell them to install the final version as it has already been approved
- 2024 budget – Schneider
 - There was a slight error in the current balance that has now been corrected and will be correct in the Dockside
 - We have stayed within budget historically
- Dockside – Kelly
 - The Dockside articles are now in. The quality is very good and will be going on the website.
 - It was discussed whether to include the wake boat brochures in the Dockside mailing. It was decided not to do this since it is specific to wake boards and has already been given to wake boat owners on the lake
 - The Dockside will be mailed out before the end of the month
- Municipal appointee to board – Kelly
 - The township of Milltown has been afforded the option to appoint someone to the BLPRD board in place of the Village appointment since they are now the larger assessment. It will be discussed in the next Milltown Village meeting. We can recommend a person to them but they make the appointment should they choose to do so. When they make a decision, they will communicate it to Commissioner Kelly and he will inform the board
- Lake / District Manager
 - Commissioner Kelly has routed the responsibilities for a new lake manager position to the board. This will be brought up in the annual meeting. The new Lake manager would provide the updates on various programs to the board going forward.

- If the board agrees, we could bring this to the annual meeting for a vote, and it would be an amendment to the budget. Options are to hire or to contract the work. The board discussed and agreed to bring this to the constituents at the annual meeting

12) NEW BUSINESS

- Assistant secretary position – Kelly
 - Discussed and appointed above
- Annual Meeting – Kelly
 - Everything is ready and lined up for the annual meeting on July 15th. Commissioner Mork will bring donuts
 - Mary, Margaret, and Megan will serve at the registration table. We will need one more person
 - Registration begins at 8 AM, meeting at 8:30. Board members should be there at 7:45

13) OTHER REPORTS:

- Village / Schneider
 - Boat landing improvements have been tabled
- County / Mariani
 - No update
 - The Easement Contract does not require a second signature, so Commissioner Kelly will sign and send it in

14) FUTURE AGENDA ITEMS:

- None

15) ADJOURN:

- Commissioner Ulbrich motioned to adjourn, Commissioner Weix seconded, all approved, motion carried. Meeting adjourned at 12:05