



BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

Board Meeting September 16, 2023 8:30 AM

Polk County Business Center

Call in phone number 612-508-0879

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**1) CALL TO ORDER:**

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

**2) COMMISSIONERS PRESENT:**

- Tom Kelly, Gary Schneider, Jack Weix, Dale Ulbrich, Terry Palmberg, Dave Mariani

**3) OTHERS PRESENT:**

- Patty Kabus, recorder
- Chad Woolson from Lake Restore

**4) MILLTOWN COMMISSIONER APPOINTEE**

- Terry Palmberg

**5) COMMISSIONER VACANCY APPOINTEE**

- Commissioner Kelly suggested that we appoint Gary Schneider to replace Andy Wilhoit's position. Commissioner Ulbrich motioned to appoint Gary Schneider, Commissioner Mariani seconded, all approved. Motion carried.

**6) APPROVE AGENDA:**

- Under others present, Chad Woolson
- Need to change approval of minute from May to June
- Commissioner Weix motioned to approve the agenda, Commissioner Schneider seconded, all approved. Motion carried.

**7) APPROVE MINUTES:** June 2023

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

**8) PUBLIC COMMENTS:**

- John Kuny - Paradise Island shoreline – shoreline erosion happening, he suggests it may relate to the new no wake zone diverting traffic past his house
- Zebra Mussels Sighting - Town Bay and East Balsam – there have been several new sightings
- Email from Bob Hagen asking how the harvester repairs are going
- One other comment regarding wake surfing in Little Balsam. There has been a material improvement in Little Balsam. There still appears to be 2 or 3 regular users on Little Balsam.

**9) NANO BUBBLE TECHNOLOGY / Ulbrich**

- Bays off of Boston Bay, Forest Lake Circle Bay, Raskin Bay, potentially a section of Town Bay may be good candidates for nano bubble technology, which replaces dredging
- Commissioner Ulbrich introduced Chad Woolson, who is a district member and is also a representative of Lake Restore representing Molear, a company that sells nano bubble technology using an aeration system. This system does not need to be permitted, but there is a grant available through the DNR
- Chad gave a presentation on the difference between nano bubble technology and regular aeration.
  - This is a non-disruptive method to clean silt using a bubble that shears the O2 and O3 from the water using a filtration system
  - This company was awarded the global Clean Tech award last year. They have over 3000 installations in over 50 companies
  - Oxygen transfer is 85% efficient, as compared to 35% efficiency with aeration
  - Systems are scalable, based on goals and current lake conditions. It may take up to a couple seasons to restore an area. 1-2 seasons per area, integrating with some good bacteria, this removes muck but not silt. In Balsam Lake, the muck is primarily peat. In Balsam Lake, we will need to do bio-augmentation to fully restore the bottom of the lake.
  - This is a very different system than ‘fan systems’ that blow the muck around. This system causes the bacteria to digest the muck, which removes it completely.
  - We currently harvest some of these bays to pull some of the organic material out of the bays, this would augment that process
  - Chad then represented a plan and current status of the main bays and suggested a solution using nano bubble technology. Buoys would be paced in the bays about a month before the nanobubble technology is introduced, to establish baseline levels.
  - Stagnant areas would be a focus for nano bubble technology
  - Portable systems would allow for moving the system to other areas as needed. Once initial treatments are done, smaller dock systems could be used to maintain areas

- Once the system works in an area, it will take years for muck to build up again
- All bays have been measured. Boston Bay and Raskin has 2-3 acres, Forest Circle Bay is 1 acre
- Dale noted that residents have already agreed to have the systems on their property, and we would reimburse them for electricity (approximately \$100 a month)
- We have a 5x8 foot trailer, and this would be the recommended solution for Balsam Lake. This would cost \$100,000. They also recommend using buoys, priced separately. They also recommend hardness mapping before treatment. After treatment is complete, a follow-up hardness map is recommended to show improvement.
- Commissioner Kelly asked if it is an option to provide treatment without owning. Chad explained that you can, but the cost is not a lot lower.
- It is a 3-phase electric system.
- A permit is not required but can be done if desired.
- Commissioner Kelly asked if they have treated an environmentally sensitive area. Chad noted that yes, they have and it was very successful and does not negatively impact native weeds or wildlife, and fish and birds are healthier after treatment
- Chad said he would recommend 2 units that process 200 gallons to be effective
- Commissioner Kelly asked about noise levels. Chad said the sounds is around 60 decibels - relatively low except when a fuel powered generator is needed.
- Commissioner Ulbrich noted he has put in an initial grant application. He suggested that once it is approved, we could just move the money that was set aside for dredging, over to this project if it is approved at the next annual board meeting

#### **10) Treasurer's Report / Schneider**

- Commissioner Schneider Presented the August Financials as they are accumulative for June and July
  - Commissioner Mariani motioned to approve the June, July and August financials, Commissioner Ulbrich seconded, all approved. Motion carried.

#### **11) Water Quality**

- East Balsam Alum /2024 and 2026 alum treatment bid / Kelly
  - 60% of the treatments have now been completed, we are now seeking bids for the next 2 treatments
  - Commissioner Weix motioned release the bid application for next 2 treatments. Commissioner Schneider seconded, all approved. Motion carried.

#### **12) Aquatic Plant Management and Invasive species**

- CBCW / Mork
  - This year's monitoring is still going on. Discussion with the village about safety concerns for the CBCW staff. We are not reporting any non-use to the county
- Purple loosestrife yellow Iris eradication / Mork
  - No update

- Harvesting CLP & Navigation / Weix
  - There hasn't been a lot of CLP to harvest this year
  - There has been a lot of issues with the harvester this year
  - As a result of the mechanical issues, we have not done a lot of harvesting this season
  - We will hopefully be ready to go next year
- Zebra Mussels /Ulbrich
  - Commissioner Ulbrich has been mapping the progress of zebra mussels in the lake. They are pretty much throughout the main basin of the lake, and we are seeing larger quantities at a time in the lake
  - There is not much we can do about zebra mussels at this point, but this can be used to help people understand the importance of preventing other invasives from entering the lake
- Watercraft CLEANING STATIONS CD3 / Ulbrich
  - We still do not have agreements with the Village of Balsam Lake
- AIS CLP/Purple Loosestrife grant resolution / Kelly
  - We are coming up on a new 3-year grant application for 2024 – 2026, specifically dealing with herbicide treatments as well as bed mapping, at a cost of approximately \$45,000.00. We have only needed to treat East Balsam twice in the last 5 years. This means that the harvesting is working well and we have gone from 80 acres to 60 acres
  - Commissioner Weix will be taking back the responsibility for this program
  - Commissioner Kelly distributed the CLP/Purple Loosestrife Resolution for review, and read the following resolution to the board, into the meeting minutes:

### **AUTHORIZING RESOLUTION**

**WHEREAS, the *Balsam Lake Protection and Rehabilitation District* is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of CLP Monitoring and Control (as described in the application);**

**WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;**

**WHEREAS, a grant agreement is requested to carry out the project; and**

**NOW, THEREFORE, BE IT RESOLVED, that the *Balsam Lake Protection and Rehabilitation District* will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the following officials or employees to submit the following documents to the Wisconsin Department of Natural Resources for financial assistance that may be available:**

Task	Title of Authorized Representative	Email address and Phone Number if alternative is used
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Sign and submit a grant application	Chairman	tkelly56@comcast.net
Enter into a grant agreement with the DNR	Chairman	tkelly56@comcast.net
Submit quarterly and/or final reports to the DNR to satisfy the grant agreement, as appropriate	Chairman	tkelly56@comcast.net
Submit reimbursement request(s) to the DNR no later than the date specified in the grant agreement	Chairman	tkelly56@comcast.net
Sign and submit  (name of other documents. Example: Admin Forms)		

**BE IT FURTHER RESOLVED** that applicant will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

**Adopted on 16<sup>th</sup> day of September 2023**

I hereby certify that the foregoing resolution was duly adopted by  
*Balsam Lake Protection and Rehabilitation District* at a legal meeting held on **16<sup>th</sup>** day of September 2023

Authorized Signature ☞	Date Certified ☞
Title ☞	

- Commissioner Weix motioned to approve the resolution, Commissioner Mariani seconded, all approved. Motion carried.

### **13) Water Patrol / Schneider**

- Large waive watercraft / Schneider
  - We've had positive results on the communication and education push this year. At this point, the recommendation is to continue with this path and not to pursue ordinances at this point
  - There seems to be just a few who are not respecting the existing laws or recommendations
  - No wake boat violations were cited this year. A few warnings as well as a number of courtesy stops have been done this year
  - Commissioner Palmberg noted there are issues still happening in East Balsam with jet skis being knocked off lifts, etc. Commissioner Schneider noted that there were conversations earlier this year and asked that if this is still happening, let Commissioner Schneider know so they can follow up again

### **14) OLD BUSINESS**

- Recorder/Admin position – All
  - Commissioner Kelly did have an inquiry from someone about the position but the person decided not to pursue
- Lake/ District Manager – All
  - We have one applicant, the resume has been shared with the board. She has a good base of knowledge as she has worked with Harmony Environmental. Commissioner Kelly suggested that some board members get together as a sub-committee, to have a conversation regarding applicants, and schedule interviews. Sub-Committee members are Commissioner Kelly, Commissioner Palmberg, Commissioner Mariani.
  - Commissioner Kelly noted the job is still posted on the website and primarily is word of mouth
- Website enhancement – Weix
  - Commissioner Weix thought he had given final changes and approval, but the final changes do not appear to have been made. The new site is up and running at this time

## **15) NEW BUSINESS**

- Rice Creek Conservancy - Land Allowed Public Use / Kelly
  - Commissioner Kelly discovered 2 deer stands left over from last year. One has been removed. The community has been notified that they cannot be permanently placed on conservancy land. Access for public use is allowed, but permanent placement of deer stands is not allowed. Commissioner Mork has expressed that we should not allow any hunting on Rice Creek conservancy land because of leaving deer stands, hunting close to houses. Commissioner Weix said there are already laws that address this, but Commissioner Kelly noted that the DNR had been contacted but they basically did not have time to deal with it.
  - Commissioner Kelly recommended that all conservancy land is treated the same way. We could post that no ATV or motorized vehicles be allowed, and that no deer stands can be left overnight, no camping, and no hunting within 300 feet (or yards?) of any house.
  - Clarification that a conservancy is private land. Deer stands are allowed on public land.
  - Commissioner Kelly asked for feedback. Commissioner Weix encourages that we allow people to use it with the recommended posting
  - Commissioner Ulbrich asked if we should include a disclaimer that people use the land at their own risk and subject to hunting regulations
  - Commissioner Weix noted the Stumps Bay conservancy is popular for duck hunting
  - Commissioner Mariani noted that deer hunting is the most dangerous. Commissioner Schneider noted there probably isn't a differentiation between deer hunting and duck hunting

- Commissioner Palmberg noted he is in favor of the land being used, but not for hunting. He also noted he understands that if hunting has already been done in the past, it has set a precedent
  - Commissioner Kelly did some research and found that some conservancy lands allow hunting and some do not
  - Commissioner Weix offered to check with an acquaintance, who is involved in the Deer Lake conservancy and is also an attorney to see what they do
  - Commissioner Kelly will contact conservancy DNR representative for our area
  - Water Quality Testing / Kelly
    - Water quality testing has historically been done in 4 locations. Commissioner Wilhoit was doing this. It stopped with Covid, and now we have an absence of a commissioner dedicated to doing this. Commissioner Kelly approached Matt Berg to do this. However, Land and Water in Polk County is willing to do this testing for us. They can take this over for us at a cost of \$2100 to test Boston Bay, Main Lake and Little Balsam (East Balsam is already being tested as part of the alum project). Commissioner Kelly did authorize one test, which will be done next week.
    - Discussion followed. Commissioner Ulbrich suggested this data should be available on our website. Commissioner Kelly asked for approval to contract for this testing moving forward. All Commissioners are in favor of this testing.
  - Process and Procedure Documentation / Kelly
    - Commissioner Kelly asked everyone to update the procedures document with their information. Commissioner Kelly asked for the first draft to be in by mid-November
  - Water Patrol Boat Purchase – Deputy / Schneider
    - We are getting closer to purchasing a used boat that would fit our needs at \$51,400.00. The storage costs of keeping and maintaining the old boat is cost prohibitive
    - We can get a grant for about 70% of the cost. Risk to this is that if we have to stop the program for any reason, no reimbursement would be available
    - The Homeowner's Association will make a donation to the district for the purchase, and the BLPRD will actually purchase and insure the boat
    - Tommy alerted the Board that Noah got a letter that he is no longer qualified and needs training, so has been decertified. This means we will not be able to be reimbursed for his time. However, even with his hours removed, we have enough hours and citations to qualify. Additional work is being done to reverse the ruling. We have until September 21<sup>st</sup> to appeal.
  - Construction Project Little Balsam Hillside cave in / Palmberg
    - Commissioner Palmberg described a situation where the hillside collapsed at a construction site. Commissioner Kelly has notified the DNR of the issue and now has a plan from Polk County Zoning to resolve the runoff, and remove the sand from the lake and prevent future issues. The boathouse is not currently sliding into the lake
- Deleted

- Commissioner Kelly noted we used to get notification when a variance is requested. We do not seem to be getting this anymore. We used to request a water mitigation plan and get them. It is possible that there haven't been any exceptions to zoning ordinances, or it is possible that we aren't getting notified any more.
- Commissioner Kelly asked Commissioner Palmberg to check into whether a variance was requested.

**16) OTHER REPORTS:**

- Village / Palmberg
  - He will be presenting at the next Milltown Township meeting
- County / Mariani
  - Commissioner Mariani does not have an update. Commissioner Kelly suggested checking meeting minutes for the Environmental Resources Committee to obtain information
  - Commissioner Kelly noted that the county is being sued by the Wisconsin Realtors Association because they feel the zoning ordinance put in place was not legal.

**17) FUTURE AGENDA ITEMS:**

- None

**18) ADJOURN:**

- Commissioner Schneider motioned to adjourn, Commissioner Kelly seconded, all approved, motion carried. Meeting adjourned at 11:25





DRAFT