

BASS LAKE REHABILITATION DISTRICT
ST. CROIX COUNTY, WISCONSIN
www.blrd.org

MINUTES OF THE BOARD OF COMMISSIONERS

Friday, March 27, 2020

St. Joseph Town Hall – 1337 County Road V

Commissioners Present: Bill Holmberg, Chair
Cecil Chally, Treasurer
Fred Young, Secretary
Tim Riemenschneider
Lynnae Thompson-Koats

Commissioners Absent: Jim Endle
Rick Colbeth

Others Attendees: John Reiling, W. E. Bye Barsness, Regina Rippel, Timothy Olson,
Laura Rand

1. Call to Order

Bill Holmberg called the Board of Commissioners Meeting to order at 6:00 PM. **Roll Call:** Commissioners Holmberg, Riemenschneider, Thompson-Koats and Young present. Commissioner Chally attended shortly after roll call. Due to Covid-19, remote videoconference option was made available. Two Commissioners were present at Town Hall parking lot for any persons that sought to attend pursuant to address on the Agenda. **A Motion** was made by Riemenschneider to adopt the Agenda, which motion was seconded by Thompson-Koats. **Motion passed.**

2. Secretary's Report

Copies of the unapproved draft minutes of the January 16, 2020 BLRD Commissioner's Meeting, and the Agenda for the March 27, 2020 BLRD Commissioners Meeting were previously distributed. Young noted that the mailing list was again updated. Young noted that Dan Funk had revised his model since presenting, and explained that per Funk's follow-up, the September 11, 2019 Minutes could be revised on a few points. **A Motion** was made by Holmberg to update minutes from September 2019 per Secretary Young's discretion per notes from Dan Funk regarding details on his presentation; to approve last meeting's minutes; and to approve Secretary's report, and was seconded by Riemenschneider. **Motion passed.**

3. Treasurer's Report

Chally noted that they received the check from St. Joseph Township for the tax revenue that was anticipated, which was approximately \$6,000. Chally explained that he could send account balance information to Young for incorporation into the minutes. **A Motion** was made by Holmberg for that information to be incorporated into the minutes, which motion was seconded by Chally. **Motion passed.** *[Per Treasurer Chally on or about 4/10/20, the balance is \$12,729.30]* There was discussion regarding potentially obtaining a P.O. Box for

the BLRD at \$94/yr since Chally's address is currently used, and there was discussion regarding looking into it further.

4. Clean Boats, Clean Water (CBCW)

Holmberg noted that there may be significant changes to this grant this year, and that activities at landing may be very different given Covid-19.

LPT Grant

Holmberg noted that the crib build is completed and thanked the Somerset fishing club. Thanks was expressed to Tom Tuma of Tuma Excavating and Mike Marty of Blade Runner Landscaping for their time and equipment donated, which will be documented for them, and which supports the lake grant. It was discussed that all activities on the Lake Protection Grant need to be completed by the end of the year and information re: LPT grant will again be placed on back of the next Agenda.

Lake Pumping Feasibility

Chally noted that phosphorus was up, but Holmberg explained that it was an order of magnitude lower than what was seen back in September (when the lake presumably turned over). Holmberg explained that the last water reading was just over 885.07 ft on lake level in the Fall, and that the ordinary high water mark is 886.1. Holmberg noted that he would be in contact with the appropriate person at the County for an official water level verification, and will look into additional signage if the slow, no-wake ordinance is triggered.

5. Consider, Discuss and Take Action Regarding Correspondence sent by Mr. Webster "Bye" Barsness to BLRD Chair, Which Correspondence Requests Removal of two non-shoreline Parcels of Land from BLRD Owned by Trust of which Mr. Barsness is Trustee.

Holmberg turned the floor over to Barsness for presentation of his request, noting that Barsness had submitted additional documents to the Board. Barsness explained the following: he bought a 25 acre parcel in approximately 1980 with 300' of shoreline; it was properly included in the district at that time; he had been involved in helping organize the district; several years ago, he sold off the lake lot with the 300' of shoreline; he now has two different parcels that no longer have any shoreline, but are still in the BLRD – yet those parcels are very similar to parcels immediately north and south owned by others which are not in the BLRD.

Holmberg asked Barsness if he could clarify whether the parcels in question were originally one parcel, but a road was placed over the parcel and it was split. Barsness clarified that was accurate, but that the parcels are still actually identified by a single tax ID. Riemenschneider noted that he supported the removal from the BLRD with the stipulation that if the land were sold to another lake lot owner, that it would be placed back in the BLRD. Barsness noted that he has a problem with Parcel B [*as identified on the survey he provided to the BLRD*] – he indicated that if that parcel were to be sold to someone that was attached to the lake, then that should be reattached to the district. Barsness further explained that it was very unlikely that he would sell Parcel A [*as identified on the survey he provided to the BLRD*] to a lakeshore owner, and that it was quite a bit different – he again highlighted that properties adjacent to Parcel A to the north and south are not in the district. Riemenschneider noted that the Gray property that was to the east of Ridge Run, a private road, was still in the BLRD. Barsness noted that Parcel A was separated by a town road. Riemenschneider expressed that

if Barsness were to sell the property to a lakeshore owner, that property should be brought back into the BLRD.

Barsness noted Parcel B is less than the buildable 3-acre minimum; that he probably would not sell it; and would consider giving it to the BLRD. Barsness explained that if that were the circumstance, Parcel A would not have any access to the lake. Barsness noted that he understood the issue. Barsness explained that he had to grant an easement for the private road adjacent to Parcel B, and acknowledged that it would make sense to have Parcel B reattached to the district if a lake lot owner were to own it.

There was discussion that before formally proceeding, the Board would consult legal counsel. It was further discussed that the Board would desire to discuss whether anything would be necessary to help ensure that the property – and Parcel B in particular – if detached now, could be brought back into the BLRD upon purchase by a lake lot owner. Barsness indicated that he was amenable to that proposed course of action. The Board thanked Barsness for all of his work in preparing his request.

6. Ordinance Enforcement, Landing, Signage and ILIDS

Holmberg noted that he received 2 proposals from the ILDS camera vendor - one was for \$2,000 the other was for \$1,700. The \$2,000 proposal included review of an additional 3,000 videos (above and beyond the review that was already available). Holmberg noted that operation of the ILIDS system is already something that the Board was planning on placing on the Agenda to talk about at the Annual Meeting. It was discussed that the ILIDS system is typically up and running by fishing opener. Riemenschneider noted that he is not in support of ILIDS or annual contract. Thompson-Koats and Chally indicated that they were in agreement. Young also expressed agreement, echoing previously stated concerns about continued spending on an item that has not resulted in a violation being successfully pursued in the several years it has been in operation. Holmberg confirmed that the ILIDS system would be run, but the increased expense option would not be pursued.

Landing/Signage

Holmberg thanked Ron Laumeyer for keeping an eye on drainage at the landing and shepherding the discussion with the County, and that it was discussed with Ryan Brathal from the County that drainage from the parking lot was to be diverted from going back down into the lake. This is still on the to-do list for the County.

Holmberg noted that although Jim Endle was not re-running for office, Endle still took the time to follow up on the topic of signage for the landing and had requested information from the County, but Endle had not yet received a response.

Ordinance Enforcement

Riemenschneider explained that he had just learned that the gentleman that the BLRD had for ordinance enforcement last year will be unavailable. Riemenschneider noted that he would work to again advertise the position to recruit one if not two individuals to go forward with the plan for ordinance enforcement.

7. County Updates, Town Updates

Jim Endle was not available to attend and Holmberg noted that Endle was not running again. No Town Commissioner was available for updates.

8. News, Updates and Plans

Holmberg shared information regarding the Lakes Convention that is being held virtually. Thompson-Koats noted that she signed up for the advanced training session. Holmberg noted that there was also a Treasurer's session that Chally might be interested in. Per John Reiling's inquiry, Holmberg noted that anyone could sign in to these sessions. It was discussed that there are various topics that there are various topical sessions for. Thompson-Koats noted that she gets the Lake Tides newsletter and that the latest edition contained a headline regarding erosion prevention and control. Chally noted that he has been getting the Lake Tides newsletter has been coming to him for years. Holmberg noted that it is a free online publication. Holmberg suggested that the Lake Tides newsletter could be placed as a link on the BLRD website.

Eric Olson, one of the trainers at the convention, had reached out to Tom Spaniol and forwarded an email that was then forwarded to other Commissioners. Holmberg noted that he would respond to Eric and cc all the Commissioners.

Riemenschneider noted that he intended to reach out to Ryan Brathal regarding no parking signs missing from the landing.

Thompson Koats said that on the CBCW topic, back in January there was an email re: AIS prevention/best practices and ideas about what could be done at the landing, but that would require additional cost, and that could be talked about at the Annual Meeting. Holmberg noted that we could place this topic on both the May 2020 Agenda and the Annual Meeting Agenda. Holmberg requested Thompson-Koats to lead that discussion with a summary of her thoughts. There was discussion that with Covid-19 whether the Annual meeting could be potentially rescheduled or postponed; dates during which an Annual Meeting can be held; and what other implications there might be for the Annual Meeting. Holmberg noted that we will know a lot more in May 2020, particularly after the Lakes Convention to find out what other lake districts are doing.

9. Public Comment/Resident Concerns.

There was a letter sent to all Commissioners from resident. Holmberg requested Riemenschneider to read it. Riemenschneider read the letter that provided as follows:

I, along with other lake property owners, are concerned about the possibility of another 24/7 slow, no wake restriction being enforced if the lake level exceeds 886.1. (per section 4(a) slow, no wake restrictions of ordinance to regulate boating upon waters of Bass Lake)

It is my understanding that this is the ordinary high water mark, and that the original permit for pumping the lake level down only allowed the BLRD to pump if the elevation exceeds 886.1. If the DNR will not permit pumping below this level, it is unlikely that any septic systems or properties are in imminent danger at this elevation, so why would the BLRD enforce a total no wake restriction at 1 inch higher? Is it fair and reasonable to do so? There is little remaining evidence of shoreline damage at the ordinary high water mark (886.10), but there is ample evidence at the high water mark, which is 3 feet higher (889). When so many of us were restricted from using the lake when the original 24/7 no wake was passed for 2+ years, it was very frustrating. That was our whole reason for building and living on the lake. This restriction leveraged

the completion of the pumping project, and the subsequent special assessment, that cost us 2+ years, loss of use of the lake and personally \$10k.

Please let's figure out a better way to manage the lake that doesn't involve such a severe restriction again. Localized efforts to mitigate water elevation effects on structures located close to lake on shallow slopes, not generalized restrictions on everybody. Please consider changing the no wake ordinance to eliminate section 4(a).

Thank you for your consideration! – John Haag, DDS

There was discussion that the request was to eliminate Section 4(a) 886.1 slow, no-wake restriction, but that it was unclear whether there would be a proposal for the BLRD have a slow, no-wake restriction at a different water level, whether it be somewhere in between 886.1, on the one hand, and the high water mark approximately 3' above 886.1, on the other hand. There was further discussion that there was a previous discussion in prior meeting minutes about a request to place the 24/7 ordinance to a level below 886.1. Riemenschneider indicated that he was interested in what the majority wants.

Chally noted that he remembered a meeting where the topic of 8pm slow, no wake was vs. sunset was brought up, but that the topic was withdrawn upon further discussion that the Town of St. Joseph and Somerset have somewhat similar ordinances for no waterskiing (e.g., 8pm to 8 am, or maybe 8pm to 10am.) There was further discussion that it takes a lot of effort to change things, and before changing things, it would make sense to get an understanding of what residents want. Holmberg noted again that folks are welcome to petition or discuss at the Annual Meeting.

Regina Rippel commented that she is floored by the proposal and said that she bought her place for swimming and is waiting for time that she is not dealing with huge waves anymore. She expressed what she thought the majority felt. Holmberg noted that there needs to be additional information for a request to either eliminate the slow, no-wake ordinance or raise the elevation on the 886.1 slow, no-wake trigger. Holmberg noted that the slow, no-wake and quietness and the boating use has two different camps, and that the ordinance was set to try to address both camps. Holmberg noted that the letter brings open discussion. Holmberg again noted that anyone could circulate signed petition.

John Reiling wanted to switch topics and wondered what the latest was regarding lake pumping feasibility. Holmberg noted that we are testing and continuing down that route. Reiling asked whether the BLRD is interested to try to get another group for next year – Holmberg explained “yes” for this year for LPT grant – activity must be completed before the end of the year.

10. Review of Building Plans/Shoreline Restoration and other Plans

No reported plans.

11. Discussion for Next Meeting Schedule/Finalize Agenda

- **Next Meeting: Wednesday, May 13, 2020 at 6p.m. at St. Joseph Town Hall**
- **Next Annual Meeting: Saturday, June 13, 2020 at 9:30 a.m. (tentative) St. Joseph Town Hall**

Holmberg noted it was his recollection that a Commissioner seat would be open for voting at the Annual Meeting, and expressed that the May 13, 2020 BLRD Board of

Commissioners Meeting is a good venue for residents to request that any topics be added to the Annual Meeting Agenda.

Timothy Olson re-raised the topic of erosion, boating, water levels, etc. Riemenschneider explained that this has been discussed multiple times at multiple meetings and encouraged folks to attend the meetings and read the minutes. Holmberg reminded all that the Lakes Convention was upcoming and that there are various topics that may be of interest; that Regina has done a great job with water testing; that Tom Spaniol has been a great help coordinating various BLRD efforts; and that the more that residents are involved, the more load is spread.

Prior to adjournment, Young noted that no one had come to the Town Hall.

12. Adjournment

Motion to adjourn was made by Chally and seconded by Riemenschneider. **Motion passed. Meeting adjourned at 8:00 PM.**

**Recorded by:
Fred Young, Secretary**