

CEDAR LAKE PROTECTION AND REHABILITATION DISTRICT

**MINUTES OF MEETING HELD DECEMBER 8, 2015, AT 5:30 P.M.
AT THE TOWN OF ALDEN TOWN HALL**

The meeting was called to order at 5:30 p.m., December 8, 2015, at the Town of Alden Town Hall by Chair Don Demulling. Board members present were Don Demulling, Joe Demulling, Warren Wood, Helen Johnson, Dan Early and Kent Rebeck and Helen Johnson. Dan Davison was absent. These members constituted a quorum. Also present was consultant Cheryl Clemens from Harmony Environmental.

Also present were lake residents, Steve Frey, Richard Zeier, Jim and Pam Groth, Norm Hornbostel and Dan Michaelaes.

Board member Warren Wood took minutes in the absence of the secretary Dan Davison.

Helen Johnson moved to approve the agenda. Warren Wood seconded it. The motion carried.

Public comment discussion was deferred to Business Item B.

Minutes of the October 28, 2015, meeting were reviewed. Motion to approve by Dan Early, seconded by Joe Demulling. Motion carried.

Treasurers report: submitted by Dan Early for transactions through October, 2015. Motion to approve the treasurers report was made by Kent Rebeck. Seconded by Joe Demulling. Motion carried.

Business Items:

- A. TRM Grant update was discussed. Cheryl Clemens advised that she learned from Linda Talbot of the DNR that the \$30,000.00 amount earmarked in the grant application did not have to specifically be given to Polk County for agricultural practices in the watershed for the Farmer Led Council. Therefore, the entire \$165,000.00 TRM Grant award could be used for the Alum Treatment. Cheryl has inquired and is waiting to learn from Linda Talbot about whether we can re-apply for a grant in the next grant application period for the second alum application. Don will be receiving a copy of the agreement which will establish a deadline for moving forward with the project for which the grant was awarded.
- B. Alum Treatment planning and financing was discussed including potential assessment and special meeting issues and potential special committee regarding on-lake vs. off-lake parcel assessments. It was

discussed that Dan Davison had done a preliminary tally and determined that there were potentially 115 parcels that were not on the lake. Those parcels have an assessed valuation of \$10,016,800.00, which is 18% of the total assessed valuation of the lake district of \$58,362,891.00. 87 of those parcels are in Polk County and 28 in St. Croix County. The Board discussed creating an ad hoc committee. A Motion was made by Warren Wood and seconded by Helen Johnson to create an ad hoc committee composed of a cross section of lake district residents from Polk and St. Croix counties who own both on-lake parcels and off-lake parcels to study special assessments on the lake district parcels. Several persons at the meeting volunteered to serve on the committee. The Motion carried. The ad hoc committee will be made up of 9 or 11 participants including a cross-section of lake district property owners, who will review the data and make recommendations to the board, various options for apportionment of levy amounts for "back lot" properties. Co-chairing this committee will be Kent Rebeck and Dan Early. The committee will be assisted by a facilitator and Dan Davison. (Please note that we revised the committee numbers to include 9 or 11 participants).

Attorney Ron Siler was contacted to provide a opinion letter regarding whether the Board can amend or lower taxation rates for properties which are included in the district but not located on the lake. His answer was that the Board could not assign lower tax rates to properties off the lake unless it was a special assessment. The second question of Attorney Siler was whether the Board could remove parcels from the lake district if requested. His answer was yes, parcels can be removed from the district following a petition by a land owner or Motion by the Board. Copy of his November 19, 2015, is attached hereto to these minutes.

- C. A report was given by Warren Wood on the WE Energy natural gas project. This does not involve any action by the lake board but was informational only. WE Energy is planning on running natural gas around Cedar Lake starting on the west side of Cedar Lake in St. Croix County as soon as the spring of 2016. They have a franchise and approval from the Public Service Commission to service the lake area in St. Croix County. WE Energy is applying for franchise and public service commission approval to provide natural gas service along the lake in Polk County.
- D. Stillwater Bridge Mitigation Funds and sanitary district formation requirements. There was a discussion about this followed by a Motion by Warren Wood, seconded by Don Demulling to abandon plans to pursue the bridge mitigation funds to study a Cedar Lake sanitary district. Motion carried.

- E. Newsletter. It was agreed to accept Cheryl Clemens recommendation that we push the normal time frame of the next newsletter back from January to March or April so that it can act as official notice of the special meeting to be held after April 15, 2016, as well as contain a sample ballot. The later newsletter would also be able to incorporate the work of the ad hoc committee and other developments between now and the special meeting regarding the Alum treatment. No board action was necessary.
- F. Board member reports.
1. The dam keepers have been paid and have removed boards in the dam to lower the lake.
 2. The regular buoys purchased by the lake district have been removed and stored by Star Prairie Fish & Game and they have been paid.
 3. The milfoil buoys have been pulled and will be returned to their owner.
 4. The compressor issue was discussed. The compressor and aerator are no longer in operation. Inquiries will be made as to selling and/or giving away the compressor if someone will remove it. That issue will be discussed at the next meeting, potentially for action.
- G. Agenda items for next meeting.
1. TRM grant award.
 2. Ad hoc committee report on special assessments.
 3. Potential newsletter topics.
 4. Board member reports.
 5. Compressor update report and potential action.
 6. Rusty Crawfish (Dan Michaelles noted crawfish in front of his property. He will obtain a sample and photo and provide same to DNR. Cheryl Clemens will get him the information for that). If it is a rusty crawfish, it is an invasive species, previously unknown in Cedar Lake, so it would be required to report it.
- H. Next meeting date is Tuesday, January 26, 2015, at 5:30 p.m. at the Alden Town Hall. This will be posted on the website and official notices made.
- I. Motion made by Kent Rebeck and seconded by Joe Demulling to adjourn. Meeting adjourned at 7:00 p.m.

Minutes submitted by Warren Wood, acting on behalf of Secretary Dan Davison.