

Meeting called to order by President Jim Duncan.

Members present on roll call: Len Manning, Jamey Flaherty, Kellie Flaherty, Jim Duncan, Corby Stark, Aimee Newbauer and Jena Paquette.

Others present: David Patterson, Eric Jorgensen, Linda Heimstead, Dick Welty, Maxine Waddick, Marcia Link, Linda Bibeau, Terry Hauer, Chris Nelson and Kyle Ward.

No public comments.

To consider and possibly act to approve the July 10th, 2023 Regular Board meeting agenda. **Motion by Corby Stark to move items 21-23 to 6.1, 6.2 and 6.3. Second by Kellie Flaherty. All in Favor. Carried. Motion by Corby Stark to approve the July 10th, 2023 Regular Board meeting agenda. Second by Kellie Flaherty. All in Favor. Carried.**

To consider and possibly act to approve June 5th, 2023 Regular Board meeting minutes and June 26th, 2023 Special Board meeting minutes. **Motion by Len Manning to approve the June 5th, 2023 Regular Board meeting minutes and June 26th, 2023 Special Board meeting minutes as presented. Second by Jamey Flaherty. All in Favor. Carried.**

Discussion regarding water concern for Linda Bibeau, 821 State Road 46 N. Linda Bibeau spoke with the board regarding her water concerns. Since hooking up to the municipal water system in 1999 her water pipes have frozen almost every year. Linda has worked with many plumbers, friends, church groups and county assistance programs over the years to fix the damaged pipes. Being close to 80 years old and having ongoing frozen water line issue every winter, if this issue isn't fixed, she feels compelled to abandon her home. With all the water freezing issues starting after the installation of municipal water, Linda Bibeau states coming to the village for assistance is her last option. Jamey Flaherty asked if the water is shut off at the street curb for Linda Bibeau. Director of Public Works, David Patterson states, the water is not shut off at the street and Linda Bibeau is able to turn her water on and off inside her home. The trustees shared concerns for Linda Bibeau. General maintenance for waterlines within the home are the homeowner's responsibility. At this time the village is not able to assist Linda Bibeau, no action was taken.

Discussion regarding fire protection cost at 700 State Road 46 N, Kyle Ward. Kyle ward spoke with the board regarding his concerns relating to fire protection costs. Mr. Ward notes it is ridiculous to pay \$1,608.00 for fire protection annually when his property is only used for 5 months out of the year. Jim Duncan states public fire protection costs are regulated by the Public Service Commission, (PSC). The fees for public fire protection have not changes since January 1st, 2017. Quarterly service charges are based according to the size of the primary meter within the residence. In the case of Ward's Balsam Beach Resort, they utilize two 2-inch meters. The quarterly service charge for one 2-inch meter is \$201.00. By law, residents are required to pay quarterly service charges regardless if they own a seasonal property within the village. No action was taken.

Discussion regarding village code 300-20, carports construction in mobile home park, Maxine Waddick. Maxine Waddick spoke with the board regarding the current village code restricting carports within Balsam Lake Estates. She was approved by the mobile home corporation to install a carport but due to village building regulations, she is not able at this time. She has been in contact with Ben Campbell and mobile home park staff stated she is no longer able to proceed with her project. Jim Duncan asked if she could apply for a variance and that was unknown by the clerk as

zoning administrator did not make that recommendation. The municipal office will follow up with Maxine Waddick once more information is attained.

Fire Chief Report- submitted by Mark Anderson and read by Jim Duncan. There were 10 rescue runs and five fire calls this past month.

Public Protection Committee report- given by Aimee Newbauer. The committee reviewed the non-compliance items from the fire department audit and are working in partnership with Mark Anderson to address concerns. Fire inspections are being completed and a plan has been identified for this fall.

Police Chief Report- given by Chief Eric Jorgensen. Chief Jorgensen reports calls for services have remained steady. The Balsam Lake Freedom Fest celebration was held over an extended period of time. He hopes if this is the case for next year, the chamber should coordinate with his department. Chief Jorgenson states, for Freedom Fest, businesses who sell beer should not use glass bottles. High volumes of glass were visible on the streets each night. Calls for service on the lake have also increased. The department reported to a boating incident near Park Drive. For the next police commission meeting, Chief Jorgenson would like to add purchasing a UTV to the agenda.

Library Report- given by Library Director, Linda Heimstead. There are many library programs being offered. Summer reading, succulent programs, sustainable safari, magic of Isaiah, story time, tails through town, and many more programs took place this past month. The library will be holding a community conversation event for a grant they were awarded focused on accessibility.

Chamber of Commerce Report: No report given.

Public Works report- given by DPW David Patterson. This past month the crew continues to patch roads and clean streets. In preparation for Freedom Fest, the crew focused on the baseball field maintenance and the new outfield fence was installed. The flower beds in town were mulched and new flowers were planted. The new Village parking lot is complete. Cleanup after Freedom Fest went well. David Patterson did note there was a high volume of broken glass on Main Street this year and was a challenge to clean.

Sewer/Water/M&E Committee Report- given by Len Manning. It was approved at the special board meeting to spend \$157,000.00 on updating SCADA for the water utility and engineering services SEH will provide. This was mission critical for the success of the water treatment plant. Also at the special board meeting, approval was given to replace two lift station pumps by the industrial park. Director of Public Works will be purchasing new tractor tires in the coming months. For the next Village Board meeting there, will be a discussion and action item for replacing the sewer plant fence.

To consider and possibly act to approve CUP #81 and site plan at 104 Park Avenue- Planning Commission recommendation. Josh Yunker presented preliminary certified survey maps to the village board for a minor subdivision at 104 Park Avenue. In reviewing the plans, small changes were made to the lot sizes. By making these changes, two lots would have more road frontage. **Motion by Len Manning to approve CUP #81 and site plan at 104 Park Avenue. Second by Aimee Newbauer. On roll call: Corby Stark, no; Aimee Newbauer, yes; Jena Paquette, no; Len Manning, yes; Jamey Flaherty, no; Kellie Flaherty, no; Jim Duncan, no. Motion Failed. Motion by Kellie Flaherty to send CUP #81 and site plan for 104 Park Avenue back to Planning Commission to review the modified preliminary certified survey map. Second by Corby Stark. On roll call: Corby Stark, yes; Aimee Newbauer, no; Jena Paquette, yes; Len Manning, no; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.** CUP #81 will be sent back to the Planning Commission for further review.

To consider and possibly act to approve CUP #82 and site plan for parcel number 106-00619-000-Planning Commission recommendation. Josh Yunker presented the final CSM for Max Littlefield. **Motion by Corby Stark to approve Conditional Use Permit Application #82: Max Littlefield, Parcel Number 106-00619-0000, Balsam Lake request for minor subdivision of property. Zoning District 300-6 Village Residential and to approve subdivision site plan with the following conditions: 1. The applicant shall obtain all necessary permits and approvals from the Village and other applicable entities with jurisdiction prior to any construction, 2. Require all activities related to the construction to be done in compliance with Village ordinance. Second by Kellie Flaherty. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

To consider and possibly act to approve Balsam Lake Café Renewal Operator License #1460, Original Operator License #1461-1463. **Motion by Kellie Flaherty to approve Balsam Lake Café Renewal Operator License #1460, Original Operator License #1461-1463. Second by Aimee Newbauer. All in Favor. Carried.**

To consider and possibly act to approve Balsam Lake Foods, LLC Vendor Permit Application #23-22. On the application, Jim Duncan noted there was no temporary address from which business will be conducted. Kellie Flaherty also observed the application did not list dates or times the food vendor would be conducting business. **Motion by Kellie Flaherty to table Balsam Lake Foods, LLC Vendor Permit Application #23-22. Second by Aimee Newbauer. All in Favor. Carried.**

To consider and possibly act to approve Amplified Device Permit #23-3070, John Amrhien. **Motion by Aimee Newbauer to approve Amplified Device Permit #23-3070, John Amrhien. Second by Jena Paquette. All in Favor. Carried.**

To consider and possibly act to approve Street Closure Permit Application 23-04, KJ's New North. Representatives from KJ's New North were not in attendance. **Motion by Jamey Flaherty to table Street Closure Permit Application 23-04, KJ's New North. Second by Aimee Newbauer. All in Favor. Carried.**

To consider and possibly act to approve Mobile Home Park License: Balsam Lake Estates, #83-23 and Birchwood Terrace Mobile Home Court, #81-23. **Motion by Corby Stark to approve Mobile Home Park License for Balsam Lake Estates, #83-23 and Birchwood Terrace Mobile Home Court, #81-23. Second by Aimee Newbauer. All in Favor. Carried.**

To consider and possibly act to approve territory annexation ordinance. **Motion by Aimee Newbauer to approve territory annexation ordinance. Second by Len Manning. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

Discussion and possible action regarding boat cleaning stations within the Village of Balsam Lake. Chief Jorgensen communicated there was increased congestion at the Town Bay boat landing due to the cleaning station over the 4th of July. The police department intervened and instructed boaters to move up the road to ensure their boats were free of weeds or make sure to wash their boats off at home. Many trustees noted the clean boats and water workers at the boat landings are still being instructed to document violators who do not utilize the cleaning stations. This was a concern as the BLPRD representatives, Tom Kelly and Bill Mork stated they would personally talk to the workers to remove this reasonability from the boat landing workers. Len Manning shares this is imperative for the

safety of the workers. Enforcement for using the cleaning stations should come from the Polk County Sheriff's Department. Jim Duncan led a discussion regarding the agreement and easements that were drafted by the BLPRD. The trustees discussed instead of an easement, making the cleaning stations a yearly permit. They also discussed moving the cleaning stations over holiday weekends or special events on the lake to reduce congestion. The final talking point was, if the BLPRD insists on having public citizens complete a violation form, then no easements or agreements should be signed. No action was taken. The Village Board will wait to hear response from the BLPRD at the next meeting.

Ad-Hoc Food Vendor Committee Report-given by Kellie Flaherty. The committee reviewed other communities' food vendor permit ordinances and applications. The committee also put together a survey for local business owners to complete regarding mobile food vendors. Once surveys are complete, the committee will review the information at the next meeting.

To consider and possibly act to approve Resolution 23-5 to amend Chapter 104. Animals. **Motion by Jena Paquet to amend resolution 23-5 to add B. Goats. 4. That reads: A permit application and initial fee is required for submission to the Planning Commission. Upon approval from the Planning Commission and the Village Board a permit is issued to applicant. The permit shall remain in effect until December 31 of the year in which it is obtained. Applications to renew the permit shall be reviewed by the planning Commission for compliance with the code and renewed on an annual basis thereafter. The annual permit fee shall be set by the Village Board. Second by Aimee Newbauer. All in Favor. Carried. Motion by Jena to approve resolution 23-5 to amend Chapter 104. Animals. Second by Aimee Newbauer. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

Discussion and possible action regarding property rental licensing within the Village of Balsam Lake. Information from the Polk County Health Department was reviewed by the Village Board. Chris Nelson, notes the Village should consider inviting the zoning administrator to the next Village Board Meeting to talk about the county zoning requirements for rental licensing. No action was taken.

Streets and Buildings Committee report-given by Corby Stark. Bids for replacing the back stairway and windows for the municipal building are being attained. The committee would like to move forward in using ARPA funds to replace the HVAC system in the municipal building.

Parks Committee Report-given by Kellie Flaherty. In August, a new playground grant application will be available. The committee is interested in replacing the red playground equipment.

Labor Committee Report-given by Jamey Flaherty. Discussions have taken place in closed session regarding the current cleaning contract.

Finance Committee Report-given by Jim Duncan. The committee met with EHLERS Public Finance Advisors to review the 2023 water rate study and 2023 water long-range cashflow analysis. Short term financing options are being explored.

To consider and possibly act to approve Marine Credit Union CD modification. **Motion by Len Manning to move the maturing certificate of deposit from Marine Credit Union to Pillar Bank if they will match the APY, months and terms offered by the current provider or Royal Credit Union. Second by Kellie Flaherty. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

To consider and possibly act to approve June 30th, 2023 Treasurers Report. **Motion by Aimee Newbauer to approve the June 30th, 2023 Treasurers Report. Second by Corby Stark. All in Favor. Carried.**

The building permit log report was reviewed for the month of June.

To consider and possibly act to approve pay request from Nick's Trucking and Excavating for Municipal Parking Lot Project, MSA, Eric Barclay. Eric Barclay was in attendance. The municipal parking lot project is 98% complete. The final steps for Nick's Trucking and Excavating are to install erosion protection and the grass seeding needs to be three inches tall. **Motion by Len Manning to pay Nick's Trucking and Excavating \$39,644.17 for their completed work on the municipal parking lot project. Second by Jena Paquette. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

Discussion and possible action regarding Anderson Alley maintenance, Balsam Lake Homeowners Association, Terry Hauer. The Homeowners Association would like to make repairs to Anderson Alley. They would like to install stairs, repair areas that have washed out over the years and trim back some greenery that has overtaken the trail. **Motion by Jamey Flaherty to approve the Balsam Lake Homeowners Association making maintenance repairs to Anderson Alley by installing stairs, repairing areas that have washed out and trimming back the greenery along the trail. Second by Len Manning. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

To consider and possibly act to approve Village owned lake access boundary map for Pearson Point Road. Jim Duncan met with Chris Nelson and his attorney, village attorney Paul Mahler, Bret Tangley, David Patterson, and Police Chief Eric Jorgensen to discuss the access boundary map on Pearson Point Road. Chris Nelson stated the Nelson Family will pay for the survey conducted by Mr. Hoffman. At the meeting, Bret Tangly stated he would replace the fence separating his property and the village access. Jim Duncan stated the Public Works Department would install a no overnight parking sign and install large rocks. The large rocks will be strategically placed to allow travel for ATV and snowmobiles to cross the property. **Motion by Len Manning to approve new boundary map for Pearson Point Road. Second by Corby Stark. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

Discussion regarding discontinuing the streets and alleys in the old county highway property resolution. No action was taken due to being the first introduction to the resolution. The Village Board will take action on this item in August.

To consider and possibly act to go into closed session pursuant to Wisconsin Statute 19.85 exemptions (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Industrial Park Property, Polk County EDC, Terry Hauer. **Motion by Len Manning to go into closed session pursuant to Wisconsin Statute 19.85 exemptions (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Industrial Park Property, Polk County EDC, Terry Hauer. Second by Jamey Flaherty. All in Favor. Carried.**

To consider and possibly act to go into closed session pursuant to Wisconsin Statute 19.85 exemptions (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds,

or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Possible sale of Highway Building Property. **Motion by Len Manning to go into closed session pursuant to Wisconsin Statute 19.85 exemptions (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Possible sale of Highway Building Property. Second by Jamey Flaherty. All in Favor. Carried.**

To consider and possibly act to go into closed session pursuant to Wisconsin Statute 19.85 (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Trustee Compensation. **Motion by Len Manning to go into closed session pursuant to Wisconsin Statute 19.85 (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Trustee Compensation. Second by Jamey Flaherty. All in Favor. Carried.**

To consider and possibly act to go into closed session pursuant to Wisconsin Statute 19.85 (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Cleaning Contract Review. **Motion by Len Manning to go into closed session pursuant to Wisconsin Statute 19.85 (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Cleaning Contract Review. Second by Jamey Flaherty. All in Favor. Carried.**

To consider and possibly act to go into open session. **Motion by Kellie Flaherty to go into open session. Second by Kellie Flaherty. All in Favor. Carried.**

Discussion and possible action on any closed session item. **Motion by Corby Stark to approve paying village trustees \$25.00 for attending Library Board meetings. Second by Kellie Flaherty. On roll call: Corby Stark, yes; Aimee Newbauer, yes; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried. Motion by Jamey Flaherty to terminate the current cleaning contract with Aimee Newbauer. Second by Len Manning. On roll call: Corby Stark, yes; Aimee Newbauer, abstained; Jena Paquette, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; Jim Duncan, yes. Carried.**

July Meetings: Tuesday 25th, Parks Committee Meeting @ 4:00 p.m., Streets & Buildings Committee Meeting @ 4:45 p.m.

Motion by Kellie Flaherty to adjourn. Seconded by Jena Paquette. Carried. 9:15 p.m.

unapproved minutes

Amy VanDeBrake, Clerk Treasurer
Elizabeth Hoag, Deputy Clerk Treasurer