Berry Lake Community District

Meeting Minutes – Wednesday, April 16, 2025

1. Call to Order

Commissioner Krainik, acting as Chairperson, called the meeting to order at 9:01am at the Town of Underhill Community Center located at 5597 Cardinal Road, Gillett, WI 54124. Notice of this meeting was given to the public at least 24 hours prior to the meeting by forwarding the complete agenda to all news media who requested the same, as well as by posting. Copies of the complete agenda were available for inspection at the Town of Underhill Community Center. In addition, notice and agenda were posted on the Town of Underhill's website under the Berry Lake tab, on the Berry Lake Property Owners Association Facebook Page and on the Berry Lake Community District Website.

2. Roll Call

Commissioner Jenny Morrow, acting as Secretary, recorded attendance with the following 5 members present: Commissioners Heimerman, Krainik, Larson, Morrow and Winkler.

3. Approval of Agenda

There being no motion to change the sequence of the Agenda nor to remove items from the Agenda, on motion by Larson and seconded by Heimerman to approve the Meeting Agenda as final, the motion was voted on and carried.

4. Approval of Minutes of Previous Meeting

On motion by Larson and seconded by Winkler to approve the Minutes of the meeting of the District Commissioners held on February 12, 2025 as final, the motion was voted on and carried.

5. Treasurer's Report

Treasurer Larson provided the attached Treasurer's Financial Report Dated April 12, 2025 which indicates a current balance of $5,123.15. The report was received by the Board.

Treasurer Larson noted that one expense of $33.94 was incurred since the last Board meeting, as needed to publish the notice that the District applied for a permit to treat the areas of Berry Lake heavily infested with Eurasian Watermilfoil (EWM) with the herbicide ProcellaCOR EC.

6. Public Comment

No formal public comment was made. The public participated informally in discussion on relevant topics as the meeting progressed.

7. Update from Conference Attendees

Commissioners Larson, Winkler and Morrow summarized their attendance at the Annual Wisconsin Lakes and Rivers Convention held in Stevens Point, WI on March 26, 2025. Attending Commissioners noted that reimbursement for expenses relating to their attendance at the Convention will not be sought.

8. Committee Reports

AIS Committee - Commissioner Krainik reported that the AIS Committee met on February 17, 2025 with 9 members of the Committee in attendance. Commissioner Krainik indicated that this was largely an introductory meeting with time spent on introductions, history, the grant process, volunteer needs and notices relating to the upcoming EWM lake treatment. Commissioner Krainik indicated that the AIS Committee meeting notes have been posted on the District website under a separate section created for Committee matters.

Communications & Education Committee – Commissioner Krainik indicated that the Communications & Education Committee did not meet since the last Commission Meeting. However, Commissioner Krainik noted that one communication from the public was received by the Board expressing concerns relating to wake boats and artificial wake creation on Berry Lake.

9. Insurance Coverage

Commissioner Larson reported on the status of efforts relating to securing required insurance coverage for the District. Commissioner Larson reminded the Board that Workers Compensation insurance is mandatory and General Liability and D&O/Errors and Omissions policies are strongly advised and customarily secured by other Wisconsin Lake Districts. Commissioner Larson reported the status of Insurance information collected to date as follows:

- Deal Insurance – A proposal was received after completing an application for coverage. This bid came in at approximately $2,799.
- Horton Insurance – Amy Relidk – Coverage cannot be quoted until an application is complete and submitted. Ms. Relidk gave an approximate range of $2,200 for desired lines of coverage and indicated that a full proposal can be provided in June, 2025 after the District completes an application.

Commissioner Heimerman recommended contacting the Family Insurance Center – Brian Beckman, located in Greenville, WI for an additional quote.

Member of the public, Gary Watry, suggested contacting McClone Insurance - Brian Dandoy – for an additional quote.

10. Discussion Items with Possible Action

- **Lake Management Plan –** The Board engaged in a discussion relating to the Berry Lake Management Plan which discussion is summarized as follows:

- A 10-year Lake Management Plan is required for Berry Lake in order to continue to qualify for grants.
- Berry Lake's 10 Year Lake Management Plan expires this year.
- Onterra quoted approximately $38,000 for a 10 - year plan.
- Ken Dolata, the Oconto County Conservationist, contacted the District, and indicated that the County has a grant from the Healthy Waters Cost Share Program and will work with UW Stevens Point and the DNR to create the Lake's new 10 – year plan. Mr. Dolata indicated that the total cost of the plan to the District, after all available grant money is applied will be approximately $3,000.
    - Work will commence immediately on the 10-year plan with survey work and the plan will be complete in late 2026 or early 2027 with most of the necessary tasks being performed by the DNR.
    - A 5 - year plan is incorporated into the comprehensive 10-year plan.
    - A contract signed by the District is needed to commence the 10-year-plan process as described.
- On motion by Krainik and seconded by Heimerman to authorize the execution of the contract required to proceed with the Berry Lake Comprehensive 10-year Plan utilizing the services of Oconto County, working in conjunction with the University of Wisconsin Stevens Point and the Wisconsin DNR, the motion was voted on and carried.
- Commissioner Heimerman provided commentary regarding the 10 Year Plan process and utilization of the resulting Plan.

- **AIS Treatment Update**

    - Commissioner Krainik reported that the District received an email from Aquatic Plant Management (APM) indicating that based on feedback received from the DNR, a slightly higher concentration of herbicide application is being recommended than that included in the original APM quote in order to help prevent developing herbicide resistant EWM. This results in an increased cost associated with the planned Spring EWM treatment.
    - The cost difference associated with the recommended increase in herbicide concentration is $5,965 (Revised APM quote ($42,788.06) less Original APM quote ($36,077.27) = $5,965).
    - On motion by Heimerman and seconded by Larson to accept the revised APM Quote for an additional expenditure of $5,965, the motion was voted on and carried.
    - Commissioner Larson reported that the required public notice of the District application for a permit to treat Berry Lake for EWM was issued on Monday, April 14, 2025.
    - Commissioner Larson further noted that immediately prior to the EWM treatment taking place, notice in the form of signage will be posted around Berry Lake.

- **DNR Grant Update**

    - The Board engaged in a discussion of the DNR grant relating to the upcoming Spring EWM treatment with the following topics noted:
        - The grant allows for the issuance of an advance of 25% of the grant total. If the advance is accepted, the next $21,000 must be spent by the District.
        - APM will postpone billing to the District until end of September, 2025.
        - Only one reimbursement request is allowed per year after the District spends its $21,000.
        - How does the flow of District and DNR grant funds interact with available Oconto

County and Town of Underhill funds?
    - The District must pay invoices directly and thereafter submit evidence of payment to the DNR for reimbursement.
    - Discussion of timing of receipt of tax settlement checks from the Town of Underhill and the relationship between receipt of tax levy funds in comparison to required outlays.
    - Discussion of the following potential sources of funding to cover required District outlays prior to DNR reimbursement and the benefits and drawbacks of each
        - Land Trust
        - Local Credit Union
        - Credit Card
        - Town of Underhill
- Following the above noted discussion, on motion by Larson and seconded by Heimerman that the District elect to receive 25% of the DNR Grant in advance, the motion was voted on and carried.
- On motion by Larson and seconded by Heimerman to enter into an arrangement with the Town of Underhill whereby:
    i) The Town of Underhill shall provide incremental funds to the District in an aggregate amount not to exceed $55,000;
    ii) Funds provided to the District by the Town of Underhill shall be utilized by the District to timely pay invoices relating to the EWM treatment of Berry Lake in the Spring of 2025;
    iii) Upon payment by the District of invoices relating to the EWM treatment of Berry Lake in the Spring of 2025, the District shall submit evidence of such payment to the DNR for reimbursement; and
    iv) Promptly upon receipt of reimbursed funds from the DNR relating to the EWM treatment of Berry Lake in Spring of 2025, the District shall reimburse the Town of Underhill all funds advanced by the Town;

    the motion was voted on and carried.

- **Budget Preparation**

    - The Board discussed the need to create a committee with the purpose of exerting focused efforts toward preparation of the Budget to be put before the voters at the District's first Annual Meeting in August, 2025.
    - On motion by Larson and seconded by Winkler to create a Budget Committee as described, the motion was voted on and carried.
    - Commissioner Krainik then proceeded to call for volunteers to staff the Budget Committee. Larson, Krainik and Heimerman volunteered to serve and were accepted as Budget Committee Members.

- **Annual Meeting Planning**

    - The Board discussed the need to create a committee with the purpose of exerting focused efforts toward preparation for the Annual Meeting to be held in August, 2025.
    - On motion by Heimerman and seconded by Winkler to create an Annual Meeting Planning Committee as described, the motion was voted on and carried.
    - Commissioner Krainik then proceeded to call for volunteers to staff the Annual Meeting

Planning Committee. Morrow, Winkler and Heimerman volunteered to serve and were accepted as Annual Meeting Planning Committee Members.

11. Identify Future Agenda Items

The Board discussed topics to be included in the next meeting agenda and determined that the following matters are to be included:

- Draft 2026 Budget
- Annual Meeting Planning

12. Announcements/General Information

The Board engaged in a brief discussion relating to the feasibility and authority of the District to engage in virtual meetings of the Commissioners and of the various District committees.

13. Set Next Meeting Date

After discussion, on motion by Larson and seconded by Winkler to set the next District Commissioner Meeting Date as May 21, 2025, at 9:00am at the Town of Underhill Community Center at 5597 Cardinal Road, Gillett, WI 54124, the motion was voted on and carried.

14. Adjournment

On motion by Winkler and seconded by Heimerman the meeting was adjourned at 10:35am

Respectfully submitted: Jenny Morrow, Secretary

Posted: May 21, 2025