Resolution No. 31-26

RESOLUTION CONCERNING THE PETITION TO ESTABLISH THE LOVELESS LAKE PROTECTION AND REHABILITATION DISTRICT

TO THE POLK COUNTY BOARD OF SUPERVISORS:

WHEREAS, pursuant to Section 33.25(1) the County Clerk did receive on June 11, 2026 a petition requesting the establishment of the Loveless Lake Protection and Rehabilitation District; and

WHEREAS, after due and sufficient public notice, the Polk County Environmental Services Committee did, pursuant to Wisconsin Statute Section 33.26(1), on July 15, 2026, conduct a public hearing on said petition wherein the committee received public testimony in support of said petition; objections, criticisms or suggestions as to the necessity of the proposed district as outlined in the petition; and comments to the question of whether the properties within the proposed district would benefit by the establishment of the proposed district; and

WHEREAS, on August 5, 2026, the Environmental Services Committee adopted its report recommending to the County Board to order by resolution the establishment of the district, set the district boundaries and confirm the appointment of the initial district board of commissioners; and

WHEREAS, having the assigned delegated function to serve as the land conservation committee, the Environmental Services Committee has nominated for appointment and confirmation those persons to be appointed by the County Administrator to serve on the initial district board of commissioners; and

WHEREAS, upon receipt of said nominations, the County Administrator has offered for confirmation those persons so nominated.

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to Wisconsin Statute Sections 33.25(1); 33.26(1) and 33.37, the Polk County Board of Supervisors finds, as follows:

1. On June 11, 2026 there was filed in the office of Polk County Clerk a petition for the establishment of a public inland lake protection and rehabilitation district pursuant to Wisconsin Statute Section 33.25.

2. Said petition satisfies the requisites of contents set forth in Section 33.25(2)(a)-(d), as follows:

a. The petition proposed the name of the district of the Loveless Lake Protection and Rehabilitation District.

b. The petition set forth the necessity to establish the proposed district to define the present and anticipated problems of Loveless Lake, a public lake; to identify their causes and to implement remedial measures to deal with such problems; and to undertake activities for the protection of the lake fishery, maintenance of appropriate lake levels, control algae blooms and runoff, reduction of sedimentation, mitigate invasive species and promote harmonious usage of the lake's surface.

c. The petition stated that public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district and that the lands to be included therein will be benefited by the establishment of the petitioned for district.

d. The petition identified the lands and territory to be in the proposed district and benefitted by the establishment of the proposed district are as follows:

See attached Exhibit A

RESOLUTION CONCERNING THE PETITION TO ESTABLISH THE LOVELESS LAKE PROTECTION AND REHABILITATION DISTRICT

3. The proposed district is in the county of Polk.

4. Pursuant to Wis. Stat. Section 33.27, it is appropriate for the Polk County Board of Supervisors to have jurisdiction over the petition.

5. The petition is verified by one of the petitioners and accompanied by a map, which is attached and incorporated in the petition that indicates the approximate area and boundaries of the proposed district.

6. Based upon tax roll information supplied by Polk county, the proposed district is comprised of 156 real property owners.

7. The petition contains signatures of persons owning 86 real properties that are within the district.

8. The proposed district as petitioned is necessary for the protection and rehabilitation of Loveless Lake.

9. The public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district, and that the properties identified in the petition as the properties to be included in the district will be benefited by the establishment of the proposed district through studies that define the present and anticipated problems of Loveless Lake, identify their causes and by the implementation of remedial measures and activities which protect the Loveless Lake fishery, maintain appropriate lake levels, reduce sedimentation, control invasive species and promote the harmonious usage of the lake's surface.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 33.26(3), the Polk County Board of Supervisors declares organized the Loveless Lake Protection and Rehabilitation District, which shall have the corporate name and be known as "Loveless Lake Protection and Rehabilitation District".

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Sections 33.26(3) and 33.37, the Polk County Board of Supervisors establishes the boundaries of the Loveless Lake Protection and Rehabilitation District to be any real property having lake-frontage on Loveless Lake and lying within district boundaries, as seen in Exhibit A, attached and incorporated hereto.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Sections 33.27 (1), the Polk County Board of Supervisors does confirm the appointment of three (3) owners of property within the district to serve as commissioners of the initial board of the Loveless Lake Protection and Rehabilitation District until the first annual meeting of said district, as follows:

1. Michelle Benson
2. Bill White
3. Chris Todora

BE IT FURTHER RESOLVED that, the Polk County Board of Supervisors does confirm the appointment of Ed Barnes to serve as a commissioner of the initial board of the Loveless Lake Protection and Rehabilitation District until the first annual meeting of said district, said person being the County Board member of the Polk County Environmental Services Committee or person nominated by said Committee pursuant to Wisconsin Statute Sections 33.28(2).

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Clerk to cause to be served a certified copy of this resolution with exhibits on the Wisconsin Department of Natural Resources and the Town of Balsam Lake.

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RESOLUTION SPONSOR(S):

Supervisor: _____

Supervisor: _____

Supervisor: _____

Administrator: _____
Emil Norby, Administrator

Resolution Staff/Department Request:
Resolution directed by the Environmental Services Committee in regards to the Loveless Lake Petition

COMMITTEE(S) REVIEW & RECOMMENDATION

Committee 1: Environmental Services
X Recommended
☐ Not Recommended
☐ Neutral

Notes from Committee:
Amendments to lines 61, 102, and incorporation of the Committees recommended appointments to the initial Commission. Recommended unanimously.

Signature of Committee Chair: L. A. O'Connell

Committee 2: Select a Committee

Certification:
The above is a true and correct copy of a resolution that was adopted on the 18th day of August, 2026 by the Polk County Board of Supervisors.

Russell E Arcand
Signed: Russell Arcand, County Board Chair

Shabana Lundeen
Attest: Shabana Lundeen, Polk County Clerk

VOTE BY ROLL CALL

Board Members	Aye	Nay	Excu.
Olson			
Route			
Bethke			
Garvey			
Gilbertson			
Jarchow			
Kelly			
Hall			
O'Connell			
Moris			
Luke (2nd Vice Chair)			
Duncanson			
Arcand (Chair)			
Karpenski			
Bonneprise (Vice Chair)			

BOARD ACTION

Vote Required: _____

Motion to Approve Adopted [X]
1st Hall Defeated [ ]
2nd Luke

Yes: _____ No: _____ Excu: _____

☐ Approved by unanimous voice vote
X Approved by majority voice vote
☐ Defeated by lack of majority voice vote

RESOLUTION REVIEW COMPLETED BY:

X Joseph H. Loso
Joseph H. Loso, Corporation Counsel

X Donald W. Wortham
Donald W. Wortham, Deputy Administrator

X Donald W. Wortham
Donald W. Wortham, General Government Division Director

Fiscal & Legal Impact(s):

No Fiscal Impact.
No Legal Impact.