



**DATE:** October 31, 2022

**MEMO TO:** Terry Wilke, Chair  
Planning Committee

Julie Simpson, Chair  
Finance Committee

**FROM:** Mike Tully  
Chief Operations Officer

**REQUEST:** Provide policy direction regarding a request to enter into an Intergovernmental Agreement with the Village of Third Lake.

**STRATEGIC DIRECTION SUPPORTED:** Conservation

**FINANCIAL DATA:** No financial impact.

**BACKGROUND:** The District was notified by a local resident that the Village of Third Lake had placed buoys on Third Lake that were most likely anchored on District property (lakebed). After determining that the buoys were indeed on District Property I met with Village Mayor Buckley in July so he could explain to me why they were placed there.

I learned that the buoys had been placed in roughly the same place every summer for the past ten years or so by local residents that use them to mark a slalom waterski course. Approximately three years ago the Village asked the residents to form a club so they could get liability insurance coverage. The reason the District's portion of the lake is being used for this course is that the mature trees on the District land at Rollins Savanna act as a wind break and this area has the calmest water, which is what slalom skiers prefer.

I explained to the mayor that I could not grant permission for this activity and would need policy direction from the Board on entering into an agreement with the Village or the ski club that would allow this use. In lieu of asking that the buoys be immediately removed in the middle of summer I asked that the Village work with the club to get the District named as additional insured, which they did. I then asked the mayor to put the request to keep the buoys on District land in writing, which he did as well, albeit with additional requests attached.

The Village of Third Lake has requested that the District enter into an intergovernmental agreement for three distinct purposes:

1. Agree to the village's regulation of motorized watercraft on the surface of Third Lake. Staff sees no benefit to the District in agreeing to this regulation. Conversely, it would likely drag the District into an ongoing dispute between the Village and neighbors over the Village's requirement to register and pay a fee for all motorized watercraft on the lake.

2. Agree on the village's ability to treat for invasive species on the portion of the lake bed owned by the District. District staff sees a benefit for the District in entering into an agreement that would allow the District to specify exact prescriptions for targeted invasive species management.
3. Allow for the placement of seasonal buoys, anchored on the District's portions of the lakebed, used as markers for a slalom waterski course. While there is no direct benefit to the District, there are no ecological or operational impacts from these buoys. Regarding the legality of this use, in concept, the District may grant a license for a recreational use of its property, but that use would have to be widely available to the general public. District staff has not yet explored with the Village or the club whether that is feasible or the other details of the proposed use.

**REVIEW BY OTHERS:** Executive Director, Director of Finance, Director of Natural Resources, Corporate Counsel.