

Town of Cedar Lake

Attn: Cedar Lake Town Board

10/12/20

The Town of Cedar Lake is one of seven entities that make up the BFCESD, and as such, has one vote. The original agreement clearly indicates that each entity "shall determine its own procedures for appointment of commissioners." The Town of Cedar Lake commissioner, Ken Leners, has several times requested that "residency" be added as a requirement in the bylaws. Mr. Leners has indicated that if residency was added to the bylaws, Cedar Lake would pay their 2020 dues assessment. The most recent vote of the BFCESD commissioners was 6 to 1 against including residency as a requirement for commissioners.

On October 1, 2019, Attorney Arnold Koehler, on behalf of the BFCESD, sent a letter to Ken Leners, Chairman of the Town Board of Cedar Lake, indicating that *"There is absolutely no provision for allowing a township or the village to unilaterally pay a lesser amount for its coverage."* It also indicated *"the agreement also provides that the formulas, as part of the agreement, can only be amended by a two-thirds vote of all the commissioners of the district."*

On Friday October 4, 2019, Mr. Leners called me and terminated me as the commissioner for the BFCESD for the Town of Cedar Lake, and appointed himself as commissioner.

On November 14, 2019, the Town of Birchwood asked me if I would be their commissioner to the BFCESD. At the BFCESD meeting on November 14, 2019, Romaine Quinn announced that I was the new commissioner for the Town of Birchwood. Later in the meeting, I was elected President of the BFCESD by a vote of 6 to 1.

Unfortunately, the Town of Cedar Lake has refused to pay BFCESD their 2020 assessment. At the September 10, 2020 meeting of the BFCESD the commissioners voted 6 to 1 to send a letter to the Town of Cedar Lake requesting they pay their 2020 assessment within 30 days—or the BFCESD would take them to court.

The Town of Cedar Lake seems to have ignored the BFCESD Agreement. Although they voted in favor of the 2020 budget for the BFCESD, accepted the services of the BFCESD in 2020, they now refuse to pay for the services.

The Town Board of the Town of Cedar Lake, through an e-mail sent by Tony Wolff on 10/9/20, is requesting I resign as President of the BFCESD and add a residency requirement to the bylaws. He further indicates that doing so will save the community a lot of heartache in the future. There are seven entities that vote on the BFCESD and six have consistently refused to add residency as a requirement for commissioners. Cedar Lake needs to abide by the BFCESD agreement and pay their 2020 assessment.

The BFCESD has a cap on the amount charged for fire protection of .25% of EPV. The Rice Lake Fire Department charges .75% of EPV. Since 2012, the savings to Cedar Lake taxpayers for fire protection using the BFCESD has been more than 1 million dollars. Withdrawing from the BFCESD would not only be very costly, it would also reduce response times for fire and other emergency services.