

Board Meeting Minutes
March 4, 2025

Present were:

Sarah Godlewski, Board Chair	Secretary of State
John Leiber, Commissioner	State Treasurer
Josh Kaul, Commissioner	Attorney General
Nicole Pegram, Deputy Chief of Staff	Secretary of State
Priscilla Louey, Staff	Secretary of State
Tom German, Executive Secretary	Board of Commissioners of Public Lands
Rich Sneider, Chief Investment Officer	Board of Commissioners of Public Lands
Micah Zeitler, Real Estate Specialist	Board of Commissioners of Public Lands
Denise Nechvatal, Controller	Board of Commissioners of Public Lands
Chuck Failing, IT Manager	Board of Commissioners of Public Lands
Thuy Nguyen, Office Manager	Board of Commissioners of Public Lands

ITEM 1. CALL TO ORDER

Board Chair Godlewski called the meeting to order at 2:02 p.m.

ITEM 2. APPROVE MINUTES

MOTION: Commissioner Leiber moved to approve the minutes; Commissioner Kaul seconded the motion.

DISCUSSION: None

VOTE: The motion passed 3-0.

ITEM 3. APPROVE LOANS

MOTION: Board Chair Godlewski moved to approve the loans; Commissioner Kaul seconded the motion.

DISCUSSION: Mr. Sneider explained that the Village of Kohler is borrowing \$300,000 to finance some equipment and park improvements and the Town of Ellington is borrowing \$140,000 to acquire some land for road improvements.

VOTE: The motion to approve the loans passed 3-0.

The Board of Commissioners of Public Lands (BCPL) unanimously approved **\$1,184,875.00** in State Trust Fund Loans to support **2** community projects in Wisconsin.

1. Village of Kohler / Sheboygan County / Finance purchase of equipment and park improvements / \$300,000.00
2. Town of Ellington / Outagamie County / Finance land acquisition for road improvement / \$140,000.00

ITEM 4. OLD BUSINESS

None

ITEM 5. NEW BUSINESS - Proposed Commissioners' Order to Release BCPL Claims – Tenderfoot Forest Reserve Parcel

Meeting rules are suspended so a description of the proposal can be provided before a motion is made.

DISCUSSION: Executive Secretary German explained that this proposed transaction involves resolving a title dispute. Since the early days before computers and title companies, BCPL resolved disputed land ownership cases with a Commissioners' Order, per WI Stats 24.52. WI Stats 24.52 states that the Board is, "...invested with power to dispose of all other public lands and all interests in lands held by the state for sale, and with such further powers as may be necessary or convenient to enable it to exercise the functions and perform the duties imposed upon it by law." This statute gives the Commissioners very broad authority. Many Commissioners' Orders have been executed over the past 177 years.

When Executive Secretary German first came to BCPL, he directed staff to order letter reports from title insurance agencies on all 2000+ parcels of School Trust Lands that BCPL held. Those reports disclosed a number of cases of potential title disputes. The vast majority of those cases have been resolved but a limited number remain. For example, as you may recall, two years ago we resolved a title conflict with the Lac de Flambeau tribe.

The recitals in the resolution were drafted to tell the story of how the matter comes to the board. BCPL received title to the property. Someone else purported to sell the property. BCPL made a claim against the would-be purchaser and their title insurance carrier. The title insurance carrier agreed to pay BCPL's claim and staff are now proposing to release BCPL's claim in return for payment of the total appraised value of the property in question. BCPL will also receive \$100 per acre in return for BCPL not exercising reserved mineral rights by entering into a conservation easement on said land. The trust fund and the beneficiaries will receive full market value for the property. This property would be otherwise difficult to sell. It will come off of our books and we will have more cash to purchase other more productive land for the trust fund. This is a good resolution of this matter. Congratulations to Micah Zeitler, BCPL's Real Estate Specialist, for his work on bringing the pieces of this transaction together for consideration.

Commissioner Leiber asked how the title issue was discovered. He also asked if there was any indication that the error was made on purpose or was it an accident.

Executive Secretary German shared that he tries not to ascribe any malfeasance to other's actions. Most title insurance agents and title examiners do not search any further back than 60 years, and many don't even go back that far. A thorough search from a title examiner would have gone back to the beginning noting that the state received title from the federal government but the state did not convey it to anyone else.

Both Executive Secretary German and the Commissioners thanked Micah for his work in putting together the evidence for a strong claim and getting the title insurance carrier to pay.

MOTION: Board Chair Godlewski moved to approve the proposed Commissioners' Order as outlined in the resolution; Commissioner Kaul seconded the motion.

VOTE: The motion passed 3-0.

ITEM 6. CHIEF INVESTMENT OFFICER'S REPORT

None

ITEM 7. EXECUTIVE SECRETARY'S REPORT

Executive Secretary German reported that the Governor's budget was unveiled a couple weeks ago and the agency was pleased to see that the Governor included many of BCPL's budget requests into his proposed budget. The Governor did not accept our request to return to program revenue funding. However, the Governor did decide to fund the additional land management requests using an appropriation from the Conservation Fund. Executive Secretary German did some research and discovered that the Legislative Fiscal Bureau published a 65-page memo last month on the Conservation Fund and all the different programs it funds: wildlife and fish management, forestry, State Park system, endangered resources, recreational vehicle programs, and education programs to name a few. It should also be noted that quite a few of these programs are operated by agencies other than the DNR. This budget proposal was not the first time that the Conservation Fund was used to fund BCPL expenses. Our new Forester position was funded through the Conservation Fund in this current biennium.

Upon further analysis, it makes sense for BCPL land management expenses to be funded with an appropriation from the Conservation Fund. By board policy, all BCPL school trust lands are open to the public for recreation but we do not receive any other financial support from the state, nor do we receive road aid or consulting forester services like counties do. So, it makes sense that the Conservation Fund would fund at least some of our budget for operational activities that relate to land management.

The next phase is meeting with members of Joint Finance to make a case for our budget request. Secretary German and Commissioner Leiber will be meeting with Senator Bradley next week. Senator Bradley has been given the responsibility for being the subject matter expert on BCPL for this budget, so next week's meeting is very important.

He reminded the board that the WEMTA conference is coming up next week in Brookfield. He is looking forward to seeing all the commissioners there. It is a nice event in a room full of people who appreciate our efforts at managing the Common School Fund to produce a strong, stable and sustainable distribution so our school libraries are funded appropriately.

Board Chair Godlewski asked if there is anything else that stood out with the budget or any other help he needs from the commissioners with the budget.

Executive Secretary German responded that any influence you have with any members of Joint Finance would be greatly appreciated. He is still digesting the expanded use of an appropriation from the Conservation Fund for land management activities and for tree replanting. Moving these expenses from GPR (state income taxes) to program revenue associated with public lands in general makes a lot of sense. He is excited about this new funding pathway.

ITEM 8. BOARD CHAIR'S REPORT

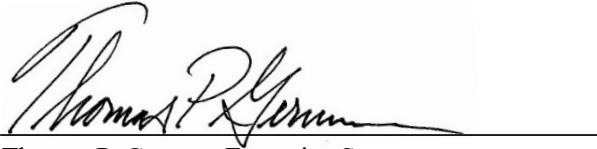
Board Chair Godlewski reported that the WEMTA conference will be held in Brookfield this Monday. It is great that all three commissioners will be attending this year. It will be a good showing of unity and a great event to showcase the important work BCPL does for public school librarians and media specialists. We will also have the big check to present. WEMTA has been communicating with the commissioners as far as run-of-show. She looks forward to seeing everybody in person on Monday at the event.

ITEM 9. FUTURE AGENDA ITEMS

None

ITEM 10. ADJOURN

Board Chair Godlewski moved to adjourn the meeting; Commissioner Kaul seconded the motion. The motion passed 3-0; the meeting adjourned at 2:19 p.m.

A handwritten signature in black ink, appearing to read "Thomas P. German", is written over a horizontal line.

Thomas P. German, Executive Secretary

Link to audio recording:

<https://bcpl.wisconsin.gov/bcpl.wisconsin.gov Shared Documents/Board Meeting Docs/2025/2025-03-04 BoardMtgRecording.mp3>