



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of January 17, 2017

APPROVAL DATE: 2/21/17

1. CALL TO ORDER The January meeting of the White Bear Lake Conservation District was convened by Vice Chair Bryan DeSmet at 7:03 pm in the Council Chambers.

2. ROLL CALL Present were: Vice Chair Bryan DeSmet, Directors Mike Parenteau, Paul Steinhauser, Susie Mahoney, Gene Altstatt, George St. Germain & Diane Longville. A quorum was present. Absent were Mark Ganz, Scott Costello, Pat McCann. (all excused)

3. AGENDA

Altstatt – move nomination of officers to after 8d1 discussion of workshop

MOTION #1 (Parenteau/Longville) Move to approve agenda with item 6a moved. all aye passed

4. APPROVAL OF MINUTES

MOTION #2 (Altstatt / Steinhauser) Move to approve minutes of November. All aye, passed.

5. PUBLIC COMMENT TIME

Bob Fletcher, Mayor Vadnais heights

Working on an augmentation proposal; who will pay for; operating cost; and how will it be assessed. Is WBLCD still interested in being authority as legislation is being formulated and planned?

DeSmet – the board had felt that long term ownership is better served by group of large entities including counties and cities

Fletcher – ideally would like to know by March 1 for operational costs

Altstatt – need to put on February agenda, attorney isn't here right now

St Germain – best served by large department that has some existing structure in place

Fletcher – could argue for counties, City of WBL, joint partnership - all possible. Don't be afraid to take leadership

6. NEW BUSINESS

Discussion of DNR protected lake level elevation decision

DeSmet – seems to have gone on with little public input. Would like to have public hearing for ore information

Steinhauser – huge impact recreationally. All for petitioning for public hearing

MOTION # 3 (Altstatt/Longville) Move to have our Attorney explore and initiate an appeals process of the protected lake level elevation based on the DNR order of 12/21/16 to the DNR commissioner.

Discussion

Kantrud – it was disappointing no one had advance notice so could not attend or comment. Could start legal action to appeal or demand public hearing. Will look into and have special meeting if needed.

Discussion was held over which route to take, either a request for public hearing or starting legal action for an appeal.

Public input

Mike Downing, S Shore Blvd, White Bear Township

Sending a letter to editor for Press tomorrow. This is critical issue for lake long term. 923.4 needed for beach to open. Feels DNR disregarded recreational use. 100% biological decision. Ask you to investigate this ruling and challenge.

Jim Markoe, WBL resident

Agree with Mike. There may be a 30 day window for appeal.

DeSmet – Alan will need to figure out right approach

Kantrud – motion allows me to initiate

Motion # 3 Vote

All aye passed

7. UNFINISHED BUSINESS

None

8. REPORTS/ACTION ITEMS

8a. Lake Level Resolution Committee

No report

8b. Lake Quality Committee

Level – no accurate reading tonight with the ice

8c. Lake Utilization Committee

MOTION #4 (St Germain/Parenteau) Move to approve the following event applications: Nelson ice fishing contest, Hoffman ice fishing, Kids Pro Ice. All aye passed.

MOTION #5 (St Germain/Parenteau) Move to approve Hickory Street dock assoc. (dock moved 2 feet over and 2 feet longer) All aye passed.

MOTION #6 (St Germain/Parenteau) Move to approve Driscoll & VFW docks. all aye passed.

Birchwood packet, less boats due to water at some sites. One complaint on Dellwood beach from neighbor regarding members using his property – he will talk to city also.

MOTION #7 (St Germain/Steinhauser) Move to approve Birchwood applications.

Discussion

Mahoney – Kay beach dock is asking for 7' side setback to north

St Germain – makes swim area larger and safer

Mahoney – use for boats and isn't large enough for safety

St Germain – most swimming occurs on other side and makes beach area larger. We've never received any complaints at this site, been that way for many years, city has had no problems with. Every dock in lake is not exactly the same. Committee recommended approval.

MOTION #7 Vote
5 aye, 1 nay, passed.

All Birchwood easements are owned by city of Birchwood. The dock association meets with the city to organize layouts then submit to us. Site owner is to submit.

Tally's & Sampair applications – discrepancies brought to our attention. Table until February

8c10. Harrod/Mahoney dock placement

MOTION #8 (St Germain / Longville) Move to approve order of the WBLCD determining dock location on both properties.

Discussion

St Germain – order gives Mahoney's two options, 20' from property line or in center of property.

Parenteau – will there be an impact neighbor to north?

St Germain – options are 20' from Harrod property and keep "T"s to other side, or 30' from Harrod and keep "T" on both sides

DeSmet – text states "docks shall not converge". We've held a public hearing, taken comments at last few meetings. There has been ample time for input.

Jared Goerlitz, Representing Mahoney's

Question on measuring points. Would like guidance and stake for measuring from in spring. Below ohm property lines in lake. Would like to add language or have Mahoney's surveyor install stake. Or move over 15' from Harrod's.

Kantrud – this order takes into account all comments received and requests. It is a workable document. The Board tries to minimize micro-management of these sites. For several years we've said docks need to be placed in the middle and we've had no complaints. If they come back because they can't figure it out, we'll do it then. These are reasonable options. We will have to be reactive if a problem comes up on Kramer side. Let's give them a change to figure it out.

MOTION # 8 vote
All aye, passed. (Susie abstain)

8d. Lake Education Committee

Server update happened today for website. Secured.

Exploring idea of having an app

Visitors to site up 51%

6a. Nominations for Board officer positions

Altstatt – would like to have board workshop first then hold nominations later

Kantrud – you have internal rules – would have to suspend rules to have nominations later

DeSmet – would like to have workshop. Will need a motion to suspend rules

Parenteau – ready to nominate people who I've talked to and work within bylaws

St Germain – agree, do nomination according to bylaws

MOTION #9 (Altstatt / Steinhäuser) Move to suspend normal rule of nominations in January and have them in March.

Discussion

Parenteau – staying with bylaws

Longville – second nominations will be held in February prior to electing

Motion # 9 Vote

1 aye, 4 nay, 2 abstain. Motion fails.

DeSmet - Open for nominations.

Parenteau – nominate DeSmet Chair, Ganz Vice Chair, Longville Treasurer

More in nominations in February along with vote

8e. Joint Powers Task Group

No report

8f. Treasurer's Report

8f1. Jim Eichten, MMKR 2015 audit wrap up process. Requirement to have an audit done every 5 years. We've completed the financial statement and management report.

Summary of process and findings:

-Limited staff, so board has to review financial transactions as it should.

No action needs to be taken.

-Report has been submitted to state auditor that auditor assisted.

-MN statutes and regulations – tested and are in compliance. No findings.

-segregation of duties is important. The way you receive bank statements & have dual signatures on checks addresses concern.

Fund balance level / reserve. Can't tell you what balance should be. You should have parameters that determine what level should be at. Most boards establish policy regarding & evaluate annually.

DeSmet – We are in the process of developing a fund balance document. Reality is there are many unknowns that can affect our budget. Risk management.

St Germain – if we establish a rule or policy, would that make audit more comfortable?

Eichten– policy would come up annually for reassessment and can change. Up to board to determine. Could argue any fund balance with valid reason. Need to look at cash flow component along with risk factors. Grants also come into play.

8f2.

MOTION #10 (Longville/ Parenteau) Move to approve December treasurers report and pay checks 4392 – 4396. All aye passed

MOTION # 11 (Longville/ Parenteau) Move to approve January treasurer's report and pay checks 4397 - 4398. All aye passed.

8g. Board Counsel Report

No report

8h. Administrative Staff Report

Items included in packet this month:

- Agenda

- Nov draft minutes
- Dock applications - 6
- Event permit applications - 3
- 2015 Audit
- Comment letters

9. CONSENT AGENDA

MOTION #12 (Parenteau / Longville) Move to approve. All aye passed.

10. ANNOUNCEMENTS

A fund balance paper will be drafted by Parenteau & DeSmet and brought to board for reviews.

Workshop session – give agenda items to Julie. Will try to find date prior to February Board meeting.

12. ADJOURNMENT

MOTION # 13 (St Germain / Parenteau) Move to adjourn. All aye passed.

Meeting adjourned at 9:05pm

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date