



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT  
7:00 P.M. WHITE BEAR CITY HALL  
MINUTES of February 21, 2017

APPROVAL DATE: 3-21-17

**1. CALL TO ORDER** The February 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, Gene Altstatt, George St. Germain, Pat McCann, Mike Parenteau, Mark Ganz & Diane Longville. A quorum was present. Absent were Susie Mahoney, Paul Steinhauser. (all excused)

**3. AGENDA**

*MOTION #1 (DeSmet / Ganz) Move to approve agenda. All aye passed.*

**4. APPROVAL OF MINUTES**

*MOTION # 2 (Parenteau / St Germain) Move to approve minutes of January. All aye passed.*

**5. PUBLIC COMMENT TIME**

Mr. Rogosheske, Attorney for Russ Becker. Mr. Rogosheske gave a presentation of lake use off of Becker's property. There has been loud noise, crowds and boats tied up to his private dock. Mr. Becker has had problems with his boats being vandalized. Requesting committee look into solution to this area being used as a public beach.

Altstatt – what is ideal solution?

Rogosheske - If people would stay 20 yards away from dock, not use huge speakers, stop trespassing.

St Germain – we have to keep lake open to public. Any ordinance has to be enforceable.

Ganz –Would like to meet with both water patrols and you and get input to see what can be done. It is a problem. Willing to work on it in the LUC.

St Germain - city of Dellwood has a noise ordinance which may be useful

**6. NEW BUSINESS**

6a. Nominations for Board officers

Last month DeSmet was nominated for Chair; Ganz for Vice Chair; Longville for Treasurer

Altstatt – This slate of nominees will continue the reactive nature of this group rather than being pro-active. There were issues that came up in the workshop that we held.

St Germain – Being pro-active is a matter of approach. Managing EWM is being proactive, as is zebra mussels, etc. This slate of officers is not very old; Bryan has acted as Chair for only 6 months.

Costello – workshop dealt with many issues and the Executive Committee needs to step up regardless of who it is. Committee needs to be committed, I'm not critical on who. Has to do with focus

McCann – look at bigger issues, don't get rid of LLRC. Would like a nomination committee to discuss

Call for additional nominations: No others nominated

***MOTION #3 Vote on slate of DeSmet for Chair, Ganz for Vice Chair, and Longville for Treasurer. 6 aye, 2 nay. Passed***

6b. Ownership of potential augmentation project discussion

Parenteau – to own a project like this we'd need annual money to run. Bigger taxation, we are limited to 5 cities to asses. Wouldn't want to commit without talking to them. Highly political, we'd be out there taxing and that is different than what we were set up to be. Seems it should be larger than these 5 communities, counties need to be involved. St Germain – big task for group this size. We are nowhere near being able to own and fund.

Costello – not equipped in this current configuration. Don't have governance in place. As currently set up not convinced we could take this on. Could facilitate with the communities.

Altstatt – don't have capability right now, but could assemble if needed. Think we have to wait and see what develops

Ganz – we should be involved. We could oversee a contractor if funding is there. We could manage.

McCann – if we're responsible for lake this is what we should do

DeSmet – could bring together groups. As board we have to watch water quality of lake, could put us at odds if bringing in pollutants from other source. Conventional treatment doesn't capture some of these pollutants. All communities around the lake will have to agree.

McCann – Would like to see Gilfillan and Snail lake data

Costello - no reason to continue discussion now unless closer to reality. We are fiscal agent. Table indefinitely

***MOTION # 4 (Costello / Altstatt) Move to table discussion of ownership of potential augmentation project. All aye passed.***

**7. UNFINISHED BUSINESS**

None

**8. REPORTS/ACTION ITEMS**

**8a. Lake Level Resolution Committee**

DeSmet – proposing ending the LLRC because mandate was to investigate alternatives to resolving the low lake level. Unless mandate changes, there is no work.

After brief discussion it was decided to keep the LLRC. Board will look at the original resolution regarding composition and purpose of the committee. Bryan will also ask members if they are interested in continuing.

**8b. Lake Quality Committee**

On January 20 the DNR's EWM grant applications became available. Parenteau filled out and submitted it within 8 hrs. On Jan 23 they closed taking applications. May have chance at funding this year

McGoldrick – question regarding how much area can be treated?

Parenteau – We originally could treat 15% of growth area. We can exceed if we have a management plan, which we have. We survey the lake for growth, then DNR has to approve treatment area. We could treat 2-3x more area if the DNR would let us.

### **8c. Lake Utilization Committee**

8c1. Tally's

There are lot of variances out there due to low water. We have not been charging for rental fleet, however they've added more pontoons rather than all fishing boats. Committee proposed passing 42 slips and discussing with them how many rentals are pontoon vs fishing boats

***MOTION #5 (Ganz / St Germain) Move to approve permit but will discuss and potentially charge for pontoon boat rental craft, but not fishing boats.***

***All aye, passed***

8c2. Sampair

Originally had 6 slips, 4 ties. Allowed them to move to end of Tally's dock with the low water levels. Number jumped to 12 slips in 2011. There have been no issues of safety or problems. Committee recommends 10 boats.

***MOTION #6 (Ganz/St Germain) Move to approve permit and go back to 10 boats instead of 12. Bring a diagram in for the office.***

Discussion

Sampair – With low lake levels in 2010 – 2011 the dock interfered with Tally's slips. In 2012 put on end of Tally's with fingers facing north & south so configuration was the same as Tally's. Have had these and paid for the past 5 yrs. Haven't had any complaints and it works out well. Density of 12 boats per 30 ft is lower than Tally's or the City with 2.5 feet per slip.

Altstatt – difference between slip and tie?

Sampair – parallel to dock vs perpendicular. Now we have all slips, identical to Tally's layout.

St Germain – He moved the dock and uses both sides. Are the ties public?

Sampair – ties are on side of city dock and are public, not rented. Only rent slips.

***MOTION #6 (Ganz/St Germain) Motion is for Sampair permit for 10 rentable slips along with tie offs along city dock. Must submit diagram.***

Discussion

If lake level comes up, remember these are all variances.

***MOTION #6 vote***

***All aye passed.***

8c3. East Shore

***MOTION #7 (St Germain / Parenteau) Move to approve East Shore permit for 2017. All aye passed. (Ganz abstain)***

8c4. City of White Bear Lake

Matoska park, moorings and slip skids.

***MOTION #8 (Ganz / St Germain) Move to approve Matoska Park.***

Discussion

Altstatt - City doesn't pay for all approved?

Ganz - can do an audit and count what's actually out there this summer. They pay for what they use.

Altstatt – seems wrong

St Germain – they are not asking for variance or moving docks out. Pay for what they rent

***MOTION #8 vote***

***All aye, passed***

8c5. Veterans Pier

Need site frontage on application.

***MOTION #9 (Ganz / St Germain) Move to approve and waive fees for public use.***

***All aye passed.***

8c6. City Marina

Already approved layout with new docks & neighbors were notified and discussed.

***MOTION #10 (Ganz/St Germain) Move to approve municipal marina. New docks will have same configuration as the old docks. All aye passed.***

8c7. Docks of WBL

Change request with a dock along north ADUA line as requested once in the past. Committee wants to table because this proposal adds congestion to the area.

Variance has already been made for this business to move docks out & committee doesn't see purpose of this additional dock.

***MOTION #11 (Ganz / St Germain) Move to table Docks of WBL permit application until next month.***

Discussion

McGoldrick - No one is in compliance from a parking standpoint or density standpoint in commercial bay. Would hope we could have some meetings where we can resolve.

Would like the same benefit as others. City should adhere to their own ordinance.

***MOTION #11 vote***

***All aye passed. Tabled until March***

Ganz – VFW is putting in new docks also, using same layout. Sent us the info as FYI.

#### **8d. Lake Education Committee**

Altstatt – There was a spike in website use after last meeting. Harrington wants to develop an app for the lake. Looked at LMCD policy on twitter usage that could be a guide for us

Costello – have policy draft from LMCD. Need procedure yet.

Ramsey Co is looking for contact for invasive coordinator to work with. Costello will do.

#### **8e. Joint Powers Task Group**

Group was set up to look into fiscal agent requirements. May not have role any more.

Altstatt – haven't met for a while, tied to augmentation project.

Costello – suspend

Parenteau – get rid of both committees and make a new one

*MOTION # 12 (DeSmet/Costello) Move to dissolve Joint Powers Task Group. 6 aye, 2 nay; passed.*

**8f. Treasurer's Report**

*MOTION # 13 (Longville/ Parenteau) Move to approve February treasurers report and pay checks 4399 – 4403. All aye, passed.*

*MOTION #14 (Longville/Ganz) Move to approve year-end financial report. All aye, passed.*

8f3. Fund balance draft document

DeSmet- Discuss this draft and send in ideas – will be on the agenda for March. Purpose of the document is to establish a policy which was requested by several cities.

Brief discussion was held reviewing the document. Several suggestions were made regarding the last paragraph which needs clarification or modification.

Any other comments, please send to Julie prior to march meeting.

**8g. Board Counsel Report**

Regarding DNRs protected lake level: we requested a public hearing, our request was denied. Took next step and appealed to court of appeals. Likely will have response within 1-3 month time-frame.

McCann – is it standard for them to have a public hearing on this?

Kantrud – DNR doesn't have to, but it is usually standard to have public input.

The other lawsuit will be going on in March

Altstatt – did you see the presentation on Becker? Any input on that?

Kantrud - Not without hearing what was said. Would hope that when water comes up other parts of the lake can be used. This is a public park your managing. We can monitor the situation and some ordinances could be enforced better. There are techniques that could be used, work with law enforcement. A smaller subcommittee could address. Don't just look at that area of lake

DeSmet – LUC will want your input

**8h. Administrative Staff Report**

Items included in packet this month:

- Agenda
- Jan draft minutes
- Dock applications - 3
- Fund balance document
- 2016 Financial statements – yr end

**9. CONSENT AGENDA**

*MOTION # 15 (Longville / Ganz) Move to approve consent agenda. All aye passed*

**10. ANNOUNCEMENTS**

**12. ADJOURNMENT**

***MOTION # 16 (St Germain / Ganz) Move to adjourn. All aye passed.***

Meeting adjourned 9:01pm

ATTEST:

\_\_\_\_\_  
Administrative Secretary

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
Board Chairperson

\_\_\_\_\_  
Date