



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of October 19, 2010

APPROVAL DATE: 11/16/10

1. CALL TO ORDER The October meeting of the White Bear Lake Conservation District was convened by Vice Chair Luke Michaud at 7:00pm

2. ROLL CALL Present were: Vice Chair Luke Michaud, Directors Diane Longville, John Steinworth, George St. Germain, Sue Cernohous, Joe Allaben, Yale Norwick, Mike Parenteau, Debbie Harrod. A quorum was present. Absent was Mike Stawnychy (excused). Recording secretary was Julie Yoho.

3. AGENDA

Strike item 8b5. Matoska dock application. Move 8b items to top of agenda.

MOTION # 1 (Michaud/Norwick) Move to approve agenda as amended above. All Aye, passed.

4. APPROVAL OF MINUTES

Change on page 1, note Paul Bolstad is a member of the LQC.

MOTION #2 (Parenteau /St Germain) Move to approve minutes of September with change above. All aye, Passed

5. PUBLIC COMMENT TIME

none

6. NEW BUSINESS

6a. Mike Crary, WBL Homeowners Association.

Propose doing phase 2 water level study. Homeowners will fully fund. See handout for full info.

Steinworth – will this be similar to previous study?

Crary – yes, HOA will contract with S E H, and divers, etc.

Steinworth – HOA will have contract?

Crary – Yes, would like it to be a joint effort so that WBLCD can have access to the data. Homeowners will fund, would like WBLCD to accept funds so that donors can receive tax write off.

Steinworth – so HOA will receive bill from S E H? What I don't understand from phase 1 is how WBLCD can pay your bill for your study.

Crary – previously established that you can accept grants to do things and can have earmarks attached.

Michaud – as housekeeping item, more appropriate for WBLCD to sign contract and commission S E H to do study.

Crary – HOA is raising funds and offering information. Had this discussion before in phase 1.

Michaud – understood it was going thru WBLCD

Crary – you didn't want to sign to take financial risk of study costs going over...

Kantrud – WBLCD can accept funds with conditions. If the HOA gives money to do study, board does study. Contract can state that the bill not exceed x amount.

Board accept money, commission study. Don't recommend half & half method.

Could have HOA commission study and then donate study results....

Recommend WBLCD accept funds, do study.

Steinworth – July minutes reflect Kantrud's and also my recommendation we do the same as the milfoil process. WBLCD do the contract, HOA contributes funds.

Bill comes to us. How can we pay bill for phase 1 when it was between S E H and the HOA?

Crary – attorney did recommend WBLCD take ownership. But that motion was not approved. Motion was not passed as that.

Michaud – suggest we table until next meeting for review. Would not want to go against attorney opinion. Chair was wondering why WBLCD name was not on study.

Allaben – remember it the way Crary described. Why is HOA not in agreement with SWBLCD ownership?

Crary- because we raised \$, donors understand these items will be addressed. If WBLCD has contract, items can be changed, HOA could pull out.

Norwick – Our attorney has given advice on how to proceed. If you can't agree to our book keeping agreement then I'm not interested

Crary – I'll have to go back to donors and possibly donate to other organization.

People around here want to know answers to these questions. People donated under certain conditions. Study was done with understanding WBLCD would pay for.

Parenteau – could issue be resolved if bill is made out to us? What would change?

Kantrud – HOA can demand money back if WBLCD does not do what they expect. WBLCD get the money do the study. Recommend that is how we proceed. Billing us with them as the contract holder is not ok. Once study is done information will be free to all.

St. Germain – recommend the HOA be a committee with a proposal, Board sign contract.

Michaud – shouldn't do when Stawnychy is out. Nothing in Phase 1 would have changed. Concerned tax auditor may come back and say it's not deductible since it wasn't done right.

Norwick – appreciate Kantrud's advice.

MOTION # 3 (Norwick/Steinworth) Move to table phase 2 until Crary and/or legal advisors contact Kantrud and come to agreement on how to proceed.

Discussion

Crary – if we submit proposal are you willing to not change tasks?

Vote

1 aye, 8 nay. Motion fails

Kantrud – Board could pass resolution accepting this document tonight with dollar amount not to exceed x amount

Michaud – there are enough loose ends here, there is no number amount here.

MOTION # 4 (Michaud/Norwick) Table this proposal until next month.

Discussion

Steinworth – needs to follow milfoil model. Under WBLCD control. HOA can't do work and have us pay for it. Needs to go to committee...

Kantrud –you could pass resolution and attached requirements to it.

Michaud – Phase 1 payment will be looked at during treasurers report

Crary – I'll need to seek additional advice on this. Donors are paying for study that HOA has no control over. Want it to be neutral study. Discuss next month.

All aye, passed. Motion tabled

7. UNFINISHED BUSINESS

none

8. Reports/Action Items

8a. Lake Quality Committee

8a1. Lake level 919.43, a new all time low. Ramsey co had to reset the stake. Lake Temperature is 56 degrees.

LQC met last week, currently working on vegetation management plan. If an organization has a lake management plan, DNR has allowed them to treat (milfoil) earlier and go beyond the confines of nuisance status.

8b. Lake Utilization Committee

8a1. Broen dock application. Change in number of boats from 8 to 7. LUC recommends approval.

MOTION # 5 (Michaud/Cernohous) Move to approve Broen 2011 dock application.

All aye, passed.

8b2. Snyders Bay dock club. No change.

MOTION # 6 (Michaud/St Germain) Move to approve Snyders Bay 2011 application.

All aye, passed.

8b3. VFW

MOTION # 7 (Michaud/St Germain) Move to approve VFW 2011 application. All aye, passed

8b4. Veterans Pier. Waive app fee

MOTION # 8 (Michaud/Cernohous) Move to approve and waive application fee. All aye, passed

8c. Lake Education Committee

Committee will have meeting next month, Nov 17 at 6:00.

8d. Treasurers report

8d1. Treasurers report

MOTION #9 (Longville/Norwick) Move to accept checks 4003 – 4011.

Discussion

Norwick – understand phase 1 did not go the way it should have.

Longville – bill is made out to HOA

Kantrud – have S E H bill us directly. Accepted gift with understanding we would pay

Steinworth – read from July minutes what happened. This was contracted by HOA. Can't see how S E H will bill us, or how we pay off another's invoice. What happened is contract was between HOA and S E H.

St. Germain – we gave them permission

Norwick – Have S E H invoice us, contract with us

Parenteau – this will be so unworkable they will not want to donate funds in the future. We got bill, got results in good faith. Authorize ok to pay, have S E H resubmit bill.

Norwick – amend motion to have S E H bill to us. Have Diane work out

Friendly amendment (Norwick) Give Alan and Diane authority to work out billing. 8 aye, 1 abstain (Steinworth).

8e. Board Counsel Report

Working on legislation

8f. Administrative Staff Report

Items included in packet this month:

- Agenda
- September draft minutes
- Finance report
- 2011 Dock applications – 5

9. CONSENT AGENDA

MOTION # 10 (Parenteau/Cernohous) Move to approve. All aye, passed

10. ANNOUNCEMENTS

none

11. ADJOURNMENT

MOTION # 11 (Parenteau/Cernohous) Move to adjourn. All aye, passed

Meeting adjourned at 7:50 pm

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date