



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of November 16, 2010

APPROVAL DATE: 1/18/11

1. CALL TO ORDER The November meeting of the White Bear Lake Conservation District was convened by Chair Mike Stawnychy at 7:00pm

2. ROLL CALL Present were: Chair Mike Stawnychy, 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. Recording secretary was Julie Yoho.

3. AGENDA

Add item 8b7 Birchwood request. Add law enforcement update under announcements. Add item unfinished business 7a WBLHOA letter.

MOTION # 1 Move to approve agenda. All aye, passed.

4. APPROVAL OF MINUTES

Minutes from October, note 56 degrees water temp under lake report

MOTION # 2 (Michaud/Parenteau) Move to approve October minutes with change above. All aye, passed.

5. PUBLIC COMMENT TIME

Brian McGoldrick, Docks of White Bear
WB shopping center landlord would like certificate of insurance covering environmental cleanup in event of gas tank spill. Would like copy from Mr. Dehnert via board.

6. NEW BUSINESS

none

7. UNFINISHED BUSINESS

7a. Stawnychy received letter from WBL HOA regarding comments made by board member at previous meeting. Would like to make a motion.
Motion # 3 (Stawnychy/Longville) to proclaim our support and thanks to the WBL HAO for their concern over our shared resource of the lake. Board is thankful for the financial gifts in treating EWM and for the commission of the S E H study regarding level of the lake. The district will continue to support the HOA and accept assistance financial and otherwise to the furthest extent of the law. Future money will be paid from WBLCD to the contractor.

Kantrud – law requires review of project contributions one at time, resolution one at time for gifts. This is more of a statement of support. Any gift in future will need to be passed one at time.

Norwick – question necessity of this

Stawnychy – HOA is upset by comments of one member

Norwick – statement of commissioning study – it was tabled last month, can't put in motion before approved

Stawnychy – they want to know if we do or don't support them.

Steinworth – asking for test of our loyalty tonight?

Stawnychy- would like to know position

Norwick – can't we make a simple motion?

Allaben – not clear why we have to do this. I'm very supportive of what they have done. As a board we have to think about what caused this need. When emotion gets tied up we have to recognize that's what got us here.

Parenteau – an official thank you on the record is in order

St Germain – we have already thanked them for the EWM donations. What caused this mess is how we bill.

Friendly amendment MOTION # 3

(Stawnychy/Allaben) WBLCD would like to thank the WBL HOA for gifts, donations and work they have done and we look forward to working with them in the future as allowed by the furthest extent of the law..

Norwick – don't need the end, we always do that

Retract legal part "as allowed by the furthest extend of the law"

Steinworth – worked together so well this summer for the EWM treatments. That should be the model.

All aye, passed. With retraction

Stawnychy – HOA has asked for public apology or statement retraction from Mr Steinworth regarding some of his comments in the past.

Steinworth – when was the request received?

Stawnychy – Nov 4, asked for apology

Norwick – personally object to this, being put on spot for something said in public and documented. Do not appreciate that you would do that.

Stawnychy - strike

Steinworth – cannot strike. Question over what happened after last month.

I have nothing to apologize for. Any one of you could be called on what was said. Saying "money laundering" was to emphasize that things were being done incorrectly. Process was not following EWM model. Motion that was crafted locked us in to contract between S E H and homeowners. Document was not with us. Resolution specifically states this.

Norwick – already documented

Steinworth – trying to do things the right way. Why am I being called out?

St Germain – objection was how you handled, not that it was called out.

Steinworth – had to convey

Stawnychy – watched last meeting, saw what happened. I felt mislead the whole way, agree the contract was not done right. In future going forward it will be done between WBLCD and S E H and be done correctly or it won't go thru us.

Steinworth - that is why committee review...

Stawnychy – We'll be sure in the future it is all understood. Big misconception last time.

7b. White Bear Lake Homeowners Association

Item was tabled last month

Parenteau – S E H made payment out to us, we paid bill, issue resolved

Steinworth – concerned we paid bill when we did not contract for. Switching payee does not change fact contract was between the HOA and S E H. Not the correct way to process. Question to Alan...

Kantrud – I asked S E H to do the bill so wblcd could pay. The understanding was that we supported it the whole way. The study is public info now, owned by the wblcd.

Steinworth – that is what got us in the situation, not talking through

Michaud – I'd like to close this issue and move forward

Steinworth – so Alan you can say everything is above board..

Kantrud – yes

St Germain – we assumed the contract

Norwick – consul has given me a good enough explanation, he is comfortable with it. No, it was not done as the EWM was. If Alan says its ok, I'd like to move forward.

Steinworth – I value Norwicks opinion. If I would have been listened to instead of dismissed we wouldn't have this problem.

Mike Crary, WBL HOA

The implication tonight is that we did something inappropriate. I have the right to respond on record. Being accused of money laundering, obviously a misunderstanding. We have raised over 70k. Note for the record you accepted the study in Sept and it was gifted to you officially. We may disagree on what happened in July. I think we all agree HOA can donate money and earmark that money. Board accepts it by resolution - we can work together. We gave you a proposal. The issue is over who got the bill, how it was handled. We have worked out a process for that going forward. Donors did not want to contribute due to slander statements made.

Last month item was tabled due to all the controversy. In the past month HOA has been working with other entities and proposing a more comprehensive study. Info will come in next few weeks.

Parenteau - Table again and look at in January.

Kantrud – bring back as new business, will be something completely different. Just let this issue die.

Stawnychy – thank you

8. Reports/Action Items

8a. Lake Quality Committee

No meeting this month. Plan to meet Dec 7, Jan 4, Tuesday. McComas reports will be available in January. Steve will do presentation

Parenteau – water temp 40 degrees, 919.45 level. 919.43 last year at this time

8b. Lake Utilization Committee

8b1. 2011 polar plunge event permit

MOTION # 4 (Michaud / St Germain) Move to approve, all aye, Passed. Also waive fee (St Germain second), passed.

The following dock apps have come in with no change. All need proof of insurance as condition of permit

MOTION #5 (Michaud / St Germain) Move to approve Talys 2011 dock permit, need gas detail sheet. All aye, passed.

MOTION # 6 (Michaud / St Germain) Move to approve Chateauguet 2011 dock permit. All aye, Passed.

MOTION # 7 (Michaud / Cernohous) Move to approve Wildwood Beach 2011 dock permit. All aye, passed

MOTION # 8 (Michaud/ Norwick) Move to approve Witthaus 2011 dock permit. All aye, passed

MOTION # 9 (Michaud/Cernohous) Move to approve Forest Heights 2011 dock permit.

Discussion

Steinworth – this is the only one that had letter accompanying. Ongoing problems. No changes?

Michaud – late in the season last year they moved lifts into water, called me first. I said put them in, do variance at board. Missed deadline for the meeting, no variance was done, it was Sept/Oct.

Norwick – due to water level, no change in application but there will be variance requests when spring comes.

Steinworth – letter from Deveny, other letter sender lives where?

St Germain – 3 houses down.

Harrod – so if different configuration they need variance?

Michaud – yes

Harrod – so they will need variance. So we approve as standard?

St Germain – yes

Harrod – is there point in approving?

Michaud – every year they are approved

Allaben – when they put docks in without approval, not good precedence from last year that variance was not gotten.

St Germain – up until 3 years ago docks went in pretty much the same. New territory now.

Harrod – can lifts be out in lake without dock to?

Michaud – yes, as long as its within adua

MOTION Vote

9 aye, 1 opposed (Steinworth).

City of Birchwood extension request.

MOTION #10 (Michaud / St Germain) Move to approve Birchwood due date extension for permits to February. All aye, passed.

8c. Lake Education Committee

Had meeting tonight. WB press had offered space to write article occasionally. Taking ideas for topics.

2011 events being planed. Lake clean up in March, June lake tour.

8d. Treasurers report

MOTION #11 (Longville/Parenteau) Move to accept checks 4012 – 4018. All aye, passed

Estimated for December in order to pay bills

MOTION #12 (Longville/Cernohous) Move to approve December estimated treasurers report. All aye, passed.

8e. Board Counsel Report

Sheriff report: no citations have been challenged.

Regarding dock applications, consider developing an amendment process to respond to changes over the summer. Variances are to be very narrowly tailored. You can decide if it has to go before full board or just the committee. That would address the needs of permit holders to make changes with no variance procedure.

8f. Administrative Staff Report

Meeting schedule for 2011

MOTION #13 (Michaud/Parenteau) Move to accept meeting schedule. All aye, passed.

Items included in packet this month:

- Agenda
- October draft minutes
- Finance report
- 2011 Dock applications – 5
- 2011 Permit application – 1
- 2011 Board meeting schedule

9. CONSENT AGENDA

MOTION # 14 (Parenteau/St Germain) Move to approve. All aye, passed

10. ANNOUNCEMENTS

Norwick – talked to both sheriff departments today. WA Co put dock in and took out. Need contract for 2011. What to do for winter patrol? WA Co would have someone out 1 day per week. Norwick will develop hours for contract. St Germain – will WA Co give us summary of when they are on lake?

Norwick – will try to establish something similar or better as we get from Ramsey co.

11. ADJOURNMENT

MOTION #15 (St Germain/Michaud) Move to adjourn. All Aye, passed.

Meeting adjourned at 8:15p m.

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date