



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of November 18, 2008

APPROVAL DATE: 1/20/09

1. CALL TO ORDER The November meeting of the White Bear Lake Conservation District was convened by chair Tom Hoffman at 7:10 pm.

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

3. AGENDA

Add items: 6d. Rocks off Ordway Pt; 6e. Workshop for LUC issues.

MOTION #1 (Michaud/Parenteau) Move to approve agenda as amended. All Aye, PASSED.

4. APPROVAL OF MINUTES

MOTION #2 (Hoffman/Steinworth) Move to table approval of October meeting minutes until January when the video can be reviewed and minutes corrected.

5. PUBLIC COMMENT TIME

none

6. NEW BUSINESS

6a. Committee Assignments. Doug appointed to LUC in error. Doug was to be chair of LEC.

MOTION #3 (Hoffman/Michaud) Move to appoint Doug to LEC, un-appoint from LUC . All aye, passed.

6b Governor's fishing opener for 2009. John & Luke involved in organization. Would like to have applications by January for review.

6c. Centerpoint Elementary 4, 5th students in lego league. Theme for year is global climate change. They will present a short skit for the board on lake level

6d. Stawnychy The rocks off Ordway pt. concern over winter hazard, should be marked

Michaud – marked with fence last year. With low water, bits of dock etc are being left out.

Hoffman – agree it is hazard

Parenteau – sheriff dept put fences out. Rocks are not natural formations, people have been adding rocks. Sheriff wants them moved. Could hire someone to move after ice is in, but where to put? Area has already been disturbed. Sheriff is aware of. Maybe call DNR for advice.

Steinworth – belong in lake, shouldn't be removed. Maybe better to have it higher. Orange fence worked last year. Unclear what our role is, odd we would move rocks. What is more hazardous – ones that stick out or just below surface

Parenteau – buoys mark in water. Sheriff asked they be moved.

Steinworth – question sheriff authority over rocks

Hoffman – placing in deeper water ok?

Parenteau – would have to move 100 yards +

Hoffman – orange fence will happen? Yes

Parenteau will contact DNR

6e. Hoffman - December Lake Utilization workshop Items to consider regarding permitting and application process.

MOTION # 4 (Hoffman/Stawnychy) Move to hold workshop on December 16 at 7pm. .

Discussion

Steinworth – first week January may be better?

St Germain – Dec so busy

Amend motion to January 6, 2009 6:00 pm at city hall. (Hoffman/Danks) second. All aye, passed.

Julie to coordinate

7. UNFINISHED BUSINESS

none

8. REPORTS/ACTION ITEMS

8a. Lake Quality Committee

8a1. Water level: 921.16. down 8.5 inches from last yr

Temp. is 37

8b. Lake Utilization Committee

8b1. Sherrifs contract – review Oct meeting tape to determine status.

8b2. EAW for docks of WBL. Alan Kantrud summarized process:

-WBLCD is being asked to accept EAW as complete. Then EQB publishes in Monitor starting 30 day review period. After review period, the EAW comes back to WBLCD & Board determines if and EIS is needed. Accepting the EAW and passing it to EQB does not mean the Board is endorsing. This begins public comment period. After comment period is over, WBLCD will review and consider comments before making any determination.

Brian McGoldrick, Docks of WBL

-Want to determine what can we do with our assets. What is future of the site.

Open to comments from all.

Danks – would like to know number of boat slips currently in use in commercial bay

McGoldrick - feels there is disparity over frontage and parking.

Danks – would like to see that info

Kantrud – if only a few requests for information, attorneys can still move along without waiting.

MOTION # 5 (Michaud/St. Germain) Move to accept EAW as complete with exception to data on commercial bay as requested by Danks. All aye, PASSED.

8b3. Wildwood Beach Condos

MOTION # 6 (Michaud/St Germain) Move to approve Wildwood Condos 2009 dock permit. All Aye, PASSED.

8b4. White Bear Yacht Club. Same as last year. There was an issue with floating dock late last summer - has been moved to solve issue.

MOTION #7 (Michaud/St Germain) Move to approve WBYC 2009 permit. All aye, PASSED.

8b5. East Shore Dock Association. Site owner is City of Mahtomedi. To be consistent with Birchwood, applicant needs to go to city first. Application tabled.

8b6. Forest Heights Dock Association. Comments and concerns from neighbors regarding security in area. President has looked at ways to improve.

MOTION # 8 (Michaud/St Germain) Move to approve Forest Heights 2009 dock permit.

Discussion

Steinworth – did you find agreement with neighbors?

John Deveny, South property.

-Requests application be denied. Dock has 10 boats on south side of dock.

All must cross his ADUA and neighbors ADUA to approach dock. Objection has been raised every year since 2004 when dock went in without permit. Permit issued in Oct. of '04. Unsuitable density for this neighborhood.

Happy to hear this issue will be studied for uniformity. Weather or not LMCD rules are adopted they should provide some guidance. At minimum 1 boat per 15' of property. Hope it will be taken into account in future so all lake owners considered equally.

Hoffman – lakeside issues, vandalism at this site

Michaud – there have been boat changes. There are 32 members who have ownership. Problem is kids on site. Boat changes may not solve that.

President will work to solve problems at site. Group has done all we've asked.

Workshop will determine rules for future. Feels site works well.

Steinworth – did any neighbors come with praise?

Michaud – 3 out of 4 neighbors have problems with

Steinworth – what is criteria, how do we judge that? In past I have opposed. What is objective criteria to approve? Gut feel?

Hoffman – toughest decision we make. Balance between access to lake with safety/quality/nuisance issues. Wish we had right answer in ordinance. Hope in the future it will be more clear. Birchwood struggles with. Ugly community situations result. No easy answer.

Steinworth – hard in this situation. Not optimal. Want reason to vote for.

St. Germain – This is ½ acre on lake owned by 32 families. Will have 4 boats, fire pit without our permit. Want lake to be available for 6 more boats.

Steinworth – problem is additional boats on 75' frontage and ADUA encroachment.

St Germain – dock has been angled, should be workable. Not most congested area.

Parenteau – 13 boats, 3 on shore. Letters addressed mostly land use problems.

John Weaton, president

Security issue is new this year. Aware of it and have called sheriff on occasions. Issues are with family members of members. Will keep gates locked, self patrol. The land boats are canoes.

Motion vote

6 aye, 1 no (Steinworth) PASSED.

8b7. Fletcher Driscoll

Change in boat type, A-skow is taking place of Norwegian row boat

MOTION #9 (Michaud/St Germain) Move to approve Fletcher Driscoll 2009 permit.

Discussion

Steinworth – private property. Will vote against because there is no objective criteria or guidance. More A-skows and their courses have milfoil issues. Wish he had reason to approve.

Motion Vote.

6 aye, 1 no (Steinworth) PASSED.

8b8. Polar Bear Plunge for Special Olympics

MOTION # 10 (Michaud/St. Germain) Move to approve permit for Polar Bear Plunge conditional to insurance and site map for event.

All aye, PASSED.

8b9. Bearly Open Golf tournament. White Near Events. Event is run by WBL Rotary, charity event. Want corrected name, map of site, proof of insurance.

MOTION # 11 (Michaud/St Germain) Move to approve with conditions stated above and waive fee.

All aye, PASSED Fee waived.

8c. Lake Education Committee

would like to put mission statement more prominently on website

Michaud – had asked in past that Sue to check on cable broadcast. We believe it will be broadcast in Mahtomedi and Dellwood on re-run.

MOTION # 12 (Hoffman/Steinworth) Move to let Doug handle website updates and bring back to board.

MOTION Amend (Hoffman/St. Germain)– Doug will review updates with Chair prior to posting. All Aye, PASSED

8d. Treasurers report

8d1.

MOTION # 13 (Hoffman/Parenteau) Move to approve November Treasurers Report and pay checks. All aye PASSED.

8d2.

MOTION # 14 (Hoffman/Parenteau) Move to approve estimated December report. All aye, PASSED

8e. Board Counsel Report

none

8f. Administrative Staff Report

none

9. CONSENT AGENDA

MOTION # 15 (Michaud/St Germain)Move to approve. Al aye, PASSED.

10. ANNOUNCEMENTS

Hoffman - thanks to Board for additional time and work on extra meetings (LMCD, Birchwood).

LMCD meeting was with Greg Nybeck. Discussed multi user docks, Ordinances and process they have for permitting process, easements, enforcement, canopies Steinworth – last year canopies were suggested on boat tour. We may want to get rule on before becomes major issue.

Hoffman – LMCD does not recognize land easements. Only deal with riparian owners.

Steinworth – easements we've dealt with have long history here. Aside from legacy easements is there difference with recent ones? Discourage or encourage?

Parenteau – when they have tough variance or resolution they record on deed of property so that it cannot change.

Alan – would be recorded on abstract so that future buyers are on notice.

Hoffman – in 1982 LMCD enacted rules, grandfathered in. All things relate that date

Michaud – have variances for number of boats, property sizes that don't meet minimum for compliance.

11. ADJOURNMENT

MOTION # 16 (St Germain/ Michaud) Move to adjourn. All Aye, PASSED

Meting adjourned at 8:45pm.

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date