



**White Bear Lake Conservation District  
Regular Board Meeting – Approved Minutes**

Apr. 18, 2023, 7:00 p.m., White Bear Lake City Hall Council Chambers  
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** – Present: Chair Bryan DeSmet, Vice Chair Meredith Walburg, Treasurer Mike Parenteau, Chris Churchill, Scott Costello, Darren DeYoung, Diane Longville, Susie Mahoney, Mark Wisniewski, and Alan Kantrud. Absent: Mark Ganz. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:01 pm by Bryan DeSmet.
3. **Approval of Agenda** – Add Driscoll Docks to LUC section. Motion to approve the amended agenda was made by Darren DeYoung, seconded and passed.
4. **Approval of March Board Meeting minutes** – Motion to approve the March 2023 Board meeting minutes was made by Darren DeYoung, seconded, and passed.
5. **Public Comments**
  - Nathan Hanson – did not get a chance to speak at the last Board meeting on behalf of Docks of WBL. Chair DeSmet explained that the LUC reviews applications and brings recommendations to the Board. The speaker was informed, at the last LUC meeting, that they were welcome to stay for the Board meeting should they have questions, which they did not, so Board procedures were followed.
6. **New Business**
  - Board appointments
    - Mark Wisniewski was welcomed to the Board of Directors as the new representative from Dellwood.
    - Bryan DeSmet and Diane Longville were reappointed to the Board of Directors as representatives from White Bear Township.
  - Presentation and acceptance of 2021 Audit – Jim Eichten, MMKR
    - Jim Eichten, MMKR presented the results of the 2020 audit noting that it was excellent and, in the future, audits need only to be conducted every five years. It was recommended that districts such as the WBLCD conduct their own internal audit on the off years, using similar processes.
    - Motion to accept the results of the 2020 audit report was made by Brian DeSmet, seconded, and passed.
  - 2023 Ramsey County supplemental law enforcement services contract
    - Main differences from last year's contract: a rate increase to \$50 from \$41.50 an hour, and an increase in service hours, requested by the WBLCD to be used in the Commercial Bay area to help enforce permits.
    - Jeremy Bolen, Ramsey County Water Patrol, presented information on staffing, how enforcement is handled on the lake, and answered questions regarding primary issues they deal with during the summer. He confirmed that the Ramsey County Sheriff's Office has jurisdiction over both the Ramsey County and Washington County sides of the lake.
    - A new DNR conservation officer has been assigned to White Bear Lake, Matthew Paavola. Alan and Cheri will connect with him to introduce himself at next month's Board meeting.
    - Chair DeSmet clarified that once the Board confirms proper dock lengths for the marinas that the Sheriff's office will just monitor to be sure no changes have been

- made to the structures over time. Alan will ask them to provide monthly information on their findings at a Board meeting or in a report.
  - Motion to approve the 2023 RCSO supplemental law enforcement contract using reserves to pay in excess of the amount budgeted in 2023 was made by Bryan DeSmet, seconded and passed.
- Donation proposal – Manitou Clothing Co. – Dave Autrey, Manitou Clothing Co., presented his proposal to support the WBLCD’s goal of conserving and preserving the by making a 5% donation from the proceeds of his online clothing sales. He would acknowledge that on his website, and would only use the WBLCD name or logo on his social media and website with its approval. It was recommended that he make donations only a few times during the year as a resolution needs to be drafted to accept it every time.
- Commercial Bay
  - ADUA survey discussion - The Board received draft survey results that included two perspectives using the OHWL mark: one extending property lines on the shore into the water; the other that angles the lines to an imaginary center point of the lake. Motion to accept the surveys was made by Bryan DeSmet, seconded and passed.
    - The option that continues the property lines into the water seems to fit everything better, and is more in line with how the Board views things. The one area where that doesn’t work well is the boundary between the City’s Lions Park property and the Docks of WB property. The Board asked the two properties to meet together to come to a consensus as to how the line should be looked at. A zoom meeting will be set up to discuss, with several WBLCD Board members attending. If the parties cannot come to an agreement, the WBLCD will need to step in.
    - After discussing whether the Ordinary High Water Level (OHWL) should be marked on land with a marker, or at a five (5) offset (due to the rip rap), it was decided that the Board will ask for the surveyor’s recommendation and defer to their decision as to what would work best, as long as it does not interfere with the aesthetics of the waterfront. Once the decision is made, the CAD file will be updated with the information.
    - It was suggested that after the Commercial Bay marina docks are installed, that the surveyor come back to check docks lengths to be sure they are properly within 300 feet of the OWHL.
  - ADUA survey invoice approval - Motion to approve the invoice was made by Bryan DeSmet, seconded, and passed.
  - Dock installation two-week notification process – The Board provided guidance to the LUC as to expectations for the review of installation of Commercial Bay marina docks which is currently underway, or imminent. Several LUC members will confirm the number of slips, and number of docks, orientation, and length.

## 7. Unfinished Business

- 2024 Application Form 5/watercraft storage fees – Discussion was tabled until the May Board meeting.

## 8. Reports/Action Items

- Executive Committee – Discussion at their April 4 meeting included survey results, the donation from Manitou Clothing Co., how to confirm compliance in Commercial Bay, and treasurer items.
- Lake Quality Committee
  - EWM Assessment – A quote from Blue Water Science, Steve McComas, for services to include an EWM survey and special assessment for Starry Stonewort, a report, and a Board presentation of his findings was discussed. The cost is \$150 more than last year. Motion to accept the services of Blue Water Science to do the EWM survey, and other surveys included in his bid for \$3,750 was made by Mike Parenteau, seconded and passed.
  - Lake statistics - The lake elevation today is 922.77 ft., which is one ft lower than last year at this time, and water temperature is 42 °F.
  - Ice Out – Today, April 18, is the official ice out date. The lake froze over Dec. 6, 2022, and had 23 inches of ice. Last year ice out date was April 20, and in 2021 it was March

29. Mike Parenteau was thanked for his service in observing the ice-in and ice-out dates.

- **Lake Utilization Committee** – The LUC reviewed the following 2023 applications, and submitted recommendations to the Board. Motion to approve or table the following applications, was made by Chris Churchill, with each voted on individually:
  - Black Bear Yacht Racing Association – The 2023 event permit application for amateur sailboat racing (May – Sept) was approved.
  - Wildwood Beach Manor Condominiums – A request for variance to revise the dock configuration from its previously approved multiple user dock permit was approved.
  - East Shore Dock Association – Several comments from neighboring properties were read in dissent of the variance requesting an alternate boat slip configuration. The request for variance was tabled until the association can meet with neighbors and come to a consensus.
  - Forest Heights Improvement Assn – The 2023 multiuser dock permit application, with no changes from 2022, was approved.
  - Driscoll Docks – The 2023 multiuser dock permit application, with a decrease in number of boats and dock length from last year, was approved with a waiver of the late fee.
  - VFW Dock Expansion – The VFW is seeking to increase its dock length to 300 ft and add 16 boats. The DNR is asking the WBLCD, as the Regulating Governmental Unit (RGU), if we want an Environmental Assessment Worksheet (EAW) to be completed for this plan. The EAW rule states that if an expansion is greater than 20,000 sq. ft, causes a total of more than 20,000 sq. ft, or if a new dock was added that was over 20,000 sq. ft., then an EAW would be triggered. In reviewing the statutes discussion on including the use of surface area for maneuvering watercraft, Chair DeSmet considers that the 20,000 ft rule is not only a measure of the docks, but also of the area required to navigate out of the ADUA. This area would be 110 ft wide by 300 ft long and would create total about 33,000 sq. ft. Based on that language, an EAW would be appropriate in this situation.
    - While the LUC recommended waiving the EAW, it was decided to delay the decision on an EAW until Alan could get more information and clarification from the DNR.
    - Mike Parenteau noted that there were some inaccuracies in the VFW's scaled diagram that needed to be addressed.
    - Chair DeSmet outlined the steps on the VFW's proposed project: 1) find out if an EAW is required; 2) perform the EAW, if required; and 3) a revised application would come before the Board for comment. If EAW is not required, then an amended permit would come to the Board prior to approval.
  - City of WBL – The DNR has asked for comments by May 7 on the City of White Bear Lake's permit that is being amended to be in compliance with what the WBLCD has approved over the last few years with dock length and number of slips. Motion to make no comments was made by Darren DeYoung, seconded and passed.
  - Docks of White Bear Lake application status update – The Board has asked for, and has not received, a new diagram for 300' docks, and assurances that concerns are addressed on the ADUAs with Lions Park and Tally's Dockside.
    - Brian McGoldrick, Docks of WB – concerned that Docks of WB does not have the depth of water that the other marinas have, and would like to manage the property according to the DNR permit that allows for his docks to be longer than 300 ft, and have 260 boat slips.
    - Chair DeSmet explained that even if the property holder has a DNR permit, the WBLCD has the option of being more limiting than the DNR permit, but cannot go beyond it. The Board is not obligated to give Docks of WB the 260 slips if it doesn't think that's the best approach. Historically, the WBLCD has permitted Docks of White Bear Lake 240 slips.
    - After acknowledging that Docks of WB was not going to send in a revised dock layout to be within the 300 ft, and with 240 slips as stipulated in its permit, Mr. McGoldrick said he would contact property owner Ron Tract, Tract Properties, the next day, and get back to the Board.

- The Board discussed that this would become an enforcement action if the docks are installed without meeting the conditions of the permit.

- **Lake Education Committee**

- Educational outreach – The LEC has been working on a WBLCD educational piece, targeting lake shore owners, and users of the lake. Having discussed the pros and cons of creating and mailing a brochure, or purchasing space in a new summer publication of the White Bear Press that would be distributed by them, the LEC recommended going with the new publication. At a cost of around \$1,375, it is a less expensive option than a \$1500-\$2,000 brochure, reach a wider audience, will have more staying power, and uses the creative and graphic abilities of the newspaper. The publication could also be placed in places such as bait shops, and libraries. Also, the summer publication could potentially have two more issues, and the WBLCD could have a page in each of those issues, at no cost. Motion to spend up to \$2,000 from the LEC budget for a public education campaign purchasing space in a publication to be published by the White Bear Press was made by Meredith Walburg, seconded and passed. The LEC asks to send any input on the draft content to the LEC (Scott, Susie, Meredith), and Cheri within the next 10 days.
- Social media update – Meredith will post this month about Earth Day, and lake level and water temperature.
- Rice Creek Watershed District workshops – Scott and Mike attended workshops where participants created responses to climate change in the watershed and prioritized them. Outcomes will be shared by the Board when received.

- **Treasurer Reports**

- Approval of April Treasurer's Report – Motion to approve the April Treasurer's Report and check numbers 4832-4836 was made by Mike Parenteau, seconded, and passed.
- MN Lakes and Rivers membership renewal - Motion to renew membership in the MN Lakes and Rivers association was made by Mike Parenteau, seconded and passed.
- 2024 budget worksheet handout – Board members should read through the worksheet and note any areas that need to be expanded, or changed for 2024. Any additions or changes should go to Cheri or Mike. Mike will contact each committee chairperson. A draft budget is created in May, and then approved in June. The municipalities will be sent the approved 2024 budget by July 1 along with their estimated 2024 community assessment. Invoices for a municipality's community assessment are typically sent out in January of the year they are due.


9. **Board Council Report** – Alan Kantrud


- There were no citations made this month, and thanks to Ramsey County for getting the 2023 contract out to the Board.
- Will contact the DNR regarding the VFW permit and possible EAW.

10. **Announcements** – Be prepared for a group Board photo at the next month's meeting on May 16; and individual WBLCD emails will be created for Board members by this summer.

11. **Adjournment** – Motion to adjourn at 9:23 pm was made by Bryan DeSmet, seconded and passed.

**ATTEST:**

Bryan DeSmet, Chair  Date 5-16-2023

Cheri Howe, Administrator  Date 5/16/2023