



White Bear Lake Conservation District

Regular Board Meeting Minutes

March 19, 2024, 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, Mark Ganz, Chris Churchill, Scott Costello, Mark Wisniewski, Susie Mahoney and Alan Kantrud. Absent: Mike Parenteau, Darren DeYoung and Diane Longville. A quorum was present.
2. **Call to Order** – The meeting was called to order by Bryan DeSmet at 7:00 pm.
3. **Approval of Agenda** – The following items were added to the agenda: MN Lakes and Rivers membership, under 'New Business'; summer lake cleanup/Manitou Days, under 'Lake Education Committee'; Bryan DeSmet will give the Treasurer's report; and Meredith Walburg will give the Lake Quality Committee report. A motion to approve the amended agenda was made by Mark Ganz, seconded and passed.
4. **Approval of Previous Board Meeting minutes** – A motion to approve the Feb. 20, 2024 meeting minutes was made by Mark Wisniewski, seconded and passed.
5. **Public Comments** - none
6. **New Business**
 - Committee appointments – Members were appointed to the following committees: Lake Education Committee – Scott Costello (chair), Meredith Walburg, and Susie Mahoney; Lake Utilization Committee – Mark Ganz (chair), Chris Churchill (vice chair), Darren DeYoung, Luke Michaud, Scott Bohnen, and Alexander Schwartz; and Lake Quality Committee – Mike Parenteau (chair), Diane Longville, and Mark Wisniewski.
 - MN Lakes and Rivers membership – A motion to approve the membership was made by Bryan DeSmet, seconded and passed.
7. **Unfinished Business**
 - Board activity annual calendar – A motion to approve the Board activity annual calendar was made by Bryan DeSmet, seconded and passed.
 - VFW-EAW update – The Board is still waiting for the Natural Heritage review. Any further input to the EAW should be emailed to the administrator by April 12. When the review is received, the EAW will need to be finished and submitted for public comment. Chris Churchill asked how to calculate carbon dioxide emissions requested on the EAW. Bryan DeSmet will get more information on that item.
 - Low water level study group – Chris Churchill reported that the study group researched historical White Bear Lake water levels, discussed low water level issues in Commercial Bay, and how to address private residential and permitted multi-user docks. Scott Costello provided guidance on determining how far out docks could go when low water levels are at specific depths, and the group will map that out. The group found that two feet of water was a fair depth to moor a boat.
 - Churchill and Mike Parenteau took measurements at different depths in the bay and found that Docks of White Bear Lake would have to go out 50 ft beyond 300 ft to reach a 2 ft depth of water. Water depth was consistent throughout the bay until you got to about Whitaker St. where the depth increased and marinas at that point would need their docks out less than 50 ft. The group reached out to the marinas to find out what they needed for this year and found that their needs

paralleled what the group found: Docks of White Bear Lake would need three (3) of their five (5) docks to go out 50 ft (without going into the Lion's Park ADUA), and Tally's dock would need to go out about 30 ft. Both the City of White Bear Lake and the VFW do not know what their needs are yet.

- The group noted that the lake has lost three (3) ft of water since the high mark in 2019. Combining their research with observations of low water levels in August 2023, they found that mooring problems on the lake started occurring at the 922.5 ft elevation. From this, the group suggested reviewing variances at this level, and then use the guidance the group is developing to get docks out to a minimum depth in which to moor their watercraft without creating hardships for neighbors or other marina owners.
- The group suggested using the same guidance for residents but it would be a little different due to their dock configurations. The only time a resident would need a variance is if it goes outside of the WBLCD Ordinances. We would work with them the same way but there will be some instances where they need to go out three (3) to four (4) feet – an example was if they have a wakeboard boat on a lift. The group needs to figure out what that minimum depth from residential docks would be as the Board would want some control and guidance from the LUC on some of these variances.
- Permitted multiuser docks will need to come in with a variance every time there is a change in dock length/configuration as it is a change from their approved configuration. Neighbors would be notified of the variance request so that everyone is aware of the changes and are on the same page.
- Susie Mahoney noted that water levels typically rise until about July 4, then drop, and was concerned about handling a flood of variance requests after that. Churchill stated that working out issues in Commercial Bay was the priority, and that more work needs to be done to figure out residential and multi-user docks. Bryan DeSmet suggested reviewing the group's information first and then continue the discussion. Churchill stated that if residents need to lengthen their dock beyond the Ordinances they will need to submit a variance request. Costello noted that our Ordinances allow for a residential dock to be put out a distance of 200 feet, or in low water situations, their dock can go out a distance at which the lake is four (4) ft. deep, or a distance of 300 feet, whichever is less. In that case, we can expect that it's okay for them to do that, but they need to talk with their neighbors so there are no conflicts, especially when there are multiple docks in a confined space.
- At this time, the group will give the administrator enough content to answer resident's questions; any remaining questions will be addressed by the LUC.
- Mark Ganz stated that private user docks need to follow our Ordinances, and submit a variance if they need to go beyond that. Permitted multi-user docks will need to submit a variance to go beyond their permit.
- Mark Wisniewski asked if the water level is below 922 ft in April, and people ask for a variance, what level would the variance accommodate and what levels should the Commercial Bay operators try to plan ahead to operate at. Should we be consistent to all of them and say plan ahead for what you need at 921? Or, they'll assert what they want to do, and we need a common response. Churchill responded that the common response should be that anytime you change your dock format, you will need to submit a variance request. What we want is a process knowing that at 922.5 ft problems begin, and that we should be proactive.
- The cost of filing a variance, which is \$60, was brought up in the LUC, and they discussed if we have this low water cut-off point and people are requesting a variance for this hardship of low water, that the fee would be waived. This is different than a variance request to change your dock for whatever you want for low water. Ganz noted that the suggestion to publicize our Ordinances and rules in a variety of places is a great idea. Mahoney suggested that maybe variance

- requests should be for putting a dock farther out in depth knowing that the water level will drop later in the summer.
- Churchill said he welcomes the Board's feedback on the planning group's summary prior to the Board meeting next month. The group will prepare a summary document with information, and the administrator will send it to the Board for review and guidance for the LUC to have to help them when reviewing variances. Any feedback should be sent to the administrator.
 - Costello asked if a motion should be made to waive the variance application fee, to which Churchill said that decision would be made when the variance is reviewed. DeSmet said that the Board would need to make that decision on a variance-by-variance basis. Alan Kantrud pointed out that we have to be careful with variances as by definition the applicant needs to establish a hardship anyway, so specific hardships should be articulated.
 - 2024 White Bear Lake Use Study – A contract with Blue Water Science has been signed, and Meredith Walburg and Mark Wisniewski will oversee work with the contractor. This will be a monthly agenda item for Walburg.

8. Reports/Action Items

- **Executive Committee** – none
- **Lake Quality Committee** – Meredith Walburg reported that ice-out was declared on March 8, 2024, and that the lake level today is 922.04 ft. This is 1 ft 4 inches lower than at the time of ice-out in April last year.
- **Lake Utilization Committee** – Mark Ganz reported that the LUC reviewed and approved the following 2024 permit applications, and made recommendations to the Board:
 - Permit applications:
 - Manitou Island Assn - swim area water structure permit (buoys and float) - A motion to approve the permit was made by Ganz, seconded and passed.
 - McCartney Estates HOA noncommercial dock permit (same as last year) - A motion to approve the permit for six (6) watercraft was made by Ganz, seconded and passed.
 - White Bear Lake Fireworks Committee event permit (July 4, 2024) - A motion to approve the permit waiving the application fee was made by Ganz, seconded and passed.
 - White Bear Lake Yacht Club sailing races event permit - A motion to approve the permit was made by Ganz, seconded and passed.
 - Black Bear Yacht Racing Association event permit - A motion to approve the permit was made by Ganz, seconded and passed.
 - 2024 WBLCD Permit Terminology Sheet – The information sheet created to help define terms for permit applicants was discussed, and a minor change was made to the definition of lift. A motion to approve the amended terminology sheet was made by Ganz, seconded and passed.
- **Lake Education Committee**
 - Educational outreach update - Scott Costello reported that the Lake Education Committee met to discuss items for the first issue of *The Laker*, which will include, among other things, buoys and water levels. Deadline for content is May 2.
 - Annual lake cleanup – Costello thanked those on the Board who participated in the cleanup on March 9. The Boy Scout troop heading the cleanup reported that it was a success with 535 lbs. of garbage removed from public shorelines by 12 groups and a total of 150 volunteers.
 - Summer lake cleanup – The LEC chose June 15 to have a summer lake cleanup and would like to make it a part of the Manitou Days schedule. We also need to get a certificate of insurance from our provider for the event. People will cleanup from along the shoreline, or from motorized and non-

motorized watercraft. A local diving group will be invited to participate as well. A motion to submit an application for the cleanup as a Manitou Days event was made by Costello, seconded and passed.

- Social media update - Meredith Walburg shared that upcoming posts will include boating in cold water, buoys, the lake level, and some items from the Blue Water Science report from last October.

- **Treasurer's Report**

- 2023 EOY Financials - A correction was made to the money market interest reported on the 2023 EOY financials. A motion to approve the amended Dec. 31, 2023 Treasurer's Report was made by Bryan DeSmet, seconded and passed.
- 2024 March Treasurer's Report - A motion to approve debit cards 2024-4 through 2024-6, US Bank service charge, and checks 4933 through 4938, was made by Bryan DeSmet, seconded and passed.

9. **Board Council Report**

- Alan Kantrud reported that the DNR's Conservation Officer said not much is going on at this time of the year, and Water Patrol Officer Servatka requested we add our Ordinance on speeding on the lake to the court system in order for them to be able to issue tickets. Mark Wisniewski asked if there is a predetermined fine and Kantrud stated that violation of any of our Ordinances are technically misdemeanors and they would come to the court that way.
- Kantrud reached out to the League of MN Cities insurance representative to ask for someone to make a presentation to the Board. Kantrud reported that we have a standard package and that he will review the declarations page for specifics before a presentation in April.

10. **Announcements**

- Meredith Walburg, representative from Dellwood, was reappointed for a three (3) year term to the WBLCD Board.
- Cheri Howe reminded the Board of opportunities from the MN AIS Research Center including monthly lab tours on the last Wednesday of each month from 3-4 pm, and a webinar on phragmites management on Wednesday, May 22, at 1 pm.
- The next meeting of the Board will be held on Tues., April 16.

11. **Adjournment** – A motion to adjourn at 7:53 pm was made by Mark Ganz, seconded and passed.

Attest

Bryan DeSmet, Chair

Bryan DeSmet

Date

4-16-2024

Cheri Howe, Administrator

Cheri Howe

Date

4/16/2024