



White Bear Lake Conservation District

Regular Board Meeting Minutes

July 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, Mark Ganz, Diane Longville, Susie Mahoney, Mark Wisniewski, and Alan Kantrud. 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** – Motion to approve the agenda was made by Meredith Walburg seconded and passed.
4. **Approval of Previous Board Meeting minutes** – Motion to approve the June 2023 Board meeting minutes was made by Mark Wisniewski, seconded, and passed.
5. **Public Comments** - none
6. **New Business**
 - Enforcement in Commercial Bay –
 - Any person experiencing navigational safety issues at the marinas in Commercial Bay will be advised to call the Ramsey County Sheriff directly or make a non-emergency call to 911 asking for a call for service from the Ramsey County Water Patrol to report the issue and have them visit the site.
 - In discussion regarding Docks of White Bear Lake (WBL) operating without a license, different scenarios of enforcement were debated. A motion for legal counsel to issue one formal compliant each week until the Board saw an acceptable application was made by Bryan DeSmet, and seconded. During discussion, Alan Kantrud noted that the District can pursue criminal charges, involving time and expense, and which may not ultimately solve any issues. It helps the Board and the public to have marinas operating with a permit because consequences for not being in compliance can be enforced in their next year's permit. Scott Costello stated that their permit application reviewed in June for 250 slips was not acceptable because it was over the 240 slips that the Board would approve, and asked if it was possible to approve the permit for 240, and then give them a variance for the other 10 that would give them the 250 slips that they requested. DeSmet stated that there's benefit to the idea of issuing them a permit, and the difficulty he had with their June application was that the proposed shared dock with Tally's would have violated both of the marina's DNR permits. DeSmet asked if the Board was to entertain this proposal, was there any concern about this not being on the agenda, and that parties haven't been notified. Meredith Walburg asked if there was adequate public notice regarding this though there were no complaints from adjacent property owners from last month's application.
 - Alan Kantrud stated that Roberts Rules would allow the vote from last month to be reconsidered, modified accordingly, and a motion made from a Board director who voted against the motion that failed last month. Last month's motion was for 240 slips, 300 ft docks, and a 45-day grace period before enforcing compliance of the permit. Susie Mahoney brought up if they were permitted for 240 slips, but had more than 260, don't they have an overdue balance of fees from 2022. DeSmet stated that was a valid, but separate issue.

- DeSmet withdrew his motion to issue a formal complaint, and Diane Longville, who had made the second, agreed. A new motion to issue a 2023 permit to Docks of WBL for 240 slips, with a variance for 10 additional slips to get them to the 250 slips that was requested in June, and dock lengths under 300 ft with a 30-day grace period before enforcing compliance with the permit was made by DeSmet, seconded and passed with opposing votes from Chris Churchill, Meredith Walburg, and Susie Mahoney. In addition, they will be notified that if they want a variance for more what is permitted, they can apply for a variance to be reviewed at the August Board meeting
- Shallow water buoys — A map showing where WBLCD buoys are located on the lake was presented and Board directors were asked to notify the administrator if they notice any other area that could use a buoy (giving a reasonable location). Meredith Walburg clarified that the purpose of the map was to let the public know where the buoys are located and why. Susie Mahoney brought up that there is a rock pile in Manitou Marsh and that red and green buoys marked the location. Mike Parenteau said residents have put out the buoys for years as part of doing a good service to warn of the rock pile. The WBLCD could relieve the residents by installing buoys which would involve a cost for the buoys and labor for installing. It was suggested that the rock pile could be moved, and if so, the DNR should be contacted to see if a permit is needed. It was decided to leave the markers there for now, and bring it up in the future when there is more buoy discussion.
- Meeting with member communities – Bryan DeSmet requested that all Board directors meet with the City Councils of their appointed municipalities by December to share what the WBLCD is doing and to answer any questions. Scott Costello, and Mike Parenteau recently met with the City of White Bear Lake and discussed the upcoming lake study, invasive species survey and treatment, and the budget; Mark Ganz recently met with the Mahtomedi City Council ahead of his reappointment to the Board.
- Part-time temporary office help – There was discussion about hiring someone temporarily to help the administrator accelerate the work in organizing files and refurbishing the office space. It was suggested that someone could come in up to 4 hours a week at \$20/hr to help with the work. A motion to spend up to \$500/month to hire someone to assist the administrator, at her discretion, was made by Bryan DeSmet, seconded and passed. The administrator will research whether they would be employed with a W2 or contract. If you know of someone who would be interested, have them contact the office. If there is no one available it will be discussed at the August meeting.

7. Unfinished Business

- VFW expansion-EAW – This is a mandatory EAW and the WBLCD is the entity that will submit that EAW. The Executive Committee reviewed the EAW information provided by the applicant, and noted some deficiencies in the information. Board directors who are interested in reviewing that EAW information and noting any other deficiencies are welcome to do so. Bryan DeSmet and the administrator will work to send out the current list of deficiencies to the Board and ask for input to be returned to the administrator in two weeks. A final list of deficiencies will be prepared for the August Board meeting. Once approved, the list will be sent to the applicant with a time limit to get the information back to the administrator so the EAW can be completed and published. Once the information is received, the Board has 30 days to complete and publish the EAW.
- 2024 draft permit application form 5 and license fee schedule – Chris Churchill noted that the forms were reviewed earlier this year by Cheri Howe, Darren DeYoung, Mike Parenteau, and Luke Michaud, and Churchill and Howe went through them again. There are some simple clean up things and had a good discussion at the LUC meeting on how boats and slips are counted commercially and non-commercially. The biggest thing is slips will be counted in Commercial Bay (which will include any longtime mooring of a boat, slides, etc). Verbiage and definitions of that will be sent to you for review. The diagrams that go with the application will need to be detailed and accurate as that will be

used to tell us where everything is. The draft document will continue to be worked on and sent out to Board directors for input. The final documents will be brought to the August Board meeting for approval and use in 2024.

8. Reports/Action Items

- **Executive Committee** – The committee met and discussed: the DNR and updated Commercial Bay permits; enforcement in Commercial Bay; the VFW EAW; the 479 and 483 Lake Ave issue; aeration of the lake for ice control and that copies of those DNR permits should be in our files; notifying dock owners when their docks are going to be on the LUC agenda so they have an opportunity for input; the ordinance review work; providing a formalized letter to marina operators regarding our ordinances and the consequences and enforcement of exceeding the permitted slip limit; and a status update of the St. Germain Bay sign.
- **Lake Quality Committee**
 - Lake level – Mike Parenteau reported that the lake level is 922.61 ft. which is little less than 6" lower than last month.
 - Lake temperature – The lake temperature is 74 °F; last month it was 77 °F.
 - Lake survey and treatment – Today an area of 47.67 acres of the lake was treated for EWM with Triclopyr at a cost of \$31,128.51 which is under the approved budget. It'll take up to two weeks to eradicate or reduce the EWM in the treated areas.
- **Lake Utilization Committee** – Mark Ganz
 - 4955 Lake Ave. debris issue - Mark Ganz and Alan Kantrud will write a letter to the property caretaker regarding the removal of debris in the lake, such as cut logs, or from their old dock, and Chris Churchill will follow up with a call to the caretaker of the property.
 - Jensen/Rindelaub dock issue - Both parties have agreed that the dock can stay where it is this year. Markers were put out today so that the LUC and both parties can figure out where to put the dock next year.
 - 479 and 483 Lake Ave ADUA issue - The LUC determined that the boat from the 483 Lake Ave. dock is not navigating "unreasonably" into the ADUA of 479 Lake Ave. A letter will be sent noting that the 2017 agreement between parties regarding the dock position of 483 Lake Ave. still stands.
 - Residential docks with excess boats – A letter will be going out to four properties who have more than 4 boats/watercraft at their dock giving them a specified time to come into compliance by removing watercraft or applying for a permit.
 - Tally's dock navigation issue – Steve Smith sent an email to the WBLCD with a photo showing three pontoons tied side-by-side at Tally's which hindered navigation, and violates the permit stipulation of tie-ups being only one-boat wide. Going forward, people with safety complaints of this nature will be directed to call 911 non-emergency for a call back for service from the Ramsey County Water Patrol to do a site visit.
 - Commercial Bay boat count process – The Ramsey County Water Patrol will be contacted to see if they've patrolled Commercial Bay and advise them to count slips, not boats. A drone fly over and a slip count by the LUC will be conducted as well.
- **Lake Education Committee**
 - Educational outreach update – Scott Costello shared that they are putting together another one-page of WBLCD information for the third issue of the *Laker*.
 - Social media update – Meredith Walburg reported that this month's information will include lake temperature and level, summer boating rules, Manitou Marsh, and a reminder that pumping water out of the lake is illegal.

9. Treasurer Reports

- The July Treasurer's Report was presented. A motion to approve debit card purchases numbered 8-10, a bank service charge, checks numbered 4875 through 4883, voided check 4884, and check number 4885 was made by Mike Parenteau, seconded and passed.

10. **Board Council Report** – Alan Kantrud reported that it was a busy, but uneventful, month with the water patrol doing safety checks. Slip count information and drone picture information will be available by the August Board meeting. Bryan DeSmet suggested getting a drone shot in July and another one in August. Kantrud stated that when he gets footage, he will send it to the administrator to distribute to the Board.

11. **Announcements**

- The next meeting of the LUC and Board will be on August 15.
- The administrator would like to post Board member individual photos on the website once all Board members have been assigned a WBLCD email address.
- The administrator will be on vacation from August 18 to 28 with limited internet access. There will be no office hours on August 22 or August 24.

12. **Adjournment** – Motion to adjourn at 8:55 pm was made by Chris Churchill, seconded and passed.

ATTEST:

Bryan DeSmet, Chair Bryan DeSmet Date 8-15-2023
Cheri Howe, Administrator Cheri Howe Date 8/15/2023