



AGENDA OF THE
REGULAR MEETING OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
207 BIRCHWOOD AVENUE
WASHINGTON COUNTY, MINNESOTA
FEBRUARY 22, 2011
7:00 P.M.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

APPROVE AGENDA

CITY BUSINESS

1. **DOCKET 2011-02-01: Presentation and Approval of Dock Application – Birchwood Dock Association (Hanson - see exhibit)**
Question: Should the City Council approve the request of the Birchwood Dock Association to install docks and moor boats on public lake tracts for the 2011 boating season?
2. **Review of Tree and Shrubbery Purchase – Nordling Park (E. Peterson – see exhibit)**
Question: Should the City Council authorize the Parks Commission to spend \$1,500.00 for trees and shrubs?
3. **Discussion and possible action on auditor's concerns and potential additional compensation (Sandstrom – see exhibit)**
Question: Should the City Council take any action regarding the cost of the upcoming 2010 audit?
4. **DOCKET 2011-02-02: Discussion of Storage Fees for canoes and small watercraft on Public Lake Tracts (Powers – see exhibit)**
Question: Should the City Council consider imposing a fee for storage of canoes and small watercraft on the City's public lake tracts?

ADJOURN



CITY OF BIRCHWOOD VILLAGE
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EXECUTIVE SUMMARY – FEBRUARY 22, 2011 CITY COUNCIL MEETING

NOTE: This executive summary is provided by the City Clerk to the Council to give a broader detail on the various agenda items. This summary is to be used as an adjunct to the agenda packet, and should not be considered a substitute for reading the agenda packet.

CITY BUSINESS:

DOCKET 2011-02-01: PRESENTATION AND APPROVAL OF DOCK APPLICATION – BIRCHWOOD DOCK ASSOCIATION:

The approval process for the placement of docks owned by a private entity on land owned by the City and regulated by both the City and the White Bear Lake Conservation District (WBLCD) necessitates approval by both governmental entities. This is because the dock occupies space regulated by the City (from the ordinary high water level of White Bear Lake landward) and the WBLCD (from the ordinary high water mark of White Bear Lake lakeward 150 feet).

Normally, this matter is addressed in the fall. However, on October 28, 2010 the City Council placed a moratorium on consideration of dock applications for the 2011 boating season pending approval of Public Lake Tract Ordinance. The Public Lake Tract Ordinance was adopted by the City Council on December 14, 2010. A part of that Ordinance required that the various dock associations tied to a particular lake tract be dissolved, with one dock association regulating all of the public lake tracts taking over. Given the issues associated with this change, the City Council gave the dock association until February 10, 2011 to submit its dock application. The Birchwood Dock Association – the name of the “merged” group – submitted its application in a timely matter and has requested City Council approval of its application.

Question: Should the City Council approve the request of the Birchwood Dock Association to install docks and moor boats on public lake tracts for the 2011 boating season?

REVIEW OF TREE AND SHRUBBERY PURCHASE – NORDLING PARK: Within the past week, Park Committee Chair John Lund, Council Member Barb Carson, and city resident Erica Peterson brought to the City’s attention an opportunity to purchase trees and shrubberies for Nordling Park. Improvement of Nordling Park will be the subject of discussion at the City Council’s March 8, 2011 meeting; however, this opportunity needs to be actualized before March 1, 2011. Erica Peterson will be at this meeting to discuss this request with the Council and to respond to questions.

Question: Should the City Council authorize the Parks Commission to spend \$1,500.00 for trees and shrubbery associated with the proposed Nordling Park improvement?

DISCUSSION AND POSSIBLE ACTION ON AUDITOR'S CONCERNS AND POTENTIAL ADDITIONAL COMPENSATION:

Staff received an e-mail from Council Member Harper regarding a request by HLB Tautges Redpath to address the City Council on concerns and the potential for additional compensation for conducting the 2011 audit. In the letter of engagement between the City and HLB Tautges Redpath, the audit firm was required to bring any item that went beyond the scope of service agreed upon to the City Council for review and approval. At this time, staff has no exhibits or submittals to accompany this agenda item. City Attorney Kevin Sandstrom will be at this meeting to address the City Council on this matter.

Question: Should the City Council take any action regarding the cost of the upcoming 2010 audit?

DOCKET 2011-02-02: DISCUSSION OF STORAGE FEES FOR CANOES AND SMALL WATERCRAFT ON PUBLIC LAKE

TRACTS: Council Member Harper asked staff to research what other cities charge for storage of canoes and small watercraft on public property. An e-mail with staff's findings is included as an exhibit.

Question: Should the City Council consider imposing a fee for storage of canoes and small watercraft on the City's public lake tracts?

1

RECD FEB 10 2011

APPROVAL FORM FOR EASEMENT ASSOCIATION DOCK PLANS
CITY OF BIRCHWOOD VILLAGE
(TO BE SUBMITTED TO CITY CLERK PRIOR TO OCTOBER 25, 2010)

Date 2-10-2011

Beach Association Name Birchwood Dock Association

Beach Association Contact Person Lynn Hanson

Phone # 426-8567

Beach Association Officers:

President – Lynn Hanson Phone # 651-426-8567

Vice President – Mike Evangelist Phone # 651-653-4257

Secretary – Sandee Ebbot Phone # 651-407-6303

Treasurer – Debra Harrod Phone # 612-655-9088

Amount of Association Dues: \$35

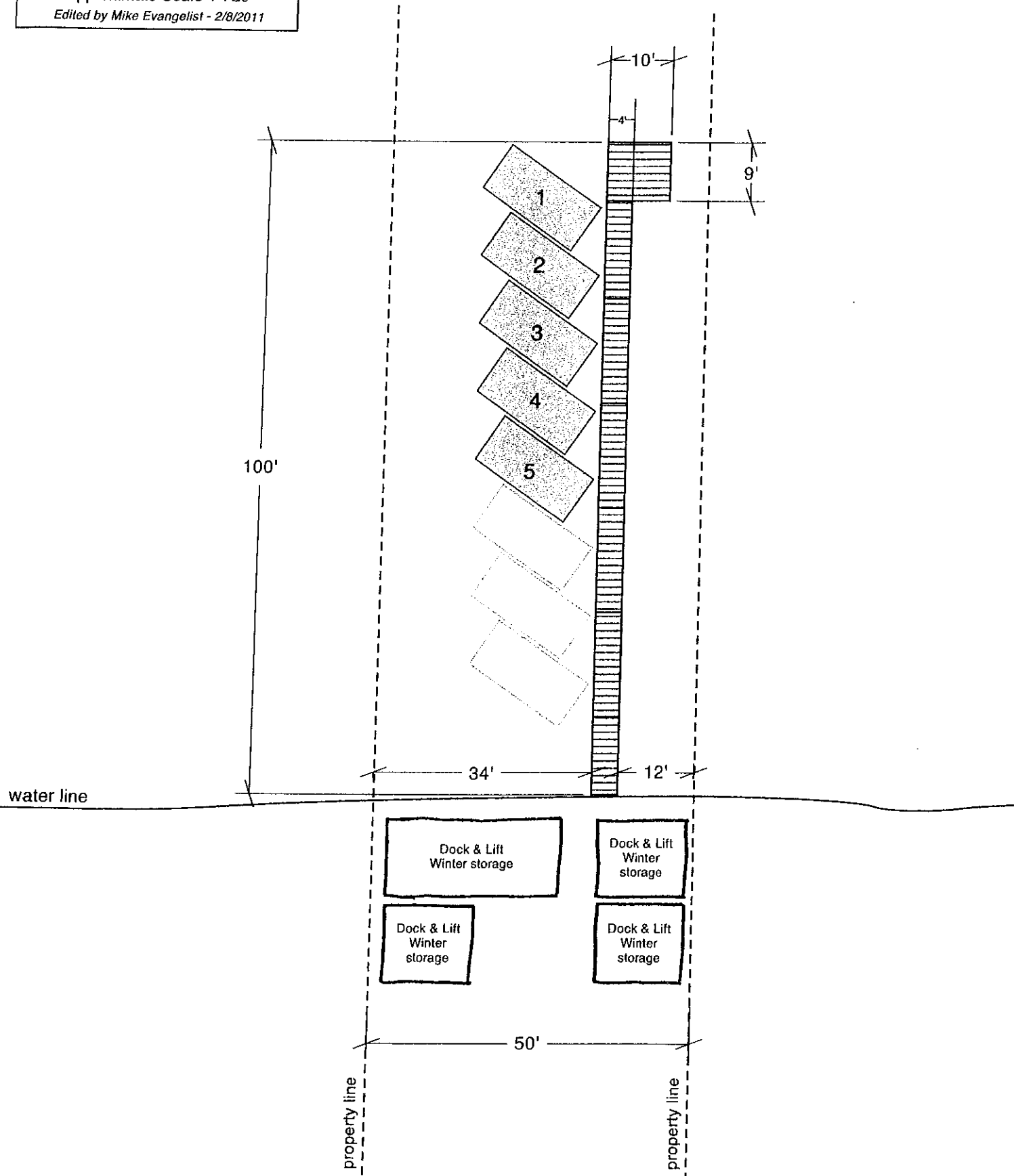
Include the following when submitted form:

1. Drawing to scale of dock configuration, boat slip placement, length of boats, and property lines of easement.
2. A current membership list including identification of officers.
3. Current bylaws/changes of association.
(NOTE: ONLY NEEDED IF CHANGES HAVE BEEN MADE.)
4. Treasurer's report from the current year.
5. Minutes from the last annual meeting. **Organizational Meeting**
6. Placement plan if lifts are stored on easement in the winter.

Beach club members with boats or lifts at any of the easements are reminded that a certificate of liability insurance is required to be turned into City Hall by May 1st of every year.

IS THERE A CHANGE FROM PREVIOUS YEAR? X YES _____ NO

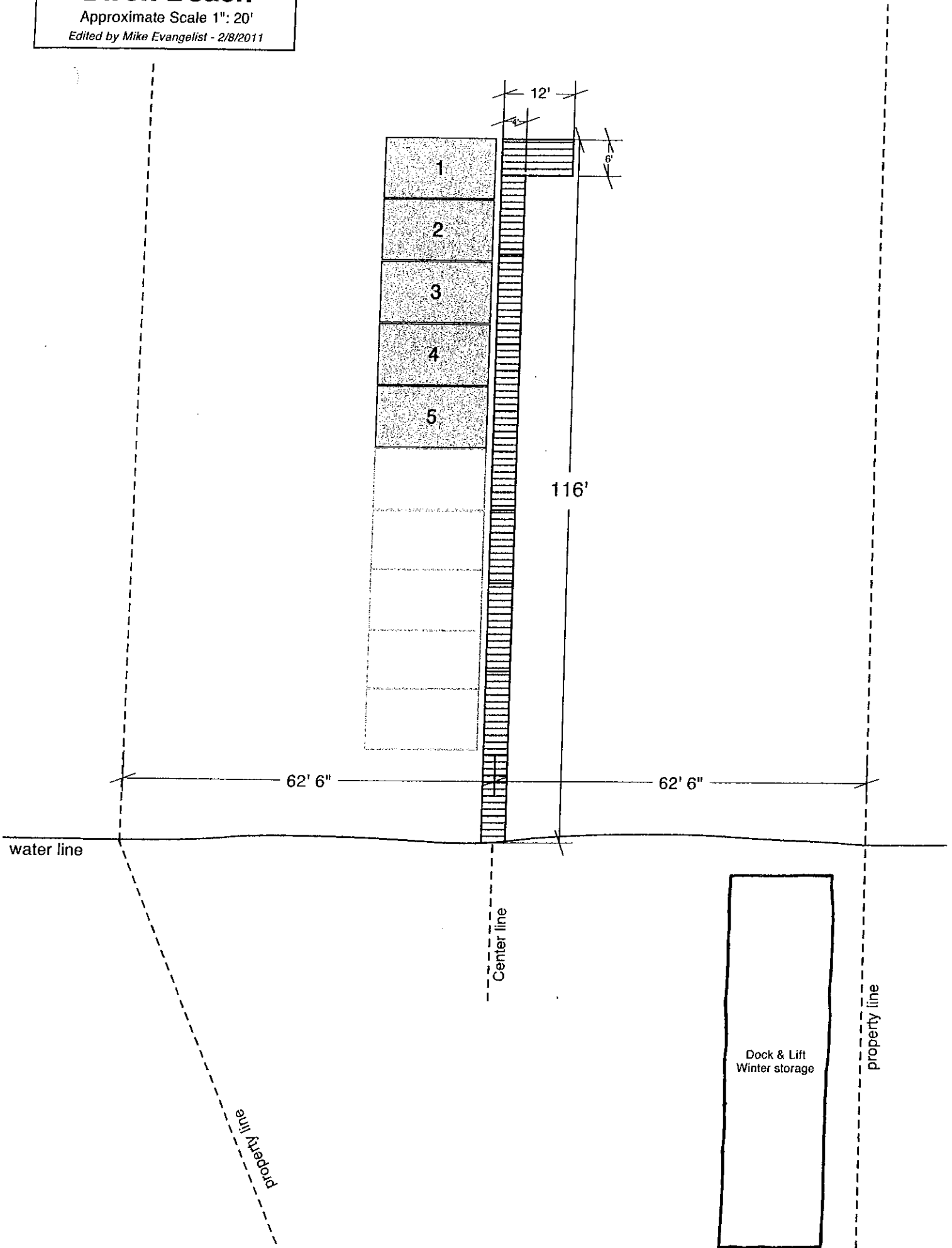
Ash Beach
Approximate Scale 1" = 20'
Edited by Mike Evangelist - 2/8/2011



Birch Beach

Approximate Scale 1" = 20'

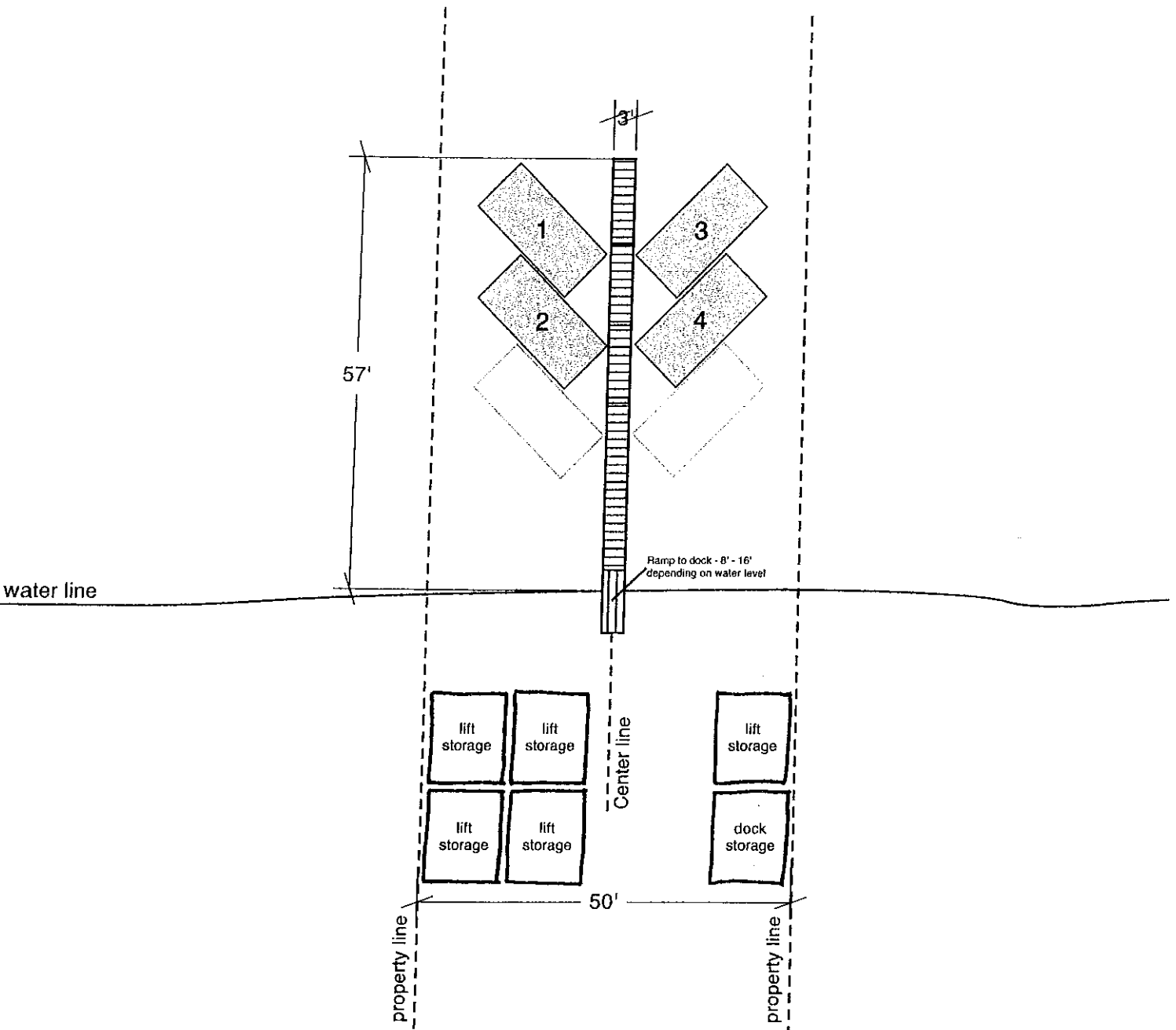
Edited by Mike Evangelist - 2/8/2011



Elm Beach

Approximate Scale 1" = 20'

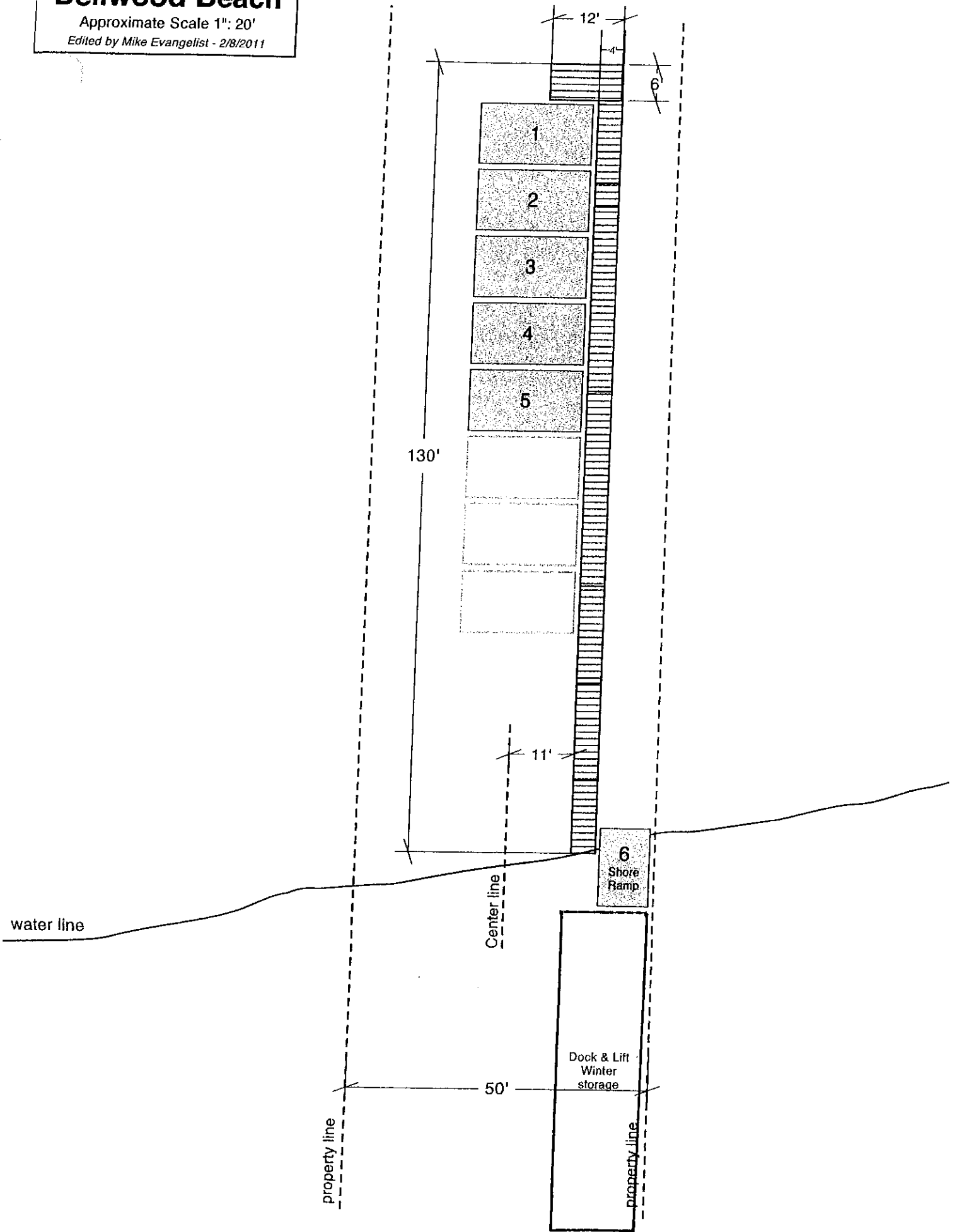
Edited by Mike Evangelist - 2/8/2011



Dellwood Beach

Approximate Scale 1" = 20'

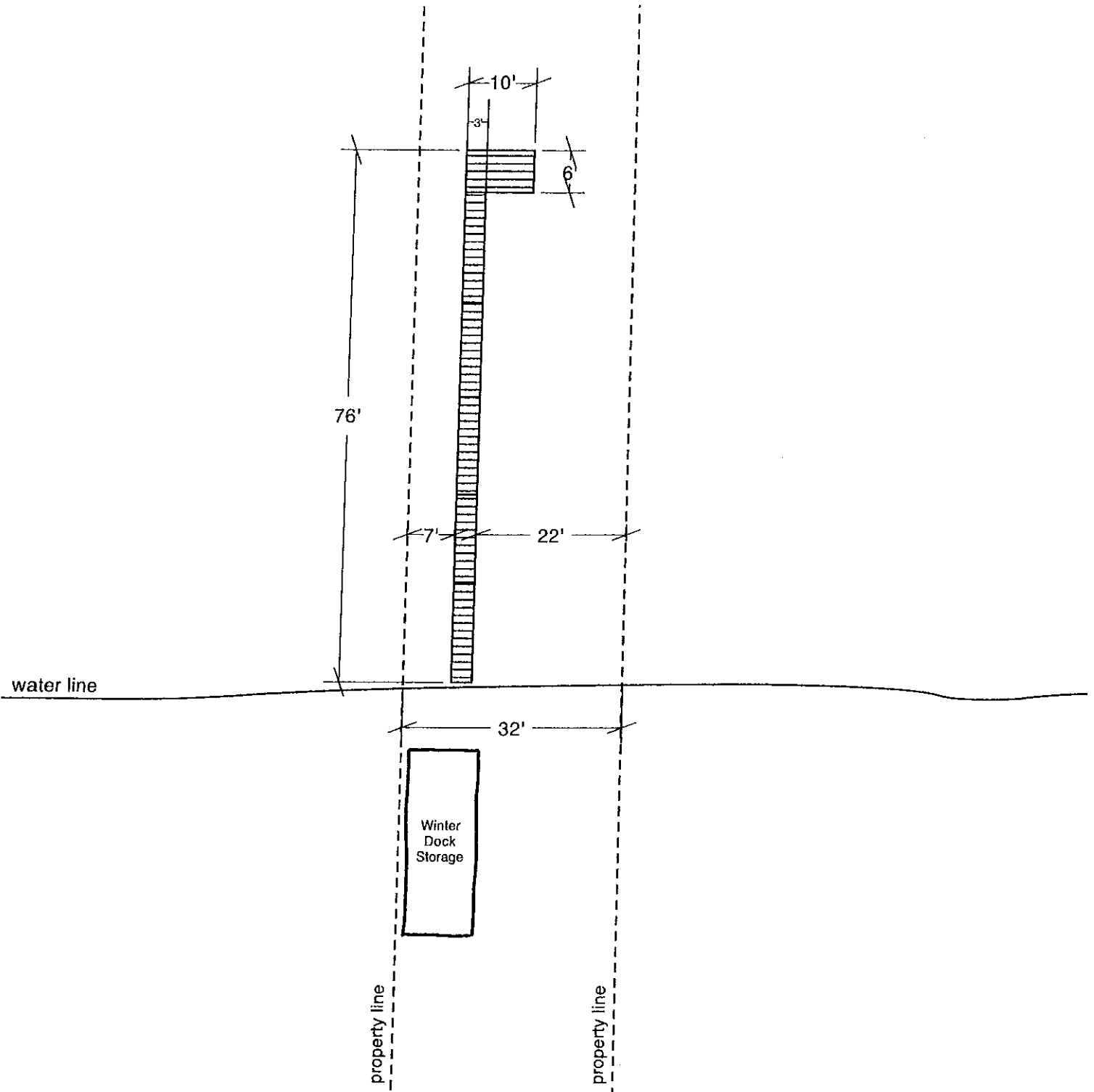
Edited by Mike Evangelist - 2/8/2011



Kay Beach

Approximate Scale 1" = 20'

Edited by Mike Evangelist - 2/8/2011



**BIRCHWOOD DOCK ASSOCIATION
BYLAWS**

ARTICLE 1. NAME

The name of the organization is the Birchwood Dock Association.

ARTICLE 2. PURPOSE

The purpose of the Birchwood Dock Association is to manage and install docks on the Public Lake Tracts owned by the City of Birchwood for the use and enjoyment of the members of the Association and to protect and indemnify Association members from liability arising from the use and maintenance of the docks.

ARTICLE 3. MEMBERSHIP IN THE ASSOCIATION

Section 1. Open to Residents. Residents and property owners in the City of Birchwood are eligible to join the Birchwood Dock Association. All full-time residents of a household shall be included when a person at the residence joins the Association, although each household shall have only one vote.

Section 2. Boating Members. Residents who obtain a boat slip on a dock maintained by the Association are considered boating members.

Section 3. Dock Use Only Members. Residents who want access to the docks but who do not desire to obtain a boat slip are eligible to join as dock use only members.

Section 4. City Boat Slip Waiting List. Residents may place their name on the City Boat Slip Waiting List as regulated by City procedures and ordinances.

ARTICLE 4. FEES AND DUES

Section 1. Initiation Fees. A resident joining the Association as a boating member shall pay an initiation fee established by the Board of Directors. A resident joining the Association as a dock use only member shall be required to pay an initiation fee.

Section 2. Annual Dues. All members of the Association shall pay the annual dues established by the Board of Directors. The Board may establish higher annual dues for those boating members who have usable boat slips than for boating members without a usable slip. The annual dues for dock use only members shall be set at a reasonable amount that reflects the costs associated with maintaining the docks, including the costs of insurance.

Section 3. Special Assessments. The Board shall have the authority to impose special assessments on all dock members. The Board shall inform the members of the purpose and reasons for any special assessments.

Section 4. Acceptance of Funds. The Board shall have the authority to accept any gifts and donations on behalf of the Association. The Association may engage in fundraising activities.

ARTICLE 5. BOARD OF DIRECTORS

Section 1. Creation. There shall be a Board of Directors consisting of five Directors – the President, the Vice President, the Secretary, the Treasurer, and a member at large who shall be selected by the other four other members.

Section 2. Terms. The members of the Board of Directors shall serve one year terms but may be re-elected for consecutive terms. The term of the members of the Board of Directors shall run from January 1 to December 31.

Section 3. Election. The President, the Vice President, the Secretary, and the Treasurer shall be elected by the members of the Association. A majority of those voting is sufficient to elect the Board members. All elections shall occur at a meeting of the Association held in the fall of the year before the terms of the present members expire on December 31. No household shall have more than one vote.

Section 4. Duties of the Board. The Board of Directors shall be responsible for the conduct of the Association's business and has authority to make decisions on behalf of the Association. The Board shall establish initiation fees, the annual dues, and any special assessments. The Board shall be responsible for calling meetings of the Association. The Board shall maintain a list of members of the Association and shall have the responsibility to facilitate boat slip assignments to the boating members each spring, following procedures established by the City. The Board shall have other duties as more specifically defined in these bylaws.

Section 5. Vacancy. A Director may resign at any time by giving written notice to the Secretary and President. When a vacancy shall occur on the Board of Directors, for any reason, the President, after soliciting the advice of the other Board members, shall appoint a qualified person to fill the remaining term of the person who vacated the position, unless the vacancy shall occur less than two months before the next election, in which case the position shall remain open until the position is filled by election. If the position of President shall become vacant, the Vice President shall serve until the next election.

Section 6. No Compensation. Members of the Board of Directors shall receive no compensation for service on the Board or for service as an officer. Nor shall Board members and officers receive any priority status regarding the selection of boat slips on any dock. Board members and officers shall pay all applicable fees and dues.

Section 7. Meetings of the Board. The Board of Directors may meet upon the call of the President or upon the request of two Board members. Three members must be present for the Board to conduct a meeting and to take any action. A majority vote of those present and voting is required for the Board to make a decision. The President shall determine whether notice of the meeting shall be given and the extent of any notice. The Board can decide to close any meeting of the Board to the Association members and to the public. The President shall report to the Association at each meeting of the Association about any Board meetings that were held in the interim since the previous Association meeting.

ARTICLE 6. OFFICERS

Section 1. President. There shall be a President of the Association. The President shall have the authority to speak for the Association consistent with actions of the Board of Directors and these bylaws. The President shall have the authority to call regular or special meetings of the Association and shall preside at all meetings of the Association.

Section 2. Vice President. There shall be a Vice President of the Association. The Vice President shall serve in the absence of the President.

Section 3. Secretary. There shall be a Secretary of the Association. The Secretary shall maintain the Minutes of all meetings of the Association and keep the books and records of all financial transactions of the Association.

Section 4. Treasurer. The Treasurer shall keep the books and records of all financial transactions of the Association. The Treasurer shall have the authority to sign checks and pay bills on behalf of the Association.

Section 5. Dock Management Teams. Each Public Lake Tract shall have a Dock Management Team consisting of the two most senior boating members at each public lake tract, or elected members serving as Dock Manager and an Assistant Dock Manager.

- A. **Dock Manager.** The Dock Manager will have the responsibility to coordinate dock installation and removal, oversee any required dock maintenance issues, and prepare documents required for necessary dock permit applications of the Association.
- B. **Assistant Dock Manager.** The Assistant Dock Manager will have the duty to assist the dock manager in his/her responsibilities and serve in the absence of the Manager.

Section 5. Election of Dock Managers. Dock Management Teams will be elected volunteers by a majority vote of the members of the Association who are present and voting at the meeting when the election is held. All elections shall occur at a meeting of the Association held in the fall of the year before the terms of the present members expire on December 31. No household shall have more than one vote.

ARTICLE 7. ASSOCIATION MEETINGS

Section 1. Regular Meetings. The Board of Directors shall schedule at least two regular meetings of the Association, one in the spring and one in the fall.

Section 2. Special Meetings. Two members of the Board of Directors or the President may call for a special meeting of the Association at any time.

Section 3. Quorum. A quorum shall consist of a majority of the Board, regardless of how many Association members are present.

Section 4. Notice of Meetings. The President shall provide written notice through the U.S. Post Office or by e-mail of all Association meetings at least five days in advance of the meeting. The notice shall be provided to all members of the Association and to the landowners within 200 feet in both directions from any Public Lake Tract where the Association maintains or is proposing to maintain a dock. The President shall also provide notice to the Birchwood City Clerk.

Section 5. Participation. All members of the Association shall be entitled to be heard at a meeting of the Association. The Board may allow nonmembers to be heard.

ARTICLE 8. DOCK AUTHORIZATION

Section 1. Birchwood Authorization. Each fall the Board of Directors shall determine what docks and boat slips the Association would like to maintain in the following summer season on the Public Lake Tracts owned by the City of Birchwood. The Board of Directors shall be responsible for preparing all necessary paperwork and documentation, in consultation with the Dock Managers, to apply to the City for the appropriate authorization.

Section 2. White Bear Lake Conservation District Authorization. The Board of Directors shall be responsible for preparing all necessary paperwork and documentation to assist the City in obtaining a permit for all docks and boat slips on Lake Easement Tracts from the White Bear Lake Conservation District.

ARTICLE 9. BOAT SLIP ASSIGNMENT

Section 1. Slip Assignment. The Dock Association acknowledges that the city will manage the assignment and relinquishment of boat slip privileges, but the dock association will manage the assignments of the specific boat slip and individual uses. At the spring meeting of the Association, the Board of Directors shall determine which members are entitled to which of the available boat slips that have been authorized by the City of Birchwood and the White Bear Lake Conservation District by using the City's Consolidated Wait List. The person at the top of the list has the number one priority, and so on down the list. The Board shall continue down the list until all available slips have been accounted for.

Section 2. Slip Refusal. Any member on the Wait List who has a high enough priority to qualify for a boat slip may refuse to moor a boat in the assigned slip that particular year for any reason without losing their rotation position. The boat slip shall become available to the next person lower in priority on the Wait List.

ARTICLE 10. COMMITTEES

Section 1. Creation. The Board of Directors may create such committees as it deems advisable. The Board shall determine the size of the committee, its duration, its charge, and any other terms the Board determines appropriate. Any Association member may ask the Board to create a committee.

Section 2. Appointment. The Board of Directors shall appoint the members of all committees that are created. A person does not need to be a member of the Association to be appointed to a committee.

Section 3. Duration. The Board of Directors shall determine whether a committee is a permanent committee or a temporary committee. Temporary committees shall expire on a date

certain established by the Board. Permanent committees shall continue until such time as the Board determines to terminate the committee. The Board may terminate a committee, whether permanent or temporary, at any time.

ARTICLE 11. CONDUCT OF MEMBERS

Section 1. Behavior. All members shall comply with the requirements of these bylaws and any other rules or regulations established by the Board of Directors. Members shall act in a manner that is courteous and respectful during meetings of the Association and when using the Public Lake Tracts and the docks.

Section 2. City Requirements. All members of the Association shall comply with requirements imposed by the City that apply to the Public Lake Tracts or to the docks or the boats.

ARTICLE 12. LOSS OF MEMBERSHIP.

Section 1. Revocation. A member of the Association may have his or her membership revoked by the Board of Directors for failure to comply with the conduct expected under Article 10 or for other conduct detrimental to the Association. No person's membership shall be revoked without providing the person an opportunity to address the Board of Directors. Revocation shall apply to the entire household. Any person whose membership has been revoked shall not be entitled to reimbursement of any fees, dues, or assessments paid to the Association. If the member is a boating member, the member shall be required to vacate the slip within ten days of the revocation. In lieu of revocation, the Board may determine to suspend a person's membership and to impose conditions on continued membership.

Section 2. Reinstatement. Any member whose membership has been revoked by the Board of Directors under Section 1 may apply for reinstatement one year or more after the action by the Board revoking the membership. If the person is a boating member, the person shall go to the bottom of the boating list upon reinstatement.

ARTICLE 13. INSURANCE

The Association and its (boating) members shall maintain, as a minimum, the insurance types and limits required by the City.

ARTICLE 14. INDEMNIFICATION

The Association shall indemnify its officers, members, and agents from any liability for acts of the Association or its members to the extent permitted by law.

ARTICLE 15. ASSOCIATION ASSETS

Section 1. Acquisition. The Association may acquire such assets as the Board determines appropriate to carry out the functions of the Association. Without limitation, this includes docks, boats, boat lifts, and money. The Board may also determine to dispose of any assets through sale, transfer, or discarding.

Section 2. Liquidation. Upon the dissolution of the Association (organization), assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

ARTICLE 16. AMENDMENT OF BYLAWS

These bylaws may be amended at a regular or special meeting of the Association by a two-thirds (2/3) vote of all eligible members. No proposed amendments may be brought to the membership for a vote unless the specific text of the amendment is provided to the members at least ten days before the meeting.

These bylaws adopted this 22nd day of January, 2011

January 22, 2011

Re: Birchwood Dock Association Initiation Meeting
Saturday, January 22nd, 2011 - 9:30 a.m. City Hall

Dock Association Members & Lake Tract Neighbors:

The agenda for this meeting follows:

- I. Call to Order
- II. Agenda Review – Additions? — *Dock Purchase*
- III. Dock Permit Application
 - a. Public Lake Tracts Section 617.350 (10)
 - i. Kurt Feistner Beach – 0
 - ii. Ash Beach - 8
 - iii. Birch Beach – 10
 - iv. Elm Beach – 6
 - v. Dellwood Beach – 8
 - vi. Kay Beach - 0
- IV. Comments from Neighbors
- V. Bylaw Questions
- VI. Budget and Fee Review
- VII. Membership Sign Up Sheet
- VIII. Boat Slip Sign Up Sheet
- IX. Other Business
- X. Adjourn

Dock Association Interim Board of Directors

Lynn Hanson - President

Mike Evangelist – Vice President

Debbie Harrod – Treasurer

Sandee Ebbott - Secretary

1/22/2011		Interested Dock Only	Interested Boat Slip	Paid	First Name	Last Name	Address	City	Dock
X					Tom	Delmont	143 Wildwood Ave.	Birchwood, MN 55110	Ash - Neighbor
X					Richard	Galena	217 Wildwood Ave.	Birchwood, MN 55110	Birch - Neighbor
X					Thomas	Schway	201 Wildwood Ave.	Birchwood, MN 55110	Birch - Neighbor
X					Jim	Greely	407 Lake Ave.	Birchwood, MN 55110	Dellwood -Neighbor
X					Tony	Sampair	409 Lake Ave.	Birchwood, MN 55110	Dellwood -Neighbor
X	X				Debra	Harrod	483 Lake Ave.	Birchwood, MN 55110	Kay - Neighbor
X	X		\$35	Richard	Oni		152 Wildwood Ave.	Birchwood, MN 55110	Ash
X	X			John	Velin		146 Wildwood Ave.	Birchwood, MN 55110	Ash
X	X			Randy	LaFoy		220 Wildwood Ave	Birchwood, MN 55110	Birch
X				Bryan	McGinnis		194 Wildwood Ave.	Birchwood, MN 55110	Birch
X				Mike	Scanlan		17 White Pine Ln	Birchwood, MN 55110	Birch
X				Jim	Berg		250 East 7th St.	St. Paul, MN 55101	Birch
X			\$35	Gene	Bowars		11 White Pine Lane	Birchwood, MN 55110	Dellwood
X	X		\$35	Greg	Donovan		2 Hall Court	Birchwood, MN 55110	Dellwood
X				Amy	Grabow		789 Jay St.	Birchwood, MN 55110	Dellwood
X			\$35	Lynn & Dyanne	Hanson		700 Hall Ave.	Birchwood, MN 55110	Dellwood
X				Mick & Reanne	Korich		7 White Pine Lane	Birchwood, MN 55110	Dellwood
X			\$35	Ron	Malles		420 Wildwood Ave.	Birchwood, MN 55110	Dellwood
X				Mary Sue	Simmons		418 Birchwood Ct.	Birchwood, MN 55110	Dellwood
X				Mike	Wittkop		10805 South Shore Dr.	Birchwood, MN 55110	Dellwood
X			\$35	Mike	Evangelist		364 Wildwood Ave.	Plymouth, MN 55441	Dellwood
X				Randy & Jackie	Felt		286 Jay St.	Birchwood, MN 55110	Elm
X				Adam	Fischer		184 Cedar Ave.	Birchwood, MN 55110	Elm
X				Alan	Mitchell		23 Oakridge Dr.	Birchwood, MN 55110	Elm
X				Gene	Ruehle		262 Wildwood Ave.	Birchwood, MN 55110	Elm
X	X			Louis & Mary	Hauser		616 Hall Ave.	Birchwood, MN 55110	Elm
X				Nino	Nardecchi		710 Hall Ave.	Birchwood, MN 55110	Kay
			\$210.00					Birchwood, MN 55110	Kay - ?

BIRCHWOOD DOCK ASSOCIATION ORGANIZATIONAL MEETING NOTES

Date: Saturday, January 22nd, 2011 @ Birchwood Village Hall

Signup sheets provide at the front door included (1) names of people in attendance (2) those who wish to join the new Birchwood Dock Association and (3) those wishing to have a Boat Slip for the upcoming season.

Meeting was convened by Lynn Hanson and Mike Evangelist, President Elect and Vice President Elect respectively. Meeting Called to Order at approximately 9:40am.

Opening questions from audience:

- Who will own the docks?
- To who were Meeting Notice sent? Answer: Existing Dock Members and adjoining lake front property owners.

Hanson presented the proposed permit application schematics for each of the 5 docks.

Kay

Kay schematic was displayed with no comments or concerns mentioned.

Dellwood

The current configuration will most likely be modified to shorten the dock to 130 feet from the 144 feet shown; this was a compromise due to complaints from adjoining property owners. By ordinance 8 boats are allowed at Dellwood, should request for 5-6 boat lifts.

Mayor Mitchell spoke about the need to formalize the new, single dock association as it is the only entity that can submit permit applications to the council at its February 10th meeting.

Elm

Ordinance allows 6 boats at Elm. It was agreed that the drawing to submit to the council would include a request for 4 boat lifts even if only 3 can be on the water due to depth.

Question was raised as to whether to apply for the number of boat slips previously approved or for the number of boats that may be feasible due to lake water levels. Opinions varied. Harrod suggested that the permit be for the number of boats that people really wish to have. Mary Hauser suggested applying for number of boats you think will be used. Based upon this later

assumption, it was determined that permit application should ask for 4 and drop to 3 if water levels drop. Nardecchia commented that shorter docks and fewer boats were allowable but not the other way around. Mayor Mitchell noted that the new dock association will make it easier to move boats around among the docks in order to accommodate various boat depth needs and where those boats will best fit among the dock locations.

Birch

Differences and deficiencies in the permit application from 2010 were noted by a neighbor. New schematic will show the dock at 116 feet, winter storage of lifts, names of adjacent property owners, location of dock on the tract. Ordinance allows for 10 boats at Birch, should request 6 boat lifts.

Discussion of positioning the boats slips across from each other vs. next to each other ensued. Comment was made that the east side has worked well for swimming.

Ash

Eight boats are allowed by ordinance, determined to request for 5 boat lifts, boats at an angle to the dock and on the western side. Mention was made that neighbors can attend the February council meeting to protest dock application if they choose. A request was made for slip placement to be shifted to the other side next year application request (2012 season).

Current Ash members want \$7500 for their dock if the new association wishes to purchase it. They may be open to leasing the dock as long as liability issues were resolved through the lease. John Lund was not sure that leasing was an option among some members.

Other Items Discussed:

There are many items to be considered to get the new dock association up and running, i.e. financing, insurances, fees and dues, securing leases, maintenance, etc. Everyone agrees it will take time. Yet support appears strong.

Hanson presented the Budget for 2011 showing a breakdown of predicted boat use, membership, fees and costs association with docks and boats and a general budget of expense and revenue. Copy of his spreadsheet was distributed at the meeting. \$11,700 of expenses; \$11,770 of revenue.

Sampair suggested a winter fundraiser such as a hockey tournament to raise money for the new dock association. Hanson suggested that perhaps in the early start up years the City, through

the Parks Budget, may consider donating some of the money it collects from the boat users back to the dock association.

Concerns were raised about whether or not all Birchwood residents have the information regarding the docks and boat wait lists. A request should be made to the city to send a letter to all residents. This may generate new members as well as needed revenue and bring residents up to speed on the changes that have been made.

Action Items Remaining:

1. Make request to the City to send a letter informing/inviting residents to join the new Birchwood Dock Association. Explain the changes that were made.
2. Ask for extension for Boat Slip Applications for those folks not currently eligible on the Wait List.
3. Ask for extension of Permit Applications by the Council and WBLWD.
4. Gain confirmation from the exiting docks intent as to their docks, i.e. sell, lease or neither. Hanson will initiate this effort.
5. Once dock availability is identified, develop plan for financing them if necessary.
6. Determine if the Birchwood Dock Association should incorporate with the State of MN.
7. Elect Board of Directors
8. Adopt By Laws

Some discussion took place regarding the process for incorporation. There seemed to be a consensus on submitting an application for a non-profit incorporation with the Secretary of State of MN.

Motion: Move to elect the officers/directors as listed on the agenda:

Lynn Hanson as President, Mike Evangelist as Vice President, Debbie Harrod as Treasurer and Sandee Ebbott as Secretary.

All ayes, **Motion Passed**

Motion: Move to accept the Draft Bylaws as presented.

All ayes, **Motion Passed**

Meeting Adjourned: At approximately 11:50am.

Submitted by: MSS & DRH & LH

jim greeley <jgreeley04@yahoo.com>

docks

February 3, 2011 3:20:56 PM CST

Mike Evangelist <mike@code42.com>

debbie harrod <debbieharrod@hotmail.com>, "sandee@seasales.com"
<sandee@seasales.com>, "headdragonkeeper@yahoo.com"
<headdragonkeeper@yahoo.com>, "asampair@cbburnet.com"
-casampairs'cbburnet.corr-, "rjgalena@galenalaw.com"
<rjgalena@galenalaw.com>

Mike, thanks for your call I feel immensely better about things after talking to you.

After our talk you requested that I send you a list of things that need to be corrected on the current drawings before submittal not only concerning Dellwood but also on behalf of the neighbors of the other easements as well.

1) Dellwood: The agreement was for 5 boats with an option for a shore ramp on the EAST side of the dock(away from the swim area), not for 7 boats if the water comes up and a dock length of 130 feet not according to the note a 144 foot dock if the water comes up. Please adhere to our original agreement and strike these additions from the application.

2) Ash: The agreement called for 5 boats not more if the water comes up, no shore ramps and no talk of 8 boats or any other number for 2012 but with an understanding that the boats in 2012 will switch to the other side of the dock.

3) Birch: The agreement was for 5 boats not 6 with no agreement about 2 more boats if the water comes up and no discussion at all about the 2 boats ramps on the current drawing and a dock length of 116 feet.

Also in general it was agreed that unusable boat lifts would not be parked in the water or on any part of the easement during the summer.

I want to thank you for your understanding and suggest to you that with new people involved things will be much different and the neighbors are very optimistic that with this new group any problems can be worked out between all of us. For example, if the water comes up and the shore ramp owner has a enough water to use a lift at Dellwood than Tony and I would be willing to talk about it. But as I think you and others on your board realize any application to a permitting agency has to be definite about the number of boats and dock length etc. not based on possible future events like water going up or down or anything like that.

Again thank you and we hope that the trust between all of us exhibited at your Jan. 22nd meeting can be restored and we all live up to our shared agreements.

"One area of concern mentioned above is the inability to add additional boats (as allowed by ordinance), if water levels permit. Even though this appears unlikely due to the current water levels, Mother Nature often times delivers the unexpected. Birchwood Dock Association feels that if conditions permit, additional boats should be able to be added as numbers are allowed in Public Lake Tract Section 617.350(10)."

Birchwood Dock Association, 2-10-11

NORDING PARK
Stewardship Improvement Project
January 31, 2011

Objectives:

- To function as an effective stormwater control area
- To improve the aesthetics of Nording and encourage use of parkland
- Demonstrate pocket woods management opportunities
- Use the area as an educational tool
- Establish a nursery to re-stock wooded areas in the village with desirable native species

Partnerships/Consultants

Birchwood City Council and City Engineer

Park's Committee

Nording Park Committee

Co-Chairs:

Volunteers: Neighbors, Native Plant Enthusiasts, Plant Exchangers, Girl Scouts, Boy Scouts

Rice Creek Watershed: Kyle Axtel @ (763)398-3072

Washington County Conservation District:

Pete Young @ (651) 275-1136 ext.21/pjyoung@mnwcd.org

Timeline of Events

Phase I

Feb – March

- Co- Chairs Organize Nording Park Committee
- Meet with engineer, Rice Creek Watershed, City Council, Steve Dean, other?
- Prepare article for Birchwood Newsletter, set dates for volunteer days
- Flag trees and shrubs to cull
- Take soil samples and determine infiltration rates
- Determine number and size of boulders
- Grant Proposal? Funding?

March-April

- Order Trees and Shrubs, boulders, compost(?), stake planting sites, define shoreline, purchase herbicide, stakes, trail topping(?)
- Promote Arbor Day Events and encourage volunteers
- Get necessary permits, coordinate activities, plan promotions, make signs, provide refreshments, incentives(?) (ie. baby birches), rent bobcat, rototiller(?)
- Fine tune naturescape plan when Spring arrives esp. entrances, trailsides, and potential bench locations

Phase II

April

Volunteer Day #1: Remove flagged trees and shrubs, dispose/haul/burn debris, herbicide to prevent sprouting, brush trail/cut back vegetation along trail, establish boundaries of nursery

April 29-31

Volunteer Weekend #2: Arbor Day Celebration

Stockpile mulch from area, weed nursery area

Bobcat excavation- establish shoreline, slopes, drainage and nursery, place boulders

Amend soil

Plant trees and shrubs, transplant donations

Plant forbes in disturbed areas

Mulch and water

Sign-up sponsors to nurture new plants

Phase III

May/June

Volunteer Day #3: Remove invasive forbes using IPM (pulling, digging, spraying),

Start native plant list, transplant/plant remaining forbes, weed as necessary

Phase IV

June-September

Committee: Ensure maintenance, watering, & weeding

Plan for interpretive signs, birdhouses, and benches

Work with Park's Committee on signage

Acquire/transplant plants from suggested plant list

Make and place wire cages to protect seedlings from deer and rabbits

BUDGET CONSIDERATIONS

Bobcat Rental @ 1 day \$400

Rototiller Rental @ 1 day

Boulders

Debris disposal as needed

Compost/Soil Amendment (recommended @ 40% semi-coarse washed sand, 30% compost (MDOT Grade 2), 30% native)

Additional mulch to stabilize area (recommended @ 2 tons per acre)

Seed? (for disturbed areas)

Fertilizer (if pH <5.5: add 0-10-20 NPK @60 lbs/acre)

Water

Miscellaneous Supplies:

Flagging

Stakes

Chicken Wire

Other: Infiltration Trench (if < .5"/hour) @ 1-3" gravel topped with filter fabric .100 gal/min

Trail Topping

Interpretive Signs

Benches

Birdhouses

Give-away birch trees at Arbor Day

2 Park Signs

Trees and Shrubs @ 800

Forbes @ \$1000



SmartZone Communications Center

bwclerk@comcast.net

± Font size -

Storage Fees - Canoes and small watercraft

From : bwclerk@comcast.net

Tue Feb 15 2011 11:36:22 AM

Subject : Storage Fees - Canoes and small watercraft

To : Jane Harper <janemharper@comcast.net>, Mark Peterson <birchwoodisbest@gmail.com>, Barb Carson <bbc@comcast.net>, Alan Mitchell <almbirchwood@comcast.net>, Tony Sampair <tsampair@cbburnet.com>

There isn't much information to go on for what the City should charge for storage of canoes and other small watercraft on the lake tracts. Lake St. Croix Beach charges \$20 - White Bear Lake charges \$40.

CITY OF BIRCHWOOD VILLAGE

Dale Richard Powers, MA, AICP
City Clerk
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Birchwood Village, MN 55110
651-426-3403 tel
651-426-7747 fax
320-493-8930 cell
