

Minutes to the FTLPOA Annual Meeting

June 18, 2016

Scandia Valley Township Hall 9:30 am

Board Members Present: Scott Schnuckle, President, Mike Flanagan, Vice President, Gary Ziehmman, Newsletter, Peg Hartung, Peggy Swalm, Paul Baker, Brian Sams, David Thibert, Jim Mash and Mary Thibert, Secretary.

Board Members Not Present: Chuck Salter, Jon Scott Johnson and George Heroux, Treasurer.

1. President's Welcome and Introduction of Guests: Scott Schnuckle welcomed the FTLPOA members and introduced the guest speakers: Senator Paul Gazelka, Representative Ron Kresha, Morrison County (MC) Sheriff, Shawn Larsen, Kevin Maurer, (MC) Commissioner, Amy Kowalzek, MC's Planning and Zoning Administrator, Glenn Erickson, MC Assessor and Holli O and Terry Baker from Koch Pipeline.
 - a) Legislative Update: Senator Paul Gazelka stated the Tax Relief Bill had passed by 87% in the Senate but Governor Mark Dayton vetoed because of one small mistake, which Senator Gazelka said could have been easily corrected. He believes that there will be an extra 1-day session. Gazelka spoke on the \$700M bill for roads, bridges and light rail, which he did not support. The Senate and the House of Representatives are well aware of the Aquatic Invasive Species (AIS) issue and are allocating funds to the counties and DNR to develop their protection plans. Gazelka spoke in favor of the oil pipeline, as he believes its safe, reduces trains and potential train derailments. The location remains under debate. Representative Ron Kresha stated that he has property on FTL and that he has paid his 2016 FTLPOA dues. He commented on the House accomplishments, e.g., passing a 2% increase in the Education Bill, Dayton's \$5 billion budget and the Body Cam Bill. He stated that his district is not in favor of the light rail but is more concerned with roads, bridges and school improvements.
 - b) Regional Activity: Sheriff Larsen reported on police calls, thefts and drug traffic. The news on calls and thefts was positive for the lake and region, but drug traffic via Hwy 10 is a big concern, especially heroin, which generally follows prescription drug abuse. He encouraged FTLPOA members to lock up their medications and properly dispose extra or expired medications at their Fall's office. DO NOT flush medications down the toilet, as it will seep into our lake water and affect fish. Larsen reported they added a second Deputy; prior to this there was only one

- patrol car for the entire township from 4 pm to 8 am. They have one deputy to cover all of MC lakes and they coordinate with the DNR so they can provide the best coverage.
- c) Commissioner Update: Kevin Maurer reported that MC now has 5 Lake Improvement District (LID) with the recent addition of Lake Shamineau. He is very concerned with the spread AIS. The State of MN has awarded funding to the counties to find solutions to prevent the spread of AIS. The counties are working together with the LIDs and the DNR. Kevin Maurer is the Chair on the Mississippi Head Waterway Committee. This committee is trying to protect the watershed by looking at the flowage from all water sources. There has been an increase in the amount of nitrates found in MC's wells and they offer free water testing in the spring and fall. MC is continuing to work with the Railroad (BNSF), Scandia Valley Fire and Township to close the Lincoln crossing. BNSF wants to close the crossing. Closing the crossing will be a substantial savings for MC, but MC wants BNSF to fund a \$25,000 improvement project for the Veterans Trail before it will allow BNSF to close the crossing. MC is also working with Camp Ripley to determine what to do with the contaminated soils. Camp Ripley does not think it has to follow MC's ordinances and MC does not want to be liable for their contaminated wastes.
- d) Planning and Zoning Report: Amy Kowalzek reported that two years ago 253 septic tanks on FTL were inspected for compliance. 64 of these systems were found to be in noncompliance. None of these failed septic systems posed an imminent danger to public health. At this time 56 septic systems have been corrected. Of the 8 noncompliant sites, 7 are working with MC, because of some very difficult situations and are in various stages of completion. 1 property owner has not responded to MC and will be charged. MC received \$25,700 from the State of MN to work with lake associations to prevent the spread of AIS. They will be conducting research to determine the risk factors for each lake. The report will look at the lake's bottom and the chemistry of the water to help guide MC on how to spend the money most efficiently. MC is planning on revising the Comprehension Land Use Plan. They will be looking at the lakeshore ordinances. MC ordinances can't be less restrictive than the State of MN, but they can be stricter. MC wants to buffer all waterways from agriculture and provide for storm water flow plans. MC wants to be more restrictive in shoreline zones. Amy stated that the big problem is figuring out how to enforce the ordinances because Planning and Zoning has jurisdiction over 650 feedlots, all septic

systems, lakeshores and building projects. She does her best to enforce the rules but it also depends on the Judicial System funding and support. MC wants to work with contractors and property owners and prosecute all individuals who do not follow the ordinances. Violations of the ordinances can be a misdemeanor and will end up in court, which then is in the jurisdiction of the judges not Amy. Usually there is a fine and an order to restore the shoreline to its original condition. There could even be jail time. Planning and Zoning receive many complaints of people not following the ordinances, as many as 11 reports a day. If a property owner wants to build or change a structure on their property they need to apply for a variance and have a public hearing. A DRT (Develop Review Team) may be required and that can be expensive.

- e) Sales Activity and Real Estate Values: Glenn Erickson MC Assessor reported on the 10 sale last year on FTL. There are maps on line at the Beacon site that reports all sales.
 - f) Koch Pipeline Construction Plans: Holli O and Tom Baker spoke on Koch Pipeline construction plans. Koch has 4 pipelines that run from Clearbrook to Minneapolis and 2 refiners. In 2008 a new line was placed but its flow rate was not reliable and it needs a pump station for a more reliable flow rate. The pump station has been approved. Koch has 7 acres in Lincoln where the pump station will be installed. 2 acres will be fenced with security. It will be 1/8mile east of Hwy 10. The construction will begin in about a month. The pump station will be completed by 2017. Baker stated that if the pump station was not constructed the number of rail oil cars would increase. A property owner asked about the safety. Terry stated that the pipeline is safer than the oil on the cars because it is a different type of oil. This oil originates in Canada. The oil that is carried on the trains is from North Dakota and highly volatile. The pipeline is federally regulated and has frequent inspections-at a minimum every 5 years. The pipeline consists of a steel pipe with bonding on the outside to protect it from corrosion. There is no corrosion on the inside of the pipes. They do a hydro test/leak test every 10 years at 125% of pressure which is a higher pressure than the normal oil flow.
2. **Secretary's Report:** The secretary's report from the fall Board meeting was submitted. It was in the Annual Newsletter and can be viewed on FTL's web site. David Thibert motioned to accept the Secretary's report. Brian Sams 2nd the motion. The Secretary's report was accepted.
 3. **Treasurer's Report:** The Treasurer's report was submitted by George Heroux. A mistake was noted in the report regarding the year. The report year was 2014 and should be 2015. George will correct the date.

4. Old Business:

- a) Lake Improvement District (LID) President Ron Nypan reported that 28 acres on FTL were treated this spring for Curly Leaf Pondweed (CLP). 12 acres of the 28 were treated by the Public Landing. To view all areas which were treated look at map on the FTL's website. Last year 8 acres were treated. The LID did not receive a grant this year from the DNR to treat CLP. Because of the increase in treated acres and no grant money the LID needs to increase the assessment for property owners to \$60 this year. Tim and Ron Nypan's terms have expired and they will be leaving the LID board. Tom Anderson joined and will be the new President of the LID. Chris Ziehmman and David E volunteered to serve on the LID board.
- b) Zebra Mussels Update: There is no new news from Chris Jurek from the DNR regarding the Zebra Mussel infestation on FTL. Chris told Scott Schnuckle that once a lake has been determined to have Zebra Mussels the DNR does not return to check on the lake. No other lakes in the area have Zebra Mussels. Mike Flanagan stated that the DNR has been present at the public landing 11 days out of the last 45 checking boats going in and coming out for compliance. 119 various watercrafts have been inspected. At the present time the DNR has only given out warnings to individuals who have left the plugs in their boats. They will soon begin ticketing boaters with plugs left in. The DNR powered washed all boats that exited the lake.
- c) Septic Systems: Already addressed by Amy Kowalzek.
- d) Water Quality Update: Jim Fogelberg performs Seechi Discs tests every 2 weeks to assess water clarity. He does water sampling 5 times a year and sends to RMB Labs in Detroit Lakes for analysis. These results are shared with the Pollution Control Agency. The first Seechi test was completed on 5/2/16 and was 11.5 ft. Last year it was 25 ft. On 5/19/16 it was 11 ft. Memorial weekend it was 15 ft. Jim stated that for the last 3 years it has been 15 ft. on Memorial weekend. He sent a water sample to RMB Labs on 5/17/16 and reported that it was not as good as last year. The ice on this year was 12/19/15. The 2nd latest per FTL history. Jim said that the ice was not good this year. It was not very thick. Ice out was 3/29/16 and was the 2nd earliest.
- e) Water Level and Beaver Dams: Brian Sams reported that he found a large beaver dam on Fish Trap Creek. Because it was on the pipeline he had to remove it by hand. He believes that the lake's water level is at a high normal. He measured the water level at 22 inches at the dam site. His highest recorded level is 30 inches which occurred about 5 years ago.

- f) BNSF Railroad Activity: Paul Baker informed FTLPOA that the crossing at Lincoln most likely will close. BNSF is providing funding for a well on the west side of the tracks. They are also working with MC to fund the MC Trail Program. The Lincoln crossing should close by the end of this year.
- g) Invasive Species Signage: Scott Schuckle reported for Chuck Salter. A grant was awarded to the Quad Lake Association to be used for signage. Presently there are brochures at the public landing on all 4 lakes. They plan to have a larger sign by 7/4/16, which reminds boaters to clean their boats.
- h) Initiative Foundation Endowment Update: Scott Schuckle reported that the Initiative Fund has \$29,000. FTLPOA is allowed to use the interest from this fund for projects to improve FTL. Last year Blue Water Science (BWS) was hired to provide a detailed analysis of FTL. BWS's report from Steve McComas can be viewed on FTL's web site and includes a recommendation to improve the runoff from 43 properties. The Initiative Foundation Committee rehired BWS for an additional \$1,100 to analyze the runoff from the railroad and to determine if there has been any changes to FTL's water quality since last year's report. BWS plans to do this in July. The Initiative Committee also would like to have Steve McComas as a guest speaker to the FTLPOA for a fee of \$400. All these plans were unanimously agreed upon by the FTLPOA. Scott encouraged members to continue to contribute to the Endowment Fund. The contributions are tax deductible. Scott and the Committee are open to ideas for future projects.
- i) Website: Mike Flanagan reports that FTL website has been active. Most activity to the website occurs in the fall and the months of April, May and June. There have been 600-700 visits per month. The duration of the visits last 2 to 3 minutes. Chris Ziehm will now be managing the website.
- j) Fishing Update: The DNR were out this spring checking on the fish levels and to determine if their walleye stocking has been successful. They reported that there is high abundance of game fish. There is also a lot of feeder fish present. In 2013 the DNR did not stock FTL. In 2014 and 2015 they cut the fry numbers in half. They split 3.5 million fry between FTL, Lake Alex and Shamineau.

5. New Business:

- a) Koch Pipeline: Already addressed.
- b) FTL Campgrounds (Scenic View Resort) update and discussion: Scott Schnuckle provided a recap of last year events. The Campground asked

for a variance for expansion in spring of 2015. FTLPOA wanted an EAW to be completed but it was denied. MC approved the expansion with the condition that the campground decreases the number of docks space by 16 to be in compliance with the ordinances. In the spring of 2016 Jeff and Julie Hardy, the owners of Scenic View Campground asked for a variance to their docking. MC denied it. Jeff Hardy asked to speak to the FTLPOA. He stated that he has property on FTL and was on the FTLPOA board in 2001. At that time he was managing the Campground.

In 2012 he and Julie Hardy purchased the Campground. He owns 86 acres. Since he has managed and purchased the Campground he stated that he has made major improvements to the site and has been a steward to the lake. He has corrected the huge storm water runoff problem by working closing with MC. He removed docking this spring to reduce the square footage in order to be in compliance with the MC's ordinance. However, he is concerned that by removing the Y section in his dock it is causing land erosion due to the wave action. Because of the decrease in docking, 20 campers lost their dock spaces, resulting in parking problems and an increase in the time to launch boats. To deal with this situation he had to cut down trees to provide a parking lot for the boats and trailer, which he did not want to do. It now takes 40 minutes to launch a boat/pontoon verses the 10 minute wait time before the dock removal. Because there has been a change in MN ordinance's for septic systems in campgrounds his septic system will be monitored over the 4th of July weekend to ensure that the campground's septic system is in compliance. If he is found to be out of compliance it will be a very expensive project to meet the new requirements. He stated that he has met all the criteria that MC requested to be completed for his expansion. The people in the Campground want to be full members of the FTLPOA including voting right. The FTLPOA bylaws state in order to have voting privileges a member has to own property on the lake. They want the bylaws to be amended. A vote was taken whether the bylaws should be amended to allow non property owners voting right in the Association. 17 were against, 3 were in favor and several abstained. Scott Schnuckle stated the FTLPOA board will consider it at the September meeting.

- c) Appreciation/ Recognition: George Heroux has resigned from his position as Treasurer of the FTLPOA. He has served for 14 years.

Thank you George for your service and all that you did for FTL!

- d) Election of New Board Members: Mike Flanagan, Scott Schnuckle, Peggy Swalm and Ron Mash terms have expired. They have all agreed to

- serve again. David Thibert offered to step down in order for Mary Thibert to remain as secretary and to comply with the bylaws. There are 2 positions open. Denny Smith, Jeff Hardy and Ron Markfelder were nominated. Jeff Hardy declined. Both Denny Smith and Ron Markfelder accepted the nomination. The FTLPOA unanimously approved their nominations.
- e) oat Parade: There will be a boat parade July 4th, 2016. Meet at the bay by the campground at 12 N. There is a need for a leader of the parade. Ron Nypan would like to step down from leading the parade-any volunteers?
 - f) Door prizes from Campfire Bay Resort and Peg Hartung's BP-she also provided a great lunch.
 - g) Reminder that Scandia Valley Township is having its Summerfest the 1st week in August.
6. The FTLPOA meeting was adjointed.

The FTLPOA Board meeting followed the meeting.

- a) Leadership for next year. Scott Schnuckle, President, Mike Flanagan, Vice President, Mary Thibert, Secretary. Gary Ziehmman accepted the position of Treasurer. These positions are a 1 year appointment.
- b) Newsletter: The newsletter will be mailed to all property owners in the spring. There will be no published financial data. The fall newsletter will be mailed only to FTLPO. The financial data will be included. The board will discuss at the next board meeting whether FTLPOA financial data should be available on the website.
- c) It was approved to give George Heroux a recognition gift for his 14 years of service to the FTLPOA. A gift certificate to the Landing and a coffee mug was agreed upon.
- d) The fall board meeting will be September 10th at 9:30 at Scandia Valley Township Hall.

Respectfully submitted by,
Mary B Thibert