

**LAKE MINNETONKA CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

7:00 PM, Wednesday, January 9, 2008  
Wayzata City Hall

**CALL TO ORDER**

Skramstad called the meeting to order at 7:04 p.m.

**ROLL CALL**

**Members present:** Tom Skramstad, Shorewood; Doug Babcock, Tonka Bay; Chris Jewett, Minnetonka; Steve Johnson, Mound; Dennis Klohs, Minnetonka Beach; Andrew McDermott, Orono; Tom Tanner, Wayzata; Lisa Whalen, Minnetrista. Also present: Charles LeFevere, LMCD Counsel; Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; Emily Herman, Administrative Assistant.

**Members absent:** David Gross, Deephaven; Jeff Morris, Excelsior; Kelsey Page, Greenwood; Tom Scanlon, Spring Park; Herb Suerth, Woodland.

**CHAIR ANNOUNCEMENTS**, Chair Skramstad

Skramstad reminded the Board that the 41<sup>st</sup> annual Save the Lake Recognition Banquet will be held on 2/7/08, at the Bayview Event Center.

**READING OF MINUTES-** 12/12/07 LMCD Regular Board Meeting

Skramstad recommended amending the 12/12/07 minutes as it pertains to the motion under Public Hearing on page 8 for North Shore Marina, Inc. reconfiguration of a non-conforming, multiple dock license application by listing out the following five conditions the license is subject to: 1) Watercraft stored within all BSUs must comply with the 4' length overall overhang restriction, except for BSUs D13, D14, F9 and F10 that must be stored within the 200' line as depicted on the 12/7/07 proposed site plan, 2) All watercraft must be stored within authorized BSUs, 3) The watercraft stored in BSU D7 may not exceed 31' length overall, 4) No overnight boat storage should be allowed in the eight transient BSUs, and 5) Any approval should carry over all previous license conditions.

**MOTION:** Tanner moved, Whalen seconded to approve the 12/12/07 minutes as amended, adding the language recommended by Skramstad on page eight.

**VOTE:** Ayes (5), Abstained (2, Babcock and Johnson); motion carried.

**PUBLIC COMMENTS** - Persons in attendance, subjects not on agenda (5 min.)

There were no comments from the public on subjects not on the agenda.

**CONSENT AGENDA-** Consent agenda items identified with a (\*) will be approved in one motion unless a Board member requests discussion of any item, in which case the item will be removed from the consent agenda.

Harper requested item 2C, Johnson and O'Gara Variances, be removed from the consent agenda as one of the variance orders has been amended.

Whalen moved, McDermott seconded, to approve the consent agenda as amended, removing agenda item 2C. Motion carried unanimously. Items so approved included: **2A**, 2008 Multiple Dock Licenses, staff recommends Board approval of 2008 renewal, without change, multiple dock license applications for the Cities of Excelsior, Greenwood, Minnetonka, Tonka Bay, and Wayzata; **2B**, 2008 District Mooring Area Licenses, staff recommends Board approval of 2008 renewal, without change, district mooring area license applications for the Cities of Deephaven and Excelsior, **3A**, Audit of Vouchers (12/16/07-12/31/07 & 1/1/08 – 1/15/08), **3B**, November financial summary and balance sheet, and **5A**, Hennepin County Sheriff's Water Patrol Significant Activity Report.

Board Member Jewett arrived at 7:21 p.m.

## 1. EWM/EXOTICS TASK FORCE

### A. Update of 2008 Lake Vegetation Management Plan (LVMP) Project;

Skramstad asked Nybeck to provide background on this agenda item.

Nybeck stated he and Osgood have planned to accomplish the following three objectives within this agenda item: 1) review what a LVMP is, 2) update the Board on the proposed 2008 project, and 3) discuss the LMCD's recommended involvement on the 2008 project. He stated Osgood will review the first two objectives and he will discuss the third. With that introduction, Osgood proceeded as follows:

Dick Osgood, LMA Executive Director, made the following comments:

- He provided information on native and non-native plants within Lake Minnetonka by stating Eurasian watermilfoil was discovered in 1987 and is the most commonly reported, although there are others, nuisance plant and that other plants, especially native plants, are healthy to have.
- Milfoil is controlled or managed by the following efforts: 1) LMCD harvesting since 1989, 2) individually controlled by residents via pulling, cutting, weed-rolling and/or herbicides, or 3) coping with existence.
- A comprehensive plant inventory was substantially lacking prior to the current project in which an inventory has been completed on Carman, Grays, and Phelps Bays.
- He reviewed the 2006 Milfoil Demonstration Project by stating the project was a public/private partnership amongst the LMA, representing the Lake Minnetonka residents, and the LMCD and other key governmental agencies such as the MN DNR and Corp of Engineers. The objective was to control milfoil with herbicides without harming native plants.
- He defined a LVMP as a MN DNR document that plans for the management, control and protection of lake plants, delegating some oversight responsibilities to local organizations. Through this process, the MN DNR may authorize variances to their rules.
- The challenges addressed in the Plan include: 1) The control of Eurasian watermilfoil (EWM) as it is the most problematic plant in the three bays due to interfering with most recreational

- activities, creates a shoreland cleanup and maintenance chore, and may diminish ecological health. He stated other invasive species, particularly curlyleaf pondweed (CLP), should be controlled as well. 2) A controlled balance of protective, native submersed plants as it is recognized that some kind of rooted, submersed plants will always be present but also interferes with recreational use, i.e., water lilies which are sometimes problematic but provide valuable habitat; placing them in a higher category of protective control. 3) Better coordinated control of plant management.
- He reviewed the following four established goals: 1) EWM and CLP will be controlled in a manner that is safe and effective to reduce interference with recreational activities, reduce lakeshore cleanup and improve ecological health. To accomplish the goal, EWM & CLP will be controlled to levels of 20% during the first year and maintained to below 20% during the second through fifth years. The water clarity in the bays will not be diminished and annual assessments of user perceptions will be conducted to evaluate treatment effects. 2) Native plants should be protected, except in localized areas where they pose a nuisance. To accomplish the goal, the diversity of native submersed plants will be maintained or allowed to increase. 3) Provide limited individual nuisance or access control when bay-wide selective control applications are performed. To accomplish the goal, chemical treatments within the same season shall be granted no more than 50 shoreline feet, or half their lake frontage, whichever is less, by 50 feet lakeward plus a 15 foot channel to open water. 4) Provide a plan that will be considered as a framework for possible expansion in the future to other bays in Lake Minnetonka. To accomplish the goal, the LVMP could be expanded to other bays in Lake Minnetonka, depending on a number of factors, including, but not limited to the following: a) the outcome of the plan, b) interest or demand, c) a significant change in the EWM or CLP situation elsewhere in Lake Minnetonka, and d) availability of financial resources.
  - He provided a visual graphic of each bay and their sampling sites which outlines where the treatments are to occur.
  - He reviewed treatment options, noting that mechanical and biological options would not meet the plan objectives and that selective chemical herbicides are the only option. The specific treatment recommended was a selected treatment which included Aquathol K (1 ppm) + Renovate (0.25 ppm) for the first year, with spot treatments for the second through fifth year.
  - He reviewed estimated costs per bay which included administration and permit fees. Osgood stated there was a strong possibility in obtaining a MN DNR Grant.
  - He reviewed the next steps which included the following: 1) complete the LVMP, 2) apply for a MN DNR Grant by 2/11/08, 3) obtain bids/proposals, 4) secure funding, and 5) schedule treatments for late-April or early-May.
  - He entertained questions and comments from the Board:

Tanner asked Osgood to confirm who the key partners are in the Plan.

Osgood stated the key advisors are the LMA, LMCD, MN DNR, Corp of Engineers, Hennepin County, and Three Rivers Park District; providing for public funding from some of the key advisors and private funding from Lake residents opting in on the plan.

Babcock asked the following two questions: 1) Is the baseline established in Goal #1 already established or something that will be established in the first year, and 2) for Goal #3, is the homeowner's area to be reduced, managed through the permitting process or another process?

Osgood stated that for Goal #1, a current assessment has been completed. He directed the Board to page 6 of the Plan which references, how frequently plants are interspersed (density or matting coverage). The survey data includes frequency and representative samples for plant biomass (how much plant per square foot/meter) that provides a baseline for comparison. The reduced area for residents, outlined in Goal #3, is set within the permitting process of the MN DNR. He reviewed bay-wide permitting options which included one permit per bay and, in addition, individuals will need to sign in or out of the project. At least one-half of the residents of the bay will have to opt in for the treatment to go forward.

Babcock expressed concern that even if adequate funding is available and the treatment goes forward, individuals opting out making it very difficult to manage a whole-bay treatment.

Skramstad asked if there would be a need for follow-up treatment if after the first year, the concentration was less than 20%?

Osgood stated that 20% is objective and would have to be considered on a case-by-case basis.

Babcock asked if the dosage provided is specific to the nature of the plant and its control?

Osgood stated there are various ways to receive specific treatment, i.e., through the selection of the chemical compound itself, the dosage, and the timing. The options offered are a combination; noting timing is the controlling factor due to seasonal growth.

Whalen asked if Aquathol K was primarily targeted for CLP and are their concerns with human contact of the chemical?

Osgood stated Aquathol K is utilized for both the control of CLP and EWM; however, timing is the key to the selected treatment. Osgood stated the chemical does stay in the water; however, it breaks down very quickly by bacteria and sunlight. Restrictions include avoiding swimming or irrigation for a day or two. He reminded the Board that the chemicals will be placed during a time of the year where swimming will most likely not take place (April or May). Any concerns with irrigation will be posted.

Jewett asked Osgood to explain why the treatment of Grays Bay was more expensive.

Osgood stated the treatment of Grays Bay was more expensive due to the whole bay being covered with plants whereas fractions of the other bays are covered and the chemicals are only applied where the plants are. He stated he has initiated communication with the MN DNR in questioning the price of Grays Bay and anticipated a reduction in that number.

Babcock asked if the price includes treating the entire bay at all points or just treating the points within the littoral zone.

Osgood stated points within the littoral zone where there is CLP or EWM. As a practical matter, that covers most of the bays. He directed the Board to page 3, Section 1D which outlines the littoral acreages of the bays. Therefore the numbers provided is based on the plant coverage

within the littoral acreages.

Jewett asked Osgood why Grays Bay was scheduled to receive the lesser amount in grant funding of the three bays.

Osgood stated the grant funding was based on surface areas. The MN DNR's cut off point is 150 acres or less for \$10,000.

Nybeck suggested the grant funding may be higher and asked Osgood to confirm.

Tanner asked if Osgood knew of other grants that might be available.

Osgood stated he was not aware of the availability of other grant options.

McDermott asked Osgood to confirm the treatments proposed for 2008 will be considerably larger than the test areas performed in the 2006 Milfoil Demonstration Project.

Osgood confirmed that the treatment areas are larger. The 2006 Milfoil Demonstration Project provided for subareas ranging from 6 to 15 acres while the 2008 Plan provides for at the least 150 acres. He stated that the LMA President Amanda Walsh was present and that she would like to say a few words.

Amanda Walsh, LMA President, thanked the Board for the cooperative effort to manage milfoil in Lake Minnetonka. She stated that the LMA represents lakeshore owners in which they expressed concern with equity regarding public vs. private funding and believed their voluntary support and willingness to pay for the 2008 whole bay treatments depend greatly on a public match. She recommended the LMCD match be proportional to the offset in harvesting effort in the respective bays and that the LMCD commit to funding at this meeting. She entertained questions and comments from the Board.

Seeing no questions, Skramstad asked Nybeck to proceed with the third objective.

Nybeck concurred that feedback from the Board this evening would be beneficial on the topics of funding and the MN DNR grant application. In regards to the funding, Nybeck provided information to the Board that was provided at the 1/3/08 LVMP Stakeholder Meeting. He stated that the current harvesting budget is almost identical to the mid-1990's budget; providing for a very tight budget. Whether we harvest in the three bays planned for 2008 chemical treatment or not; the harvesting will be reallocated within the lake. Therefore, if the Board is considering designating a contribution to the 2008 LVMP, he recommended the following: 1) that funding come from the Save the Lake budget and 2) the contribution be no more than \$5,000 on a bay-by-bay basis. His funding recommendations were based on the following reasons: 1) the LMCD takes in an estimated \$30,000 in contributions per year, 2) there are other requests coming in for the use of Save the Lake funds, one of which was in the Board's handout folder, and 3) the LMCD needs to manage their budget within reason and anticipate future treatment options in other bays as the Board is only considering treating three of forty-two bays on the lake. Furthermore, he recommended the Board provide a motion approving Nybeck to work with a designated liaison on the completion of the MN DNR grant and that the Board consider an agreement or a memorandum

of understanding between the LMCD and the LMA in which Nybeck would bring the agreement back to the Board for consideration. An example of what would be listed on the agreement would be the LMA's responsibilities as follows: 1) make contacts at the neighborhood level, 2) conduct the neighborhood meetings, 3) securing the approvals of the abutting lakeshore property owners, and 4) establishing a funding formula and collect the funds from the lakeshore property owners. Nybeck would then schedule an update for the Board at the 2/27/08 meeting providing for an update on the LMA's discussion with the lakeshore property owners. Should residential participation be high, Nybeck would proceed with draft specifications via a sealed bid process, required by State law, for the application of the treatments, for Board review. At the 3/26/08 meeting, Nybeck would provide a sealed bid update and recommend awarding of the contract.

Babcock asked if the grant application is tied to a funding commitment by the Board, when would the Grant be awarded, and at what Board meeting would the LMCD award the sealed bid?

Nybeck stated that the awarding of the Grant is not tied to a funding commitment; however, it would be helpful to document a local match, i.e., Save the Lake. He stated the grant award would be early to late March. He recommended the contractor be awarded the bid at the 3/26/08 meeting.

Osgood concurred with Nybeck that the bid should be awarded at the 3/26/08 meeting. He reiterated the need to receive a funding commitment from the LMCD at this meeting to help their cause in talking with the residents. The LMA intends to disburse the funding on a bay-by-bay basis with deadlines set in the future.

Skramstad asked what happens if the money is raised and funds are not all spent.

Osgood stated that the residential funds will be collected on a year-by-year basis.

Babcock concurred that funding limitations be set as the operating budget from the cities are already set for 2008 and this is an unbudgeted project.

Whalen commented that the MN DNR grant is also a year-to-year grant.

**MOTION:** Babcock moved, Whalen seconded to authorize the expenditure of \$5,000 per bay for Phelps, Carman and Grays Bay for the 2008 LVMP project from the Save the Lake fund, contingent upon receiving full funding from the MN DNR grant application and the remaining balance to be paid by the abutting lakeshore property owners.

**VOTE:** Motion carried unanimously.

Discussion was held amongst the Board as to which agency should author the grant application and which LMCD Board member should be the liaison to the process. Based on Nybeck's comment that the MN DNR recommended local units of government be the author of the grant applications, it was the consensus of the Board that the LMCD submit the grant application; sponsored by the LMA, and that Board Member Suerth be the liaison as Chair of the EWM/Exotics Task Force Committee.

**MOTION:** McDermott moved, Babcock seconded to authorize Nybeck to proceed in the processing of a MN DNR grant application for the funding the 2008 LVMP and that Board Member Suerth act as the Board liaison during the completion of the grant.

**VOTE:** Motion carried unanimously.

**B. Additional Business;**

There was no additional business.

**2. WATER STRUCTURES**

**C. Johnson and O’Gara Variances,** staff recommends Board approval of draft variance orders in conjunction with Canning settlement agreement.

Skramstad asked Harper to provide background on this agenda item.

Harper stated that Item 2C was removed from the consent agenda as one of the two subject variances was revised and a copy was located in the Board handout folder. He asked LeFevere to expound.

LeFevere stated that the Court Order, which was based on the Canning settlement agreement, provided for a variance to the Canning property. The neighboring property owners, the Johnson’s and O’gara’s, were not formal parties to the law suite and he suspected that is why the Court did not grant variances directly to them and, in turn, ordered the LMCD to do so at terms specified by the Court. He stated that the LMCD’s special council, Justin Templin, notified the two parties that the variances were on the agenda for approval and that their attendance was not required but they were welcome to appear if they would like.

Babcock asked if a response was received from either of the parties.

Harper confirmed that a response was not received.

Babcock stated he would like to see formal communication be made to the two parties prior to Board approval.

Whalen expressed concern in holding off approval on the basis that the variances are Court ordered and that the parties were present at the court hearing to express their concerns at that time.

Babcock expressed the desire to establish a record stating that the LMCD communicated with the parties and that they were given a chance to respond.

LeFevere confirmed that the parties were at the Hearing and were signatories to the settlement agreement. He advised that the Board could 1) hold off for approval to the next meeting as the variances are not time sensitive, or 2) adopt the variances and if there are objections to the language, the Board could hear their concerns.

**MOTION:** Whalen moved, McDermott seconded to approve the side setback and authorized dock use area variances for 5600 Maple Heights Road and the amended variance for 21120 Excelsior Boulevard as requested by the Court with the stipulation that the LMCD send a letter to the residents stating that the action was Court ordered, that the LMCD understands the party involved was informed of such action, and that an invitation to address the Board be provided to the parties of the variances should there be any concerns.

**VOTE:** Ayes (7); Nays (1; Babcock); motion carried.

**D. Staff recommendations for 2008 LMCD Code Enforcement Project;**

Skramstad asked Nybeck to provide background on this agenda item.

Nybeck stated that in follow-up to his presentation at the 12/12/07 Board Meeting, he was going to address the Board on the topics of a budget, position descriptions, and a recommended compensation adjustment for staff coverage for the 2008 LMCD Code Enforcement Project. Based on the need for further research on the compensation levels and the newly appointed Board officers, which make up the Personnel Committee, he recommended the agenda item be tabled until the 2/13/08 meeting.

The Board concurred with Nybeck's recommendation.

**E. Additional Business;**

There was no additional business.

**3. FINANCIAL**

**C. Additional Business;**

There was no additional business.

**4. ADMINISTRATION**

**A. Update from Steve Tallen on 2007 LMCD prosecution matters;**

Skramstad welcomed Tallen on behalf of the Board.

Tallen introduced himself and provided an update on the 2007 prosecution matters which were highlighted as follows:

- Due to budgeting changes in the Court's administration and the need to maximize the Judges' use of time; there has been an increase in expenditures at his office level.
- Boating While Intoxicated (BWI) continues to be a priority, which utilizes most of the budgeting expenses.
- He reviewed the LMCD's budget by stating the fine revenue was just short of \$24,000 and



the expenditures were \$36,000.

- He credited the Hennepin County Sheriff's Office for successfully investigating and prosecuting two individuals who have pled guilty to operating an unlicensed booze cruise on Lake Minnetonka.
- The snowmobiling cases have been quiet; with two cases from 2007 up on appeal that have not been scheduled for oral arguments to date.
- He entertained questions and comments from the Board.

Skramstad suggested Tallen spend a few minutes updating the new Board members on what his responsibilities are.

Tallen stated that under contract with the LMCD, the Hennepin County Sheriff's Office enforces both State law and the LMCD ordinances on Lake Minnetonka. By contract, Tallen's office handles the prosecution of violations of the LMCD Code which is a misdemeanor. A fine schedule has been adopted which allows petty misdemeanors, i.e., a quiet waters ticket, to be paid directly to the Courts. The more serious offences, i.e., BWI's, have a right to a jury trial. His office represents the cities of Medina, Loretto, Deephaven, Woodland, Maple Grove, and the LMCD; all out of the Minnetonka Court House (Division 3). He stated his goal it to try and make sure people have been heard and that they are held accountable for their actions.

Babcock asked if it would be helpful to his office if the Board could codify the misdemeanors and does his office get involved in matters of theft?

Tallen stated that codifying misdemeanors would not change anything as his office has the ability to review the complaint and classify the misdemeanor themselves. In regards to prosecuting theft cases, he stated his office gets involved if the crime was held on the water. Those cases have to be pretty serious as most individuals do not report theft of a tackle box or a bottle of alcohol.

Tanner asked if he saw as much activity in the winter as in the summer.

Tallen stated he did not see as much activity in the winter as in the summer due to the fact that enforcement from the Water Patrol depends on the safety of the ice and whether the Sheriff was comfortable sending the deputies out.

**B. 2008 LMCD Board Officers**, consideration of recommendations from the nominating committee;

Skramstad stated that every fall a nomination process is put in place for the selection of officers for the following year. Last October, he and Board member Seuntjens were the nominating committee in which they encouraged members to step forward if there was an interest in serving as an officer. From those efforts, the following recommendations were announced: Chair, Lisa Whalen; Vice Chair, Tom Tanner; Treasurer, Tom Scanlon; and Secretary, Drew McDermott.

Nybeck recommended the Board make a motion accepting the slate of officers recommended by the nominating committee; at which time the floor is opened up for any other members that would like to be considered for a Board officer position.

**MOTION:** Johnson moved, Jewett seconded to accept the following slate of officers recommended by the nominating committee: Chair, Lisa Whalen; Vice Chair, Tom Tanner; Treasurer, Tom Scanlon; and Secretary, Drew McDermott.

Skramstad asked if there were any other Board members that were interested in serving as an officer? Hearing none, he requested a motion to approve the slate of officers recommended.

**MOTION:** Babcock moved, Johnson seconded to approve the slate of 2008 LMCD Board officers as recommended by the nominating committee.

**VOTE:** Motion carried unanimously.

**C.** Review of proposed 2008 LMCD special and on-going projects list.

Nybeck stated that at the 12/12/07 meeting, he provided a detailed presentation reviewing the 2007 and 2008 special projects and unless the Board had further questions or amendments, he would proceed to administer the list for 2008.

Skramstad suggested staff proceed administering the projects as the Board has the ability to amend the list at any time.

**D.** Chair presentation summarizing LMCD history and activities;

Skramstad stated that as Chair of the LMCD Board, he has been invited to address various organizations. In doing so, he presented a power point presentation that he utilized at a Rotary Club meeting. During that presentation, the following comments were highlighted:

- A list of historical events up to the inception of the LMCD, including 1) 1889 – a special state law passed that it was illegal to pollute or defile the waters of Lake Minnetonka, 2) 1936 – lake water quality studies began, 3) 1946 – Greater 'Tonka Council was formed, which was composed of 100 civic organizations to conserve and preserve Lake Minnetonka, 4) 1950's – League of Minnetonka Municipalities was formed to improve cooperation amongst government agencies, and 5) 1967 – the LMCD was established by the State Legislature at which time there were 15 member cities; now 14.
- Upon the establishment of the LMCD, the Board of Directors was established; one representative from each city. Their original responsibilities included regulating the use of the Lake by eliminating pollution. Prior to 1972, none of the cities around the Lake had sanitary sewer systems; however, by the mid 1970's all cities maintained a system and the pollution was vastly improved. At that time boat toilet laws and management of industrial waste were addressed. During this time, three factories were located around Lake Minnetonka.

- A mission of the LMCD was reviewed by the Board in 2005 that states, "To ensure that public usage of the Lake is maximized and the recreational quality of the Lake is protected."
- He reviewed statistics of watercraft use from the comparison of a 1975 to 2004 shoreline inventory report.
- In cooperation with other local agencies serving Lake Minnetonka, he outlined recent projects being undertaken by the LMCD, some of which included improving enforcement of existing ordinances, improve communication with the public, provide leadership in aquatic invasive species management/prevention, review and revise regulations, and build/improve partnerships.
- He stated the power point presentation is available at the office for Board member's use.

E. Additional Business;

There was no additional business.

**5. LAKE USE & RECREATION**

B. Additional Business;

There was no additional business.

**6. SAVE THE LAKE**

Skramstad asked Nybeck to provide background on this agenda item.

Nybeck directed the Board to two items of communication in their handout folder. The first was a memorandum from Lt. Carver requesting the funding of two different pieces of equipment from the Save the Lake fund and the second was an email from Tony Brough of the Hennepin County Environmental Services for replacement buoys on Cruisers Cove. The requests could be addressed at this meeting or scheduled for discussion at the 2/13/08 meeting. He stated that the Water Patrol has had difficulty requesting the funding of equipment that previously met the Save the Lake funding criteria. The 2008 equipment request is more in line with this funding criteria. The funds will be expensed out of an early 2000 business community donation in the amount of \$11,953, designated for Water Patrol equipment purchases. For the benefit of the newer Board members, Nybeck stated the buoys placed on the north side of Big Island were to create a safety lane in follow-up to a former July 4<sup>th</sup> incident. At that time, Hennepin County Services, the agency responsible for the placement of Lake Minnetonka buoys, did not have the funds in their budget for the purchase of the buoys, so the LMCD purchased them with Save the Lake funds.

Babcock expressed some reservation in funding Water Patrol equipment with Save the Lake funds; however, agreed with Nybeck that the equipment being requested better falls in line with the Save the Lake funding criteria as they are of a public safety nature.

Whalen suggested that when the new Chair of the Save the Lake Committee be appointed, the review of funding requests be forwarded to that committee for future recommendations of expenditure.

Nybeck stated the requests for the Water Patrol equipment and buoys totaled approximately \$8,500 of the \$11,900 set aside for funding such projects.

**MOTION:** Johnson moved, Tanner seconded to approved the funding of \$8,200 from donated funds earmarked in the Save the Lake fund from the business community for the purchase of 1) the Cardiac Science Powerheart Model 9300E-501P, 2) an improved under water communication system entitled, OTS Hi-Use Connector installed for 10 ropes and EMA's , and the purchase of additional buoys for Big Island.

**VOTE:** Motion carried unanimously.

## 7. EXECUTIVE DIRECTOR REPORT

Nybeck reported on the following three items: First, in an effort to cross train staff, Harper and Herman coordinated the Board packet for the meeting, while Harper maintained the duties of the Executive Director and Herman operated the audio equipment. He anticipated future cross training in which he will be absent from the meeting to allow Harper better opportunities to speak. Second, he recommended the Board meeting of 1/23/08 be cancelled as the agenda and action items are relatively light, and in its place recommended a workshop planning session be held in the LMCD office to discuss the 2008 AIS Prevention Program. Third, the Chair of the Environmental Committee, Board Member Gross, provided an update of their work at the 12/12/07 meeting in which various ordinance amendments were brought forward and first readings were approved. In response to that, stakeholders of Lake Minnetonka have expressed concern that they did not get a chance to comment on the ordinances. Therefore, he recommended a public hearing be scheduled for the 2/13/08 meeting in which input from the stakeholders would be allowed.

The consensus of the Board was to proceed with Nybeck's recommendations for items two and three.

**MOTION:** Babcock moved, Johnson seconded to cancel the 1/23/08 LMCD Regular Board Meeting.

**VOTE:** Motion carried unanimously.

## 8. OLD BUSINESS

### Board Reappointments

Babcock asked Nybeck for an update on the Board Member reappointments.

Nybeck stated that he would provide an update at the 2/13/08 meeting.

## 9. NEW BUSINESS

### Citizens Lake Monitoring Program

Skramstad stated the Citizens Lake Monitoring Program, in which he has been involved with for the past 15 years, is looking for volunteers to perform various studies in local lakes and bays. He highly recommended this program and offered to coordinate communication of anyone interested in serving.

Chair Skramstad's Last Meeting

With the cancellation of the 1/23/08 meeting, Skramstad noted this was his last meeting with the LMCD and he personally thanked everyone for their help.

On behalf of the Board, Whalen thanked Skramstad for his service, noting he will be a hard act to follow as she serves as the new Chair of the LMCD. She recognized the time he has spent on the LMCD and looked forward to recognizing those efforts at the Save the Lake Banquet.

Locust Hills Ribbon Cutting Ceremony

Tanner reminded the Board that they were invited to a Ribbon Cutting Ceremony for Locust Hills, LLC, held 1/17/08, starting at 3:30 p.m.

**10. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:17 p.m.

Tom Skramstad, Chair

Tom Scanlon, Secretary