

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 PM, Wednesday, June 9, 2010
Wayzata City Hall

1. CALL TO ORDER

Whalen called the meeting to order at 7:02 p.m.

2. ROLL CALL

Members present: Lisa Whalen, Minnetrista; Kelsey Page, Greenwood; Andrew McDermott, Orono; Tom Scanlon, Spring Park; Dan Baasen, Wayzata; Peter Hartwich, Excelsior; Chris Jewett, Minnetonka; Steve Johnson, Mound; Herb Suerth, Woodland; Dick Woodruff, Shorewood. Also present: Charlie LeFevere, LMCD Counsel; Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; Emily Herman, Administrative Assistant.

Members absent: Doug Babcock, Tonka Bay; David Gross, Deephaven; Dennis Klohs, Minnetonka Beach; Bill Olson, Victoria.

3. APPROVAL OF AGENDA

Whalen stated that she would like to add agenda item 11E to consider proposed amendments to the 2010 LMCD Board Meeting Schedule for July and August.

MOTION: Jewett moved, McDermott seconded to approve the agenda as amended, making the change noted by Whalen above.

VOTE: Motion carried unanimously.

4. CHAIR ANNOUNCEMENTS, Chair Whalen

Whalen stated that she was in receipt of a letter from the Lake Minnetonka Association (LMA) thanking the LMCD, specifically Director Nybeck, for implementing additional steps and recent actions taken in the processing of the LMA's Lake Clean-up special event permit for the prevention of Aquatic Invasive Species (AIS). Participating watercraft were coming from Prior Lake, which is documented as a zebra mussel infested body of water, and Nybeck documented that those watercraft should not be allowed to participate in the event, which the LMA agreed to. Additionally, Nybeck specified additional steps for the cleaning of scuba diving equipment used by all divers. The LMA was not aware of the watercraft coming from Prior Lake and they appreciated Nybeck's actions, which were consistent with what the LMA has been advocating.

5. APPROVAL OF MINUTES – 05/26/10 LMCD Regular Board Meeting

MOTION: Woodruff moved, Page seconded to approve the minutes from the 05/26/10 LMCD Regular Board Meeting as submitted.

VOTE: Motion carried unanimously.

6. APPROVAL OF CONSENT AGENDA

McDermott moved, Jewett seconded to approve the consent agenda as submitted. Motion carried unanimously. Items so approved included: **6A**, Audit of vouchers (06/01/10 – 06/15/10); **6B, Minnetonka Boat Rentals**, approval of 2010 renewal on-sale, non-intoxicating malt liquor license application for the charter boat Lonneytoon; and **6C, Marine Max**, approval of 2010 special event application for “Boat in Theater” event.

7. ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items removed from the consent agenda.

8. PUBLIC COMMENTS- Persons in attendance, subjects not on the agenda (limited to 5 minutes)

There were no public comments.

9. UPDATE FROM STANDING LMCD COMMITTEES-

- AIS Task Force
- Save the Lake
- Technical Advisory Committee (TAC)
- Ordinance Review Committee
- Public Safety Committee

Whalen asked for an update from the Chair, or designated representative, of each committee.

AIS Task Force (AIS)

Woodruff stated that the next AIS Task Force meeting is scheduled for Friday, June 11th, at 8:30 a.m.

Save the Lake

Whalen stated that there will be a Save the Lake update under item 11A.

TAC

There was no update.

Ordinance Review Committee

Harper stated that the next committee meeting is currently being targeted to be scheduled for mid-June.

Public Safety Committee

There was no update

10. PUBLIC HEARINGS

There were no public hearings.

11. OTHER BUSINESS

A. **Save the Lake Committee**, discussion of re-branding proposal from The Thorburn Group

Whalen stated that a Board Workshop/Planning session was held just prior to this meeting. She asked Nybeck to provide background on the Board's discussion.

Nybeck stated that the Save the Lake Committee and Pat Weas from The Thorburn Group presented a logo identity proposal that was recommended by both parties. The Board concurred with the recommendation; however, it was sent back to the committee to establish a usage guide and revise the graphic design of the wave within the proposed logo. Upon completion of those two items, the proposal can be presented to the Board for recommended approval.

B. **Ordinance Amendment**, first reading of an ordinance relating to multiple dock licenses, adding Subd. 19 to LMCD Code Section 2.03.

Whalen asked Harper for background on this agenda item.

Harper stated that the draft ordinance amendment provided for a more streamlined process in obtaining a multiple dock license for combined docks at residential sites. He reviewed the conditions of the ordinance, one of which is that the Executive Director may refer any complex or environmentally sensitive applications to the Board for their consideration. He entertained questions and comments from the Board.

The Board asked a few questions, in which Harper responded to.

MOTION: Baasen moved, Woodruff seconded to approve the first reading of the draft ordinance amendment as submitted, to waive second and third readings, and to adopt it.

VOTE: Motion carried unanimously.

C. Review of draft 2011 LMCD Budget

Whalen asked Nybeck for background of this agenda item.

Nybeck provided a review of the processing schedule through July 1st (the date member cities are to be in receipt of the approved budget). He believed that the zero percent increase in the levy to the member cities was well received and he recommended preliminary Board approval of the draft budget at this meeting to accommodate any concern for the lack of quorum at the June 23rd Board meeting. Additionally, he stated that the Board would have the opportunity to communicate any revisions that may arise through that date prior to final approval.

Whalen stated that she concurred with Nybeck's assessment. However, she noted that any revisions considered prior to June 23rd should not include an increase or decrease of the levy to the member cities. Additionally, she believed that a number of Board members already had the opportunity to present the draft budget to their member cities.

MOTION: Woodruff moved, Jewett seconded to: 1) certify and adopt the draft 2011 LMCD Budget as submitted, and 2) to direct Nybeck to forward this budget, with cover letter, to the member cities prior to the July 1st deadline.

VOTE: Motion carried unanimously

D. Staff update on 2010 EWM Harvesting Program schedule

Whalen asked Harper to provide background on this agenda item.

Harper provided an update on the 2010 EWM Harvesting Program schedule via a PowerPoint presentation. A summary of his comments are as follows:

- A review of program accomplishments and operating plans to date. This included an aerial survey completed on June 2nd (which was further defined via a boat survey on June 7th); staff training on June 8th; equipment launching on June 9th; and a review of the rotating schedule (Lower Lake North option), with possible changes for extenuating circumstances.
- A review of aerial photographs documenting areas of concern within specific bays. He provided comments and responded to a few questions when warranted.
- Due to extenuating circumstances on North Arm Bay (heavy growth), he recommended deviating from the rotating schedule to harvest in this bay after Lafayette Bay.
- He entertained questions and comments from the Board.

The Board asked a few questions, in which Harper responded to. His responses included the following:

- Confirmation that a weekly update will be provided on the LMCD website.
- He believed the 10 hour, four days a week work schedule will work well.
- He documented the pilot that assisted in the aerial survey (including his past assistance), and concurred that a thank you letter should be drafted.
- He addressed milfoil fragments by stating that the harvester heads are new, clean and tight; which may assist in less fragments. He could not confirm if tandem cutting will be of assistance as they have not initiated that process due to the bays currently being harvested.
- Confirmation that upon completion of the program, repeat harvesting is typically completed in areas that are warranted.

E. Discussion of 2010 July and August Meeting Schedule

Whalen stated that after conferring with Nybeck, she proposed the following revisions to the July and August Board meeting schedule:

- Cancel the July 14th Board Meeting due to the light meeting schedule and to accommodate for the attendance of an on-the-water, educational event sponsored by the Minnehaha Creek Watershed District entitled: "How Land Affects the Water Quality".
- Cancel the July 28th Board Meeting and schedule a Workshop/Planning Session in its place with Woodland Cove, LLC to discuss their proposed development, with an emphasis on docking and boat storage. The exact location and time for this meeting is to be determined.
- Maintain the August 11th Board Meeting as scheduled.

- Cancel the August 25th Board Meeting and hold an on-the-water Workshop/Planning Session to review various sites that the Board has, or will be, considering action on. She recommended that the session start at 5:00 p.m. to accommodate for darkness.

MOTION: Woodruff moved, McDermott seconded to approved the amendments, as noted by Whalen above, to the July and August LMCD Board Meeting schedule.

VOTE: Motion carried unanimously

12. EXECUTIVE DIRECTOR REPORT

Nybeck directed the Board to his Executive Director Report, dated 6/9/10, and highlighted the following two items: First, he stated that the current lake level was 929.29', with a discharge of 50 c.f.s. This compares to 928.58', with the dam closed, for the same date in 2009. Second, he and Board member Baasen will be participating in the Wayzata Yacht Club (WYC) and Wayzata Community Sailing Center (WCSC) charette planned for June 18th and 19th. Following this charette, public hearings are scheduled for the August 11th Board meeting for the pending 2010 WYC and WCSC applications.

13. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Lisa Whalen, Chair

Andrew McDermott, Secretary