

**LAKE MINNETONKA CONSERVATION DISTRICT
Public Safety Committee
Meeting Report**

3:00 p.m., Thursday, July 29, 2010

Hennepin County Sheriff's Water Patrol Headquarters, 4141 Shoreline Drive, Spring Park, MN 55384

Members Present: Lt. Steve Hartig, Sheriff's Water Patrol; Sgt. Chris Mathisen, Sheriff's Water Patrol; Tony Brough, Hennepin County Environmental Services; Chris Jewett, LMCD Board- Minnetonka; Chair Steve Johnson, LMCD Board- Mound; Bill Olson, LMCD Board- Victoria; Keith Kask, former LMCD Board- Deephaven; Greg Nybeck, Executive Director; Emily Herman, Administrative Assistant. Also in attendance was Dan Robertson, 5430 Cedar Point Road, Minnetrista.

Minutes from the 1/26/10 Public Safety Committee Meeting

The minutes were accepted as submitted.

Assessment of Quiet Water Areas (QWAs)

A. Staff update on Black Lake QWA

Nybeck directed the committee to a tabulation of residential survey responses received by the LMCD, primarily from Black Lake residents. Additionally, he stated that he had observed the area twice during the 2010 boating season. Based on these observations, as well as the majority of the feedback received from the surveys, he questioned whether there was a need to make Black Lake entirely QWA. However, there is a need to explore whether signage could be improved explaining the current QWA.

The consensus of the committee was that the scheduling of a public hearing to consider making Black Lake entirely QWA was not warranted at this time. However, the committee believed the LMCD Board should give consideration to improving and/or installing minimum wake signage at all entrance points to Black Lake.

B. Discussion of request for QWA at channel off of Cedar Point West (West Upper Lake)

Nybeck stated this matter was being addressed after receiving a written petition from Michael Kirkwood in the City of Minnetrista. Mr. Kirkwood has made this request because of public safety concerns he has observed in this area. Nybeck stated that he observed traffic flow in this channel from land on July 25th and observed a heavy amount of traffic with 166 boats using the channel in one hour. This included multiple violations of LMCD Code, which provided for public safety concerns. He stated that he plans to observe the area one more time in August. Two options for the committee to consider included: 1) not act on the request at this time and continue observing the channel during the 2010 boating season, or 2) to make a recommendation to the LMCD Board on whether to schedule a public hearing.

Mr. Dan Roberson, 5430 Cedar Point Road, was in attendance on behalf of Mr. Kirkwood. He stated he shares the same concerns noted in Mr. Kirkwood's letter. He documented his concerns by noting the following observations: 1) tubers that have fallen off the tube in the channel area seven times this boating

season, 2) the loss of four dock sections, 3) water being pushed over his rock wall, and 4) the existence of an active watercraft race course that provides for seven watercraft (two of which are jet boats).

A summary of the committee discussion was as follows:

- Unanticipated consequences of slowing boats down because of a QWA, in particular wake sizes.
- The red buoy closest to the shore has been moved out beyond 150' from the nearest shoreline, as required by LMCD Code. If this buoy was within 150', it would already be considered minimum-wake.
- Alternative buoy layouts in the area, including the channel in question and the west side of the reef adjacent to this channel.
- There is no accident or citation history in this channel.

The consensus of the Committee was that a public hearing was not warranted at this time. The committee believed that both the LMCD and the Water Patrol should monitor public safety in the channel for the balance of the 2010 boating season to verify whether moving the red buoy to 150' has improved the situation.

Discussion of Possible LMCD Code Changes for 2010-2011 Winter

Nybeck directed the committee to a spreadsheet that outlined all the activities listed in the 2009-2010 Lake Minnetonka Winter Rules pamphlet. He and Herman directed discussions to specific activities being considered for LMCD Code amendments:

A. Definition

Herman confirmed that Code Section 1.02, subd. 57 defines a snowmobile as a motorized vehicle; however, she requested confirmation as to whether the State defined it as such. Mathisen confirmed that the State does not define a snowmobile as a motorized vehicle.

B. Hitching and Towing

Herman stated that there was a need to streamline some inconsistencies in the hitching and towing requirements of all motorized vehicles. The Water Patrol requires a straight arm when hitching and towing a device by vehicles driving on the ice of Lake Minnetonka and currently cites a State law for the enforcement of such. However, the LMCD Code defines snowmobiles as a motorized vehicle, noted above, and the State does not. Additionally, the State requires a straight arm when towing a sled, trailer, or device (for the State's defined vehicles) and the LMCD Code does not. She solicited the committee's input in the consideration of a LMCD Code amendment by adding the requirement of a straight arm for hitching and towing. She suggested adding subd. 2e) to Code Sec. 3.11 so that it reads "without the use of a straight arm when towing a sled, trailer or other device containing one or more human passengers." The committee concurred with this recommendation.

C. Safety Equipment

Herman stated that Code Section 3.11, subd. 1 requires specific safety equipment for the use of motorized vehicles, including reflectorized material. However, the LMCD Winter Rules pamphlet does not document the need for reflectorized material. Therefore, she recommended that word be added into the narrative of the pamphlet, in which the Committee concurred. Additionally, Herman stated that the State also requires

reflectorized material on any device being towed by a vehicle and questioned whether the LMCD Code should be amended to reflect that need. The committee was not as concerned about the device needing reflectorized material as long as the vehicle had such. For this reason, a Code amendment will not be submitted and only narrative wording to the pamphlet will be changed to reflect what is currently in place.

D. Speed Limits (maximum)

Nybeck solicited the committee's feedback on the following three questions:

- Should State of Minnesota speed limits for both day and night time of 50 m.p.h. be adopted by LMCD Code? Currently, Code provides for 30 m.p.h. during the nighttime, and 50 m.p.h. during the daytime, outside of the defined shorezone and when vehicles are not within 150' from persons fishing, a fish house, pedestrian, skier, skater, skating rink, or property.
- Should the Code define speed limits in defined areas such as Black Lake, Emerald Lake, and Seton Lake?
- Should there be consideration in amending the shorezone and channel speed limits?

The consensus of the committee was the following:

- To change the maximum speed limit outside of the shorezone and other defined areas noted above, during nighttime hours to 50 m.p.h., which would be consistent with State law.
- To increase the maximum speed limit within the shorezone and when vehicles are within 150' from persons fishing, a fish house, pedestrian, skier, skater, skating rink, or property from 15 m.p.h. to 25 m.p.h.
- To establish an ordinance that restricts maximum speeds for all of Black, Emerald, and Seton Lakes from 15 m.p.h. to 25 m.p.h. (with appropriate signage at all three entry points).

Additional Business

There was no additional business

Adjournment

There being no further business, the meeting was adjourned at 4:10 p.m.

Respectfully Submitted,

Greg Nybeck, Executive Director