

**LAKE MINNETONKA CONSERVATION DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING**

6:00 P.M., Wednesday, February 29, 2012
Wayzata City Hall

1. CALL TO ORDER

Babcock called the meeting to order at 6:07 p.m.

2. ROLL CALL

Members present: Doug Babcock, Tonka Bay; Dan Baasen, Wayzata; Andrew McDermott, Orono; James Doak, Woodland; Gary Hughes, Spring Park; Keith Kask, Deephaven; Jeff Morris, Excelsior; Bill Olson, Victoria; Sue Shuff, Minnetonka; and Mark Sylvester, Shorewood. Also present: Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; and Emily Herman, Administrative Assistant.

Members absent: Anne Hunt, Minnetrista; Steve Johnson, Mound; Dennis Klohs, Minnetonka Beach; Kelsey Page, Greenwood.

3. APPROVAL OF AGENDA

MOTION: Sylvester moved, Morris seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

4. REMOTE OPERATED VEHICLE (ROV), update from Save the Lake Chair Bill Olson on fundraising discussions with Hennepin County Sheriff's Department on the possible purchase for 2012

Babcock asked Olson to provide background on this agenda item.

Kask arrived at 6:10 p.m.

Olson updated the Board on fundraising discussions with Hennepin County Sheriff's Department for the possible purchase of an ROV by making the following comments:

- A historical overview of the Save the Lake fundraising philosophy.
- The Minnehaha Creek Watershed District (MCWD) has recently approved \$250,000 for a large scale Minnesota weevil pilot project for the management of Eurasian Watermilfoil (EWM) on Libbs Lake, Big Island, and Christmas Lake. He confirmed the project is scheduled for five years with the intention of not adding weevils during the fourth and fifth year.
- The historical and current Save the Lake Committee fundraising efforts (i.e., the current aerial photography and the future gas dock sticker campaigns). The committee is currently working closely with a professional fundraising expert, in which the current goal is to add a campaign each year; providing for making the Save the Lake logo synonymous with doing good things for Lake Minnetonka.
- Sheriff Stanek, at the annual 2011 meeting, asked the LMCD to get involved in funding the ROV; providing for an overview of the historical and current practices in recovering a drowning victim. Additionally, he reviewed the 2011 recovery effort near Bohn's Point whereby the Sheriff's

Department borrowed an ROV from Ramsey County, as well as expounding on how the ROV removes risks for the divers and all involved.

- He directed the Board to a handout prepared by the Sheriff's Department that provided background on the ROV, the need for the ROV, and total costs. He reviewed the strength in matching funds for campaign projects (expounding on Carver County increasing their aquatic invasive species (AIS) funding due to a matching option).
- He reviewed the current Save the Lake Reserve Fund Balance (estimated at \$192,000), noting that this in itself could be used for the entire purchase. However, Gabriel Jabbour has offered to match that amount through personal fundraising efforts.
- Due to that offer, he solicited the Board's consideration of increasing their currently approved funding of \$25,000 to \$65,000 for the purchase of the ROV. He directed the Board to a spreadsheet that outlined two separate funding options for Board consideration, in which he provided an overview.
- In summary, the Board typically approves \$65,000 in annual grant funds. He proposed allocating those funds now for the LMCD's contribution to the ROV purchase, provide for an aggressive fundraising effort to replenish those funds, and either re-grant the replenished funds through solicitation of grant requests (as usual) or place a moratorium on grant requests until that amount has been replenished.
- He entertained questions and comments from the Board.

The Board discussed Olson's proposal, with a summary of the comments as follows:

- The perception of Save the Lake (it is a charitable fund of the LMCD, with the need to communicate large purchases to the member cities).
- A review of the LMCD's statutory authorities, in which homicide investigation and recovery efforts are not included. The acknowledgement that LMCD makes an effort not to be a supplementary funding agent to the county; providing for the need to utilize any excess funds to reduce the member cities' levy. Concern was expressed that the LMCD is being asked to fund 50% of a resource that will be utilized county-wide (providing for the interest in seeing donated funds from outside the area).
- Confirmation could not be provided as to what percentage the Sheriff's Foundation was looking to donate. However, Major Darrell Huggett of the Hennepin County Sheriff's Department confirmed that the use of forfeiture funds (through the Foundation) is currently being considered.
- A possible option to create a joint agreement with Ramsey County for the use of their ROV.
- Expressed concern to increase the funding by \$40,000 (up from the approved \$25,000); acknowledging it would drain the reserve fund down for something that is not a definite purchase. There was discussion on whether fundraising for this purchase might be a two-year campaign, as well as public perception needs to be taken into consideration.
- The belief that the purchase of the ROV is very important; however, expressed concern that public relations could be perceived that the LMCD has money going everywhere (such as the \$165,000 for the recent purchase of a new mechanical harvester).
- The belief that the LMCD's ability to raise the funds would be positive public relations (acknowledging that a fundraising expert anticipates doubling or tripling annual funds received).
- A review of the possible benefits offered in the purchasing the ROV.
- Confirmation that it would be beneficial for Board members to speak to their member cities in considering this purchase.

In closing, Olson directed the Board to an outline of the 2012 Gas Dock Sticker Campaign. He provided a brief overview, in which a more in depth overview will be provided to the Board at the March 14th meeting.

5. NEW BOARD MEMBER ORIENTATION

Babcock asked Nybeck to lead discussion on this agenda item.

Nybeck provided a detail overview of the LMCD, via a PowerPoint presentation. Topic discussions included: 1) a general overview (including historical background), 2) framework and summary (legislative powers, ordinance structure, etc.), 3) strategic planning, 4) an overview of LMCD Code (in particular Chapter 2), 5) the variance process, and 6) an overview of the current personal watercraft (PWC) LMCD Code.

There were a number of comments from the Board and staff interjected throughout this presentation.

Nybeck provided a more through overview of current LMCD Code for personal watercraft (PWC). He stated that the staff annually provides the Board with an update to the Proactive Code Enforcement Program, in which the 2011 program was presented on December 14th. At that time, staff acknowledged that the Board had previously expressed an interest in researching PWC storage and use patterns as they pertain to density; one restricted watercraft (in follow-up to comments regularly received by residents). At that time, the Board referred this topic to the Ordinance Review Committee (ORC). He acknowledged that any amendment to the Code would be a significant policy change. Therefore, staff recommends this exercise be conducted at the Board level vs. the ORC. Based on the following statistical information presented within his PowerPoint presentation (PWC historical shoreline inventory counts and five boat Code enforcement trends), he stated that PWC storage ranges from 10-15% and that historical trends are not available for three/four boat violations due to the methodology established for the program. Based on the information provided, he recommended staff obtain further documentation within the 2012 Shoreline Inventory Project (i.e., PWCs for three/four boat docking, and report back to the Board in the fall of 2012 for further consideration). He entertained questions and comments from the Board.

Babcock stated that all PWCs manufactured are considered a restricted watercraft. Discussions conducted in the 1980's concluded that its use pattern to be similar to other watercraft (1:7 acres of water). Additionally, the LMCD has regulated their use by restricting the time limit that they can be operated in one area (30 minutes). He believed that an ordinance change would increase the watercraft usage on the lake; providing for the need to increase law enforcement (based on the 1991 Management Plan).

The consensus of the Board was to continue this discussion to the March 14th Regular LMCD Board Meeting, with staff to provide a recommendation on whether to research into this issue further. Based on this recommendation, the Board will have the ability to decide whether to spend additional staff and Board time on this matter.

Baasen stated that in follow-up to recent discussions on the LMCD's Code pertaining to low water, he recommended staff provide an overview of this topic on the LMCD's website for educational purposes.

Nybeck directed the Board to an LMCD/MCWD joint press release, dated 3/1/12, regarding the agencies' recommendation for residents hiring lake service providers to hire those that are lawfully permitted by the MN DNR.

6. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.

Douglas E. Babcock, Chair

Andrew McDermott, Secretary