

**LAKE MINNETONKA CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

7:00 P.M., Wednesday, June 27, 2012  
Wayzata City Hall

**1. CALL TO ORDER**

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

**2. ROLL CALL**

**Members present:** Doug Babcock, Tonka Bay; Dan Baasen, Wayzata; Kelsey Page, Greenwood; Gary Hughes, Spring Park; Anne Hunt, Minnetrista; Dennis Klohs, Minnetonka Beach; Fred Meyer, Woodland; Jeff Morris, Excelsior; Bill Olson, Victoria; and Sue Shuff, Minnetonka. Also present: Charlie LeFevere, LMCD Counsel; Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; and Emily Herman, Administrative Assistant

**Members absent:** David Gross, Deephaven; Steve Johnson, Mound; Andrew McDermott, Orono; and Mark Sylvester, Shorewood

**3. APPROVAL OF AGENDA**

**MOTION:** Page moved, Hughes seconded to approve the agenda as submitted.

**VOTE:** Motion carried unanimously.

**4. CHAIR ANNOUNCEMENTS, Chair Babcock**

- Babcock stated that there was a drowning off of Bracketts Point on June 26<sup>th</sup>. He expressed his condolences to the family, as well as his thanks to the rescue team. He asked the public to please wear a life jacket when swimming in open water.

Olson reported that the Hennepin County Water Patrol has recovered the victim at 6:30 p.m. this evening.

- Nybeck stated that there are two Board meetings scheduled for the month of July (11<sup>th</sup> and 25<sup>th</sup>). He solicited the Board's interest in: 1) cancelling the July 11<sup>th</sup> meeting, 2) cancelling the July 11<sup>th</sup> meeting and scheduling a Workshop/Planning session on the Lake for the LMCD Board, or 3) cancelling the July 11<sup>th</sup> meeting and scheduling a joint Workshop/Planning session on the Lake with the Minnehaha Creek Watershed District (MCWD) and the Three Rivers Park District (TRPD). Should the Board decide on the third option, he stated that Mr. Gabriel Jabbour has offered to provide and operate a watercraft for the joint Workshop/Session.

Baasen asked what the goal of the third option would be.

Olson recommended reviewing various projects on the Lake that the three agencies have interest in (including visiting the entire entity of Big Island).

The consensus of the Board was for staff to schedule a joint Workshop/Planning session on the Lake with the MCWD and the TRPD for Wednesday, July 11<sup>th</sup>.

**5. APPROVAL OF MINUTES – 6/13/12 LMCD Regular Board Meeting**

Morris requested changing the vote relating to approval of the Consent Agenda (item #6) on the bottom of page one to note that he voted against the approval of the motion.

Hunt requested changing the third paragraph from the bottom on page five to reflect Tom Skramstad's street address as Waycliffe vs Wycliffe.

**MOTION:** Shuff moved, Morris seconded to approve the minutes from the 6/13/12 Regular Board Meeting as amended, making the changes noted above.

**VOTE:** Ayes (13), Abstained (1, Baasen); motion carried.

**6. APPROVAL OF CONSENT AGENDA**

Hunt asked if there would be costs incurred for item 6C below, in which Babcock confirmed no costs would be incurred.

Hunt moved, Baasen seconded to approve the consent agenda as presented. Motion carried unanimously. Items so approved included **6A**, Audit of vouchers (6/16/12 – 6/30/12); **6B**, April financial summary and balance sheet; **6C, LMCD Resolution**, a resolution approving State of Minnesota JPA Criminal Justice Agency and Court Data Services Subscriber Amendment to CJDN Subscriber Agreement (no direct charges anticipated); and **6D**, 4/13/12 AIS Task Force Meeting Minutes.

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

There were no public comments.

**8. PUBLIC HEARINGS**

There were no public hearings.

**9. OTHER BUSINESS**

**A. MCWD, presentation of 2011 Water Quality Sampling Project**

Babcock welcomed Kelly Dooley and Yvette Christianson from the MCWD.

Dooley and Christianson stated that they were in attendance to present the 2011 Streams and Lake Water Quality Monitoring Report. This Report covered the following areas: 1) Partnerships, 2) Monitoring Programs, 3) Other projects (bathymetric mapping, Lake Nokomis biomanipulation project, Zebra Mussel,

carp, Flowering Rush (FR), Curly-Leaf Pondweed, and Eurasian Watermilfoil [EWM], and 4) Lake grades. Via a PowerPoint presentation, the following comments were provided:

- Precipitation was measured and monitored (monthly) at seven locations, as well as additional locations via the Citizen Precipitation Monitoring program (daily). Data from both resources were utilized in the Report. The 2011 annual precipitation was 26.8", which is 9% lower than the long term average of 29.4".
- Telemetry was used for monitoring storm water and other water levels, in which an overview of the monitoring locations was provided.
- The dam was opened prior to ice out in 2011 due to the high water levels and the threat of flooding; providing for an overview of the discharge rates throughout the spring.
- Stream flow monitoring and water quality sampling was completed on a weekly basis at 10 locations on the Minnehaha Creek and 31 locations in the Upper Watershed (March – November). Manual stream monitoring was obtained by use of a SonTek Flow Tracker, as well as the use of a YSI multi probe meter to measure water temperature, dissolved oxygen (DO), Phosphorous (pH), and conductivity. Additionally, water quality samples were obtained for total phosphorous (TP), soluble reactive phosphorous (SRP), total suspended solids (TSS), and total nitrogen (TN). Chloride monitoring is collected monthly in the open water season and when salt/sand is present on the roads during the winter season.
- E. Coli was tested weekly (April through October) at ten locations on the Minnehaha Creek, as well as one location on Six-Mile Creek and three sites on Painters Creek.
- Lake water quality was measured from April to October on 27 bays on Lake Minnetonka (adding Gideons Bay in 2011 per the Minnesota Department of Natural Resources' request) and 11 upper watershed lakes that feed into Lake Minnetonka. Additionally, 16 limited access lakes were monitored for baseline data.
- A Citizen Lake Monitoring Initiative was established in 2010. Volunteers collected samples once a month (May through September).
- Lower Watershed Lake Monitoring (eight lakes) was completed in coordination with the Minneapolis Park and Recreation Board. Additionally, the Three Rivers Park District (four lakes) and the Metropolitan Council (five lakes) assisted in the monitoring, as well. All data collected is provided to the MCWD.
- Lake water quality monitoring included the following: 1) the use of YSI probe measurements to obtain water temperature, DO, pH, and conductivity, 2) nutrients, which are heavily focused on TP, SRP, and TN; 3) Chlorophyll-a for algal abundance; 4) secchi disk depth for water transparency; and 5) ions for chloride. Additional monitoring includes the testing of phytoplankton and zooplankton samples on 11 Lake Minnetonka bays. Test sites for phytoplankton were increased to coordinate with locations maintaining Zebra Mussels as they filter phytoplankton out of the water. Twenty-one other lakes within the watershed are also tested on a weekly basis.
- The process in reporting water quality data was reviewed. Additionally, a chart documenting the water quality grade for 27 bays was provided (as well as those in the upper watershed and limited access lakes). In general, water quality on Lake Minnetonka has had minimal changes over the years.
- A summary of many other projects were reviewed. A few of these included: 1) bathymetric mapping for Parley and Wassermann Lakes, 2) a biomanipulation project at Lake Nokomis,

- 3) a Gleason Lake Vegetation Management Study, and 4) a carp removal and research project.
- A review of the Zebra Mussel Monitoring Program (pre and post infestation) was provided. This review provided for other parameter testing that was completed to determine environment susceptibility, as well as an overview of the infested areas (confirmed throughout the Lake).
  - A review of the FR Pilot Project was provided, in which the new MCWD AIS Specialist is overseeing. Mixed results were provided at the various test sites, in which consideration is being made to continue hand pulling FR where more effective results were found.
  - A review of the Christmas Lake EWM Weevil Biocontrol Study was provided, which included the introduction of 12,000 weevils in part of Christmas Lake. The project was placed on hold due to weather conditions, with plans to re-initiate in 2013.
  - Questions and comments from the Board were entertained.

Hughes asked if their presentation was on the MCWD website, in which they confirmed it was not and offered to do so. Seeing no further questions, Babcock thanked Dooley and Christianson for their presentation.

#### B. Adopted 2013 LMCD Budget

Babcock stated that the 2013 LMCD Budget was approved at the June 13th Board meeting and this agenda item was for informational purposes. He asked Nybeck for any further updates.

Nybeck stated that he and Baasen presented the budget to the Wayzata City Council on June 19<sup>th</sup>. Additionally, he presented to the Shorewood City Council on June 25<sup>th</sup>. One question raised by the Wayzata City Council was why their 2013 levy will increase when their net tax capacity decreased in the last year. He stated that a spreadsheet has been prepared documenting that all 14 cities had a decrease in their net tax capacity in the last year and that Wayzata's has not decreased nearly as much as most of the remaining 14 member cities. Also, a Shorewood City Council Member expressed an interest in the LMCD's total levy remaining flat in 2013.

#### C. Staff update on 2012 EWM Harvesting Program

Babcock asked Harper for an update on this agenda item.

Harper provided the following comments:

- The Lower Lake South option has been implemented this year.
- He provided a detailed overview of the harvesting schedule (from June 11<sup>th</sup> to present).
- He reviewed a mechanical failure that was experienced on June 18<sup>th</sup> with the transporter (the pinion gear in the lower unit). The cost to replace the pinion gear was \$3,211.21. The transport barge was placed back in service on June 27<sup>th</sup>. He thanked Gabriel Jabbour from Tonka Bay Marina for their assistance.
- The new harvester is scheduled to be delivered on July 16<sup>th</sup> (providing for an overview of that process).
- He directed the Board to a State of Minnesota Grant Contract within their handout folder. He

stated this is the grant provided by the MN DNR, in the amount of up to \$35,000, for the 2012 EWM Harvesting Program. Additionally, he stated that LeFevere had reviewed the Grant Contract and had no concerns. He recommended the Board approve the Grant Contract at the end of this agenda item.

- The program was ahead of schedule and would be initiating second cuts in the near future.
- He entertained questions and comments from the Board.

Olson asked if the engine on the transport barge was replaced.

Harper confirmed the lower unit was replaced with a new unit at a very reasonable rate.

Baasen stated that he received calls from a number of residents expressing their appreciation for the harvesting that was completed in Wayzata Bay; acknowledging their interest in increasing their contributions to the Save the Lake Fund.

**MOTION:** Baasen moved, Olson seconded to approve the State of Minnesota Grant Contract as submitted.

**VOTE:** Motion carried unanimously.

#### 10. Update from standing LMCD Committees:

Babcock asked for an update from the Chair, or designated representative, of each committee (Save the Lake, AIS Task Force, Finance, Personnel, Public Safety, and Ordinance Review).

Page stated that the first AIS Subcommittee meeting was held in the LMCD office on June 25<sup>th</sup>. The next meeting is scheduled for July 16<sup>th</sup>.

Olson updated the Board on the Hennepin County Sheriff's Department efforts to purchase a Remotely Operated Vehicle (ROV). He made the following comments relating to Board member concerns and questions previously expressed when considering how much the LMCD should contribute towards the purchase of the ROV:

- The Board did not want to be the main funding source for its purchase. He announced that the Sheriff's Department was approved for a Homeland Security Grant (75% of the cost of the ROV; provided there was a 25% funding match). The LMCD has already approved approximately \$13,600 for this purchase, which is one-third of the 25% match.
- The Board had questioned the frequency that such a device would be used, in which he reviewed the goal in purchasing the equipment was to provide efficient recovery of a victim while increasing the safety of the rescue team.
- The Board had asked whether Wright County could loan their equipment out, in which confirmation was provided that they could not (due to training and liability concerns).
- He reviewed other possible funding options for the Board to consider in meeting the remaining 25% local match from the Save the Lake Fund (in particular unspent funds for the herbicide treatments on the three bays, estimated at \$11,000, and the commercial marina campaign, estimated at \$14,000).

**MOTION:** Olson moved, Shuff seconded to approve an additional funding amount of \$25,000 from the 2012 "Save the Lake" Fund for the purchase of the ROV; provided all funds materialize as described above.

Babcock stated that in previous discussions for the funding of the ROV, the Board was informed that a marina owner had already offered to match the LMCD's contribution, in which Olson stated the match was based on the marina campaign noted above.

Page asked what the Sheriff's Department was contributing.

Nybeck stated that he had spoken with Major Jeff Storms this date. He confirmed the total cost of the ROV had increased from \$125,000 to approximately \$160,000 (with an estimated \$40,000 for 25% local match). He stated the Sheriff's Department would provide funding for the purchase; however, the exact amount is dependent upon the LMCD's contribution and other fundraising efforts. The LMCD has already approved \$13,676 in funding, with the idea that if extra funds were available, more could be contributed (up to \$25,000).

Page asked if the ROV was going to be used throughout Hennepin County.

Olson confirmed the unit would be owned by the Sheriff's Department and kept for Lake Minnetonka's use, as well as transported (with personnel) to other sites throughout the area when needed. He stated that the Sheriff's Department will be funding the training of all his personnel.

Nybeck stated that he informed Major Storms that he could release the \$13,676 (upon Board communication), but that other LMCD funding contribution could not be considered for another 30 to 60 days.

Babcock asked what caused the price of the ROV to go up, in which Olson stated the Sheriff had interest in other options that could be provided with the ROV. Babcock requested an update on the chosen options. Additionally, Babcock deferred to staff but thought the \$13,676 could be released immediately and that no further Board action is required, as well as private contributions received from various fundraising efforts. He stated that he would like to see other contributing sources come forward.

Olson stated that his motion was subject to the additional funds being raised by private contributions to the Save the Lake Fund, as well as unspent chemical treatment funds at the end of this year's treatment program.

Baasen asked if the marina campaign was utilizing the Save the Lake solicitation database, in which Olson confirmed they were not.

Page stated he was opposed to using any savings from the 2012 Herbicide Treatment Project. He believed that any excess funds should be spent on the LMCD's Harvesting Program, as well as the proposed comprehensive vegetation management plan.

**VOTE:** Ayes (3; Baasen, Olson, and Shuff), Opposed (7); motion failed.

Babcock believed the Sheriff's Department has some responsibility to participate in this venture.

Nybeck stated that he would work with Major Storms in answering the questions noted above and provide an update to the Board at the July 25th meeting.

No report was provided for the Ordinance Review and Public Safety Committees.

## 11. EXECUTIVE DIRECTOR REPORT

Nybeck made the following comments:

- Staff has been very busy conducting fieldwork on a number of projects (multiple dock inspections, managing the harvesting program, shoreline inventory, and Code enforcement).
- He attended a number of City Council meetings the past couple of months, which he estimated at seven.
- He reviewed Lake level readings; acknowledging the fact that the Board had declared Low Water at the beginning of the season, which has been terminated, and that staff is now receiving calls questioning the declaration of High Water. He stated that he will continue monitoring the water levels.

Baasen recommended a more coordinated dock extension inspection effort be implemented for future low water declarations, in which Nybeck stated much of the responsibility falls back to the dock installers and their customers (acknowledging that education needs to be improved).

## 12. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:57 p.m.

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Douglas E. Babcock, Chair

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Andrew McDermott, Secretary