

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., Wednesday, April 10, 2013
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; Andrew McDermott, Orono; Gary Hughes, Spring Park; Jay Green, Mound; Ann Hoelscher, Victoria; Fred Meyer, Woodland; Jeff Morris, Excelsior; Rob Roy, Greenwood; 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: Anne Hunt, Minnetrista; Dennis Klohs, Minnetonka Beach; Mark Sylvester, Shorewood. The City of Deephaven did not have representation at this meeting.

3. APPROVAL OF AGENDA

MOTION: Baasen moved, McDermott seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

4. CHAIR ANNOUNCEMENTS, Chair Babcock

Babcock stated that the City of Woodland had re-appointed Fred Meyer to the LMCD Board of Directors. He asked LeFevere to administer the oath of office, in which he did. Meyer was seated as representative for the City of Woodland.

Nybeck stated the City of Deephaven has transitioned their representation to David Gross, who will be sworn in at the April 24th meeting.

5. APPROVAL OF MINUTES – 03/13/13 LMCD Regular Board Meeting

MOTION: McDermott moved, Hughes seconded to approve the minutes from the 03/27/13 Regular Board Meeting as submitted.

VOTE: Ayes (8), Abstained (2, Baasen and Hoelscher); motion carried.

6. APPROVAL OF CONSENT AGENDA

Shuff moved, McDermott seconded to approve the consent agenda as submitted. Items so approved included: **6A**, Audit of vouchers (4/1/13 – 4/15/13); **6B**, February financial summary and balance sheet; and **6C, LMCIT Liability Coverage Waiver Form**, staff recommends the Board approve a motion that the LMCD does not waive monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

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

Roy, representing the Lake Minnetonka Bay Captains, requested the Board consider their request (provided to the Board at their March 27th meeting via letter dated 1/30/13) for continued assistance in funding herbicide treatments during the 2013 boating season.

Babcock recommended bringing the request back to the April 24th Board meeting.

8. PUBLIC HEARINGS

There were no public hearings.

9. OTHER BUSINESS

A. Lafayette Club, 2013 new multiple dock license (minor change) application.

Babcock asked Harper to provide background on this agenda item.

Harper directed the Board to his staff memo, dated 4/4/13. Mr. Scott Bremer, representing the Lafayette Club, has submitted a new multiple dock license (with minor change) application. The applicant proposes to add an 8' x 10' floating platform on the north side of the transient dock adjacent to BSU #1. This platform will be used to launch stand up paddleboards via proposed contract with a company that will be offering lessons to their members (Tuesday through Sunday from early morning until 12:00 p.m.). He reviewed LMCD Code Section 2.03, Subd. 7 (providing for the Executive Director to be able to approve such requests, subject to conditions, without a public hearing or requiring the payment of a fee). Although the applicant meets all requirements for such, Nybeck requested this matter be brought before the Board for consideration based on: 1) the proposed use of the minor change (the storage of paddleboards and the offering of lessons for such use), 2) observance of a new trend of rental businesses, such as this, throughout the Lake and 3) staff's receipt of public safety concerns relative to this new trend (not specific to this application).

Nybeck stated that the application meets all the requirements to allow him the ability to approve this application. However, he brought forward information on a similar business (operating the past two years at the City of Excelsior's commons area) that has been generating communication relative to public safety concerns and the inability for watercraft operators to see the paddleboards being used in the bay area. He expressed similar concerns for the Lafayette Club's proposed use based on the traffic flow from the Arcola Bridge to the Coffee Cove Bridge and the proximity of the proposed use of the paddleboards (acknowledging that some of his concerns have been addressed via the addition of the proposed business hours, noted above). He solicited the Board's consideration of whether they shared his concerns and if future proposed applications should be considered at staff level or brought back to the Board for their consideration on a case-by-case basis.

Baasen expressed concern for effectively being able to teach such use based on the knowledge of this area's size of wakes. He asked if the proposed business could operate from the west shoreline.

Harper stated that there are two approved, overnight BSUs located on the west side and that the shoreline is not currently accessible to the members.

Nybeck stated that it is not his intention to over regulate the proposed business but would welcome ideas to offer more public safe practices. He reiterated that the hours proposed by the Lafayette Club offer a straightforward approach in approving the safety concerns of the proposed application before the Board.

Babcock stated that the application before the Board was presented, initially, based on the change of a previously approved dock structure. He confirmed that this type of activity (paddleboard rental/lessons) is already operating out of two other municipally licensed docks (Excelsior's Commons and Wayzata Bay's beach), in which neither business has been previously considered by the Board. He believed that if the Board was going to consider this type of business, it should be considered on a lake-wide basis and not just for this applicant. He invited the applicant to address the Board.

Mr. Scott Bremer, General Manager for the Lafayette Club, stated the Club's committee recognized the safety factors and, in turn, has proposed operating hours as presented by Harper above.

Green asked if supervision was going to be provided, in which Bremer confirmed the proposed hours were presented based on supervised coverage. Green further stated that this proposed activity stipulated lessons, in which he wanted to be sure someone, other than the student who was concentrating on learning to work the paddleboard, was aware of the surrounding boat activity. He stated that watercraft approaching from the west is doing so from a blind corner vs. the east where they can be spotted but dealing with rough waters.

Morris stated that he operates charter boats out of Excelsior Bay on a regular basis. He is very familiar with the paddleboard business and is conflicted in considering this application based on safety factors relative to the proposed business. He believed the ownership of safety needs to fall to the paddleboat operator and that the applicant and members need to understand what they are getting themselves into.

Babcock re-stated that the matter needs to be considered on a lake-wide basis and that all watercraft operators need to take responsibility for operating within the rules of the road. He believed the applicant was taking the extra step to provide for the safety factors (supervision, hours, etc.); expressing appreciation to the applicant. He confirmed that approval would be a permanent change to an annually, renewable multiple dock license.

Nybeck confirmed that the annual renewal would be processed at staff level (unless otherwise directed by the Board); reiterating this application was before the Board so that they were fully aware of the proposed minor change.

MOTION: McDermott moved, Green seconded to approve Lafayette Club new multiple dock (with minor change) license for the 2013 boating season.

VOTE: Motion carried unanimously.

B. Ordinance Amendment, first reading of an ordinance relating to bow-fishing, adding new LMCD Code Section 3.18

Babcock stated that he believed the draft ordinance (within the packet) addressed all of the concerns previously discussed by the Board, the Public Safety Committee, and LeFevere. The draft ordinance is being proposed for its first reading; providing for the option (via LMCD's policy) to accept the first, second, or third reading and adopt for non-complicated ordinances in one motion. In adopting an ordinance, not the approval of a reading(s), eight votes in the affirmative are required.

McDermott requested the logic behind prohibiting bow-fishing during the winter months.

Babcock stated that winter bow-fishing requires a large square to be cut out of the ice, which is prohibited on Lake Minnetonka. Therefore, the draft ordinance documents no bow-fishing from November 15th through May 1st as compared to the State of Minnesota's (state) regulation of the last Sunday in February to May 1st. He stated his goal was to not encourage or allow such activity.

Meyer stated the City of Woodland is adamant they do not want weapons fired within their city, in which they consider a bow to be a weapon. He believed the draft ordinance allows for compliance of the city's ordinance (Section 1, Subd. 2). To this end, bow-fishing would not be allowed within the city's jurisdiction (including a portion of Wayzata Bay).

Babcock stated enforcement of each member city's jurisdiction has been discussed at length; acknowledging that the City of Tonka Bay does not even allow the ownership of a bow. However, Tonka Bay supports a lake-wide ordinance for bow-fishing. He confirmed that bow anglers have to abide by the most restricted rule (including state statute and local ordinances). However, the enforcement of those rules is subject to the respective agency (i.e., the City of Woodland would enforce their own ordinance).

Baasen recommended the words "a person outside" be removed from Section 1, Subd. 3b) as he believed that it was a lake-owner's right to not have bow-fishing take place close to their shoreline. He stated that the City of Wayzata has expressed concern about bow-fishing within defined dock use areas (DUA) of riparian shoreline.

Babcock stated that state regulation does not allow for one to bow-fish within 150' of an "occupied structure." He believed this was a vague rule to enforce (providing for the need to prove the structure was occupied at the time the violation occurred).

Hughes made the following comments: 1) the 150' state law, noted above, only pertains from sunset to sunrise, 2) Section 3, Subd. 6, "Disposal of Fish and Fish Remains," is referenced in state law and questioned why the draft ordinance could not just reference such, and 3) he questioned if Lt. Saunders, from the Hennepin County Sheriff's Office Water Patrol (Water Patrol), had a chance to review the draft ordinance and would like to comment on such.

Babcock stated that state law prohibits rough fish from being returned to the water or banks of any water. The added wording provides for further defining this matter for enforcement purposes, as well as

disposing of the fish further inland from the shoreline (300'). He invited Lt. Art Saunders to address the Board.

Lt. Saunders stated that he was pleased that the Board is considering a lake-wide ordinance relative to this activity as he is not currently able to assist the bow anglers when asked if they can bow-fish on Lake Minnetonka. He currently sends them to all 14 member cities to address their question (based on the various rules offered). He believed consideration of this draft ordinance provides for the right direction (meeting his goal to have a unified, enforceable ordinance relative to this activity).

Nybeck directed the Board to the bracketed sentence in Subd. 2 of the draft ordinance. He stated it was the LMCD's goal to provide an overview of the ordinance, if adopted, directing all to the 14 member cities for further restrictions vs. trying to keep the website up to date as the member city ordinances change.

Babcock concurred that the LMCD cannot maintain the member cities' current ordinances on the website but that documentation offered should direct them to the cities (acknowledging the most restrictive rule applies). He believed that some of the cities that prohibit this activity are not currently enforcing such, which creates more confusion for the bow angler.

Hoelscher stated she would like to see more definition within the website as bow anglers are going to read the LMCD's information and still not understand where they can bow-fish. She believed that the individual cities that would like to be listed as prohibiting the activity take ownership in notifying the LMCD when there is a change to their rules and regulations.

Babcock noted Hoelscher's comments; however, he expressed concern that he did not want to provide for a challenge to an issued citation should our website not have the most current city ordinance listed (keeping the information as simple as possible).

LeFevere stated that the LMCD would not be prosecuting city ordinances.

Hughes stated the original intent was to provide a contact name and number for each member city (similar to a phone directory) for the angler's use in contacting the member cities.

Nybeck confirmed that each member city had communication with their respective law enforcement agency in considering the LMCD's proposed ordinance; confirming feedback on the proposed ordinance, itself, was provided from the majority of the member cities' council.

Shuff confirmed that the City of Minnetonka talked with their respective law enforcement agency and that they support the concept of a lake-wide bow-fishing ordinance. Additionally, she completed, at the city's request, a non-scientific survey of lakeshore owners, in which she did not get one negative comment relative to this activity (providing for one comment to be neutral).

Babcock stated that a resident was in attendance and has requested an opportunity to provide the Board feedback.

Ms. Judy Corson, 19450 Cedarhurst in Deephaven, asked Shuff how many of the shoreline owners she spoke to had ever seen a bow angler within their dock use area.

Shuff stated that several shoreline owners had; acknowledging comments that they were glad they were seeing them more frequently.

Corson stated that she was sitting on her dock a few years ago when four bow anglers approached within three feet of the shoreline (sitting on a high platform) with bows drawn. It was a scary moment (providing pictures of bow anglers in action on the overhead projector), in which she called 911 (who never arrived). She believed that if more shoreline owners witnessed what she saw, they would have had the same opinion. She believed that the only uniform ordinance to adopt is to prohibit the activity all together. She spoke of dealing with problems that arose with the disposal of the fish within their expensive natural, filtering shoreline structure. She did not believe this was an activity that belonged within the shorelines of the Lake based on the regular use of paddleboat and kayak users, as well as swimmers within the bay (some of which are not mentioned within Section 1, Subd. 3b). If the draft ordinance is considered, she recommended having specific areas in which one can bow-fish (i.e., the City of Minnetrista).

Babcock stated that the draft ordinance is more restrictive than state law. Feedback from the 14 member cities indicated that only a few of them support a total ban of this activity; acknowledging that matter was addressed in prior meetings. The draft ordinance not only provided for a list of high traffic areas (including time frames) in which the activity would be prohibited, it would allow the Water Patrol to make their own judgment call to cease the activity at any specific location of the Lake where warranted (Section 1, Subd. 4).

Corson stated that she had recently viewed a Excelsior City Council meeting, in which she believed most of the council had not witnessed this activity (to the extreme she had) in the past. She thanked the Board for this opportunity to comment.

Nybeck directed the Board to Section 1, Subd. 5, "Prohibited Times and Dates," which not only prohibited this activity from November 15th to May 1st but also from one-half hour after sunset to sunrise.

Babcock recommended Section 1, Subd. 5 be moved prior to Subd. 3, "Prohibited Areas;" with the renumbering of subdivisions thereafter.

MOTION: Hughes moved, Shuff seconded to approve first reading of the draft ordinance amendment.

LeFevere requested the Board clarify any requested changes prior to bringing the draft ordinance back for consideration of a second reading.

Babcock recommended the following: 1) to rearrange the subdivisions based on his comment above and 2) to remove the bracketed wording written in Section 1, Subd. 2.

LeFevere asked if the latter recommendation was the wish of the Board.

Meyer expressed an interest in having information relative to bow-fishing on the LMCD's website.

LeFevere stated the intent for the use of information bracketed in an ordinance is strictly for informational purposes (i.e., the use of a footnote, etc.).

Hoelscher stated that she would be comfortable removing the bracketed information but encouraged the LMCD to maintain educational information relative to bow-fishing on the website.

Baasen questioned if a city could prohibit bow-fishing within portions of a city vs. the entire jurisdiction, in which LeFevere confirmed that is possible as long as there is a basis for such.

VOTE: Ayes (8), Nays (2, Baasen and Meyer); motion carried.

C. Staff update on 2013 Lake Minnetonka Watercraft Inspection Program

Babcock asked Nybeck to provide an update on this agenda item.

Nybeck directed the Board to his staff memo, dated 4/4/13, in which he made the following comments:

- An overview of the original grant applications the LMCD has submitted (including inspection Levels 1 and 2, days, hours, and accesses covered by the LMCD via a contract with Volt Workforce Solutions [Volt], Three Rivers Park District [TRPD], and the Minnesota Department of Natural Resources [MN DNR], respectively).
- An overview of an estimated \$50,000 in the program's financial details (including the inspections, supervision, training, and other (possibly additional inspection hours and consideration of a new reporting system as the MN DNR is no longer utilizing PDAs), respectively. He confirmed that Volt will not staff Level 2 inspections due to risk management and other concerns.
- An overview of the originally proposed funding partners (MN DNR, Minnehaha Creek Watershed District [MCWD], and the LMCD) and their estimated contribution; totally \$57,437. He communicated to the MCWD that the LMCD would be the project manager relative to the needed LMCD seasonal employees that would be trained to provide Level 2 inspections.
- A status update on the submitted grant applications with respect to the date submitted, as well as amount requested and approval/consideration status. The following was offered:
 - MN DNR for watercraft inspections - \$32,750. Funding has been approved for this amount; however, maximum funding would be \$24,911 (\$7.75 per hour for Level 1 and \$11 per hour for Level 2 inspections).
 - MCWD for the maximum of 50% of watercraft inspection costs - \$24,687. The grant application and whether they would consider Level 1 or 2 inspections are pending consideration on April 11th, with final consideration by the Board of Managers on April 25th.

Babcock asked: 1) if there was not a provision with the MN DNR to receive grant funds for supervision and training costs and 2) why would the LMCD not utilize all of the hours offered to reach the approved \$32,750.

Nybeck stated that he understood the LMCD can be re-imbursed by the MN DNR based on the total number of inspection hours performed (Level 1 and 2) at the rate of \$7.75 per hour for Level 1 and \$11.00 per hour for Level 2. Three public accesses are proposed for Level 1 inspections, with the fourth public access covered by Level 2 inspectors. The LMCD would have to hire seasonal employees for Level 2 inspections (reiterating that Volt will not take on responsibility to staff Level 2 inspectors).

McDermott questioned increasing the range of inspections for the three public accesses being covered by Level 1 inspectors to expend up to the approved \$32,750 in grant funds.

- MCWD for the purchase of a decontamination unit, excluding safety equipment - \$12,450.71 to \$17,743.25. The MCWD Operations and Programs Committee has recommended not funding the purchase. The application will be considered on April 11th, with final consideration by the Board of Managers on April 25th.
- He provided a detailed overview of a proposed Level 1 only Watercraft Inspection Program (including the dates, days, times, and respective agencies - LMCD, TRPD, and MN DNR). This overview also provided for proposed financial details (estimated at \$43,115) for inspections, supervision, training, and other (as noted above). He stated that the program's funding partners would include the MN DNR, MCWD, and the LMCD. The MN DNR's grant funds would be reduced from \$32,750 (for both Level 1 and 2) to \$7,750 (for Level 1 only); also subject to approval of an agreement. The MCWD has expressed an interest in paying for 50% of the program costs (\$21,557.50) and the LMCD would be responsible for \$13,807.50 (funding is available from a \$30,000 line-item for unspecified Aquatic Invasive Species [AIS] prevention and management projects in the adopted 2013 LMCD Budget). If the Board chose this program, staff would recommend Board direction to submit amended grant applications to the respective agencies for the above noted funding; acknowledging a high level of confidence that funding would be approved for such.
- Based on the MCWD's communication, it appears the purchase of a decontamination unit will not be approved. Therefore, staff recommends the following: 1) approval of the proposed Level 1 watercraft inspection program (as noted above) for the 2013 boating season, 2) amend the original grant applications with the MN DNR and the MCWD, 3) approval of one of the two Volt agreements offered to the Board: a) coverage of three of the four public access for a total fee of up to \$29,358; which would allow the LMCD an opportunity to add the fourth public access after the MCWD concludes its processing of the LMCD's grant request or b) coverage of all four public access at this time for a total fee of up to \$38,115.
- He asked the Board to keep in mind that staff's original recommendation in January was for a Level 1 watercraft inspection program only. However, the grant application was amended at the recommendation of former Board member Olson (who serves as a MCWD Board of Manager). He reiterated his recommendation to move forward with a Level 1 inspection program as time is of the essence.
- He entertained further questions and comments from the Board.

Babcock asked why the LMCD would not pursue Volt providing Level 1 inspections at the fourth public access in addition to the Level 2 inspections. He provided a more detailed overview of historical discussions and the proposed programs that were being considered with the MCWD (including the purchase of the decontamination unit).

Green stated whether the LMCD pursues Level 1 or 2 inspections, the inspections essentially remain the same. The only difference is the use of a decontamination unit for watercraft that warrant its use.

Babcock understood staff's recommendation of continuing with Level 1 inspections only; based on the fluctuating information relative to implementing a Level 2 inspection program. However, he expressed concern that the LMCD is not taking advantage of the additional grant funds offered for a Level 2 inspection program, which he estimated at \$23,000.

McDermott stated that he believed the Level 2 inspection program should be the responsibility of the MCWD; acknowledging their increased financial support over the past couple years.

Green recommended researching the possibility of retrofitting the LMCD's currently owned sprayer.

Nybeck confirmed that the MN DNR's proposed grant funding of \$32,750 was for both Level 1 and 2 inspections (providing for \$7,750 for Level 1 inspections and \$25,000 for Level 2 inspections).

Baasen questioned if the Level 2 grant funds (\$25,000) could be applied to Level 1 inspections.

Babcock proposed other funding options in considering the two inspection programs (Level 1 and 2); with the possibility of the LMCD purchasing the decontamination unit. He recommended the LMCD try to enable Level 2 inspections this season (at some point in time); maintaining the same cost level as presented above. He acknowledged the logistical challenges placed on Nybeck in considering this.

Hoelscher questioned if receipt of the MCWD grant funds was confirmed.

Nybeck stated that a verbal commitment of \$21,557.50 for a Level 1 inspection program has been received (taking out the purchase of the decontamination unit).

Babcock expressed an interest in furthering the communication with the MN DNR; offering various scenarios to increase the awarded grant funds. He confirmed the Board's prior action to appropriate up to \$30,000 on watercraft inspections in 2013.

Nybeck provided a brief overview of some general logistical concerns he had in the implementation of Level 2 watercraft inspections in 2013. He was receptive to the Board's comments (offered above). However, he reiterated his position of having an effective program in place by Memorial Day weekend.

Morris supported the idea of obtaining as much grant funds as possible but also recognized the logistical concerns that need to take place prior to the upcoming boating season. He volunteered his assistance however needed.

Roy questioned why the MCWD pulled back from purchasing the decontamination unit.

Nybeck stated that he spoke with Olson this date, who confirmed the MCWD was looking to purchase the units for the private sector vs. local units of government.

Hoelscher questioned if the LMCD could proceed with a MN DNR Level 1 grant application while considering further research on a Level 2 application as more information is presented.

Nybeck confirmed the grants have already been approved; however, he offered to clarify the Board's questions as noted above. After receiving Morris' support in making sure he had enough time to establish an effective program, he recommended the Board move forward with the submittal of the Volt agreement for the coverage of Level 1 inspections at four public accesses and allow him time to assess (including communication with both the MN DNR and MCWD) the options offered above and report back to the Board on April 24th.

Baasen concurred that Nybeck should proceed with the Level 1 inspections (starting on Memorial Day weekend) and continue to pursue the Level 2 inspection program options.

Babcock stated that the Board should not enter into a contract with Volt without first securing the MCWD's grant funds, which are included to pay for Volt's services.

Nybeck confirmed the LMCD had the following funds (\$7,750 from the MN DNR and \$30,000 from the LMCD).

Roy concurred in having a baseline contract with Volt and moving forward so Nybeck can establish the program. Additionally, he suggested consideration in the purchase of a decontamination unit and whether the sprayer could be retrofitted for such.

A brief discussion was held relative to Volt's decision in not providing for Level 2 inspections, in which Nybeck reviewed their risk management concerns (towing of the unit and the exposure to a high temperature sprayer). If the LMCD hired seasonal employees for such, further liabilities were offered to the LMCD, as well.

MOTION: Babcock moved, Baasen seconded to: 1) commit up to \$14,000 from the unspecified AIS prevention and management line-item, 2) pursue a full Level 1 (only) Watercraft Inspection Program, subject to funds received from the MCWD, and 3) pursue a Level 2 inspection program enablement (both internally and with the MN DNR).

McDermott stated that the LMCD would continue with a Level 1 program even without the MCWD's funding.

Babcock clarified that the LMCD would initially contract with Volt for \$21,750; \$14,000 (via the motion) and \$7,750 (approved by the MN DNR for a Level 1 inspection program). If the MCWD approves funds in a timely manner, the LMCD will expand the Volt contract to include those funds.

VOTE: Motion carried unanimously.

D. Staff update on 2013 LMCD Code Enforcement Program

Babcock asked Herman to provide background on this agenda item.

Herman provided a brief overview of the Proactive Code Enforcement Program, which included the following: 1) the established program date of 2006 and respective enforcement priorities and 2) an update to findings presented last January. She requested confirmation from the Board relative to proposed goals presented for the upcoming boating season, as well as the ability to initiate the hiring process for one seasonal staff member to assist in the field. She entertained questions and comments from the Board.

The Board asked a few questions, in which she confirmed the following: 1) the 2013 boating season will provide for only the Proactive Code Enforcement Program and not the Shoreline Inventory Program (completed on even years) and 2) very few Complaints filed end up going to Court (providing for an estimated three since 2009). Seeing no further comments, staff was instructed to move forward with the program logistics for 2013.

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).

Baasen stated the Save the Lake Committee recently met on April 4th, in which they considered proposed programs for 2013. He reported that Save the Lake has established a subcommittee for the purpose of formulating a proposed Watercraft Safety Education Program. This subcommittee will be meeting on April 12th (chaired by committee member Jay Soule) and the full committee will be meeting monthly (or more frequently if needed), in which their next meeting is scheduled for April 29th (8:00 a.m. in the LMCD office). He confirmed that it was the committee's goal to make sure proposed programs are done well; utilizing all resources available and incorporating experiences offered. To this end, coordinating and customizing such programs for the full benefit of Lake Minnetonka. In considering the safety program, the committee had representation from the Water Patrol, MN DNR, and Lake Minnetonka Power Squadron at their last meeting. It is the committee's intent to have some portion of the safety program in place for the 2013 season (providing for the Board's approval prior).

Morris stated the AIS Task Force has a meeting scheduled for April 12th (8:30 a.m. in the LMCD office).

Green stated that in attending the State AIS Citizen Advisory Committee meeting on March 28th (in which he is a member of), he had spoken to Minnesota Sea Grant AIS Coordinator Doug Jensen about incorporating the "Stop Aquatic Invasive Species" program into his personal website, in which he suggested he join their Partnership Program. As he looked into such, he had noted both the Lake Minnetonka Association and the City of Minnetonka were members. Therefore, he suggested the LMCD consider the same, in which the AIS Task Force will be taking this up for consideration at their April 12th meeting.

Babcock stated the Ordinance Review Committee is scheduled to meet on April 17th at 6:00 p.m. in the LMCD office. He stated that the Finance Committee met this date to deposit \$100,000 from the 4M Fund in certificate of deposits (\$50,000 for one year and another for 14 months).

There were no Public Safety or Personnel Committee meeting reports.

11. EXECUTIVE DIRECTOR REPORT

Nybeck directed the Board to his Executive Director Report, dated 4/10/13, in which he made the following comments:

- He will work with the MCWD to have a water level reading taken on or before April 24th, should ice out happen prior to that date. Harper is currently finalizing the administrative logistics should the declaration of low water conditions be considered at or around that timeframe.
- He recommended that the Board authorize the appropriation of \$3,000 from the Save the Lake Fund for the replacement of some damaged solar lights and the addition of two (red and green) lights on the Maxwell Bay side of the Boy Scout Bridge. This recommendation was made based on an assessment of needs completed during the 2012 boating season. He stated this expenditure would provide for the purchase of up to 19 solar lights.

Baasen recommended that this request be considered by the Save the Lake Committee on April 29th.

- A Workshop/Planning Session is scheduled in the LMCD office on April 16th (at 6:00 p.m.) to review the draft 2014 LMCD Budget. He acknowledged that three versions of the draft budget were mailed to the Board on April 9th.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:01 p.m.

Doug Babcock, Chair

Andrew McDermott, Secretary