

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., Wednesday, October 22, 2014
Wayzata City Hall

1. CALL TO ORDER

Green called the meeting to order at 7:00 p.m.

2. ROLL CALL

Members present: Jay Green, Mound; Andrew McDermott, Orono; Gary Hughes, Spring Park; Dennis Klohs, Minnetonka Beach; Dave Lang, Minnetrista; Jeff Morris, Excelsior; Fred Meyer, Woodland; Rob Roy, Greenwood; Sue Shuff, Minnetonka; and Deborah Zorn, Shorewood. Also present: Charlie LeFevere, LMCD Counsel; Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; and Emily Herman, Administrative Assistant.

Members absent: Dan Baasen, Wayzata; Ann Hoelscher, Victoria; and Gregg Thomas, Tonka Bay. The City of Deephaven did not have representation at this meeting.

3. APPROVAL OF AGENDA

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

VOTE: Motion carried unanimously.

4. CHAIR ANNOUNCEMENTS, Vice Chair Green

Green made two Chair announcements. First, the City of Minnetrista had recently appointed a new Board member to the LMCD. He welcomed Dave Lang on behalf of the Board and asked LeFevere to administer the Oath of Office, in which he did. Second, he reminded the Board that a public hearing to consider the Quiet Water Area petition for the north Seton Channel (covering parts of Harrisons Bay and West Arm) has been scheduled for the November 12th meeting.

5. APPROVAL OF MINUTES- 10/8/14 LMCD Regular Board Meeting

MOTION: McDermott moved, Shuff seconded to approve the minutes as submitted.

VOTE: Ayes (8), Abstained (1, Meyer); motion carried.

6. APPROVAL OF CONSENT AGENDA

Nybeck stated that the draft letter to be forwarded to the member cities regarding Board appointments, agenda item 6C, has been amended to reflect Lang's appointment (providing for a copy within their handout folders).

Zorn moved, McDermott seconded to approve the consent agenda as amended, accepting the change noted by Nybeck above. Motion carried unanimously. Items so approved include: **6A**, Audit of vouchers (9/25/14

and 10/16/14 – 10/31/14); **6B**, September financial summary and balance sheet; and **6C**, draft letter to be forwarded to LMCD Member Cities regarding Board appointments for 2015.

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

There were no public comments.

8. PUBLIC HEARING

There were no public hearings.

9. OTHER BUSINESS

A. 2014 Final Eurasian Watermilfoil (EWM) Harvesting Program Report

Green asked Harper to provide an overview of this agenda item.

Harper directed the Board a draft Report within their packet. He provided an overview of the Report, which included maps and charts, via a PowerPoint presentation. He made the following comments:

- A summary of the season's harvesting data, which included: 1) 33 working days (July 8th through August 22nd) based on a late start due to low early season growth and high water levels, 2) operation included 10-hour days, four to five days a week, and 3) acknowledgment of the high water levels resulting in the enactment of the Emergency High Water ordinance.
- A comparison of the working days, acres harvested, and truck loads for 2012, 2013, and 2014. The 2014 seasonal data provided for 33, 391, and 162, respectively.
- An overview of the operating highlights (priorities, schedule, cutting sequence and methods, and specific compost sites used).
- Personnel provided for himself as project manager, as well as six additional employees (one of which was the site supervisor).
- The use of a fleet mechanic for routine maintenance and repairs, as well as assistance from Gabriel Jabbour for the launching and removal of the harvesters.
- An analysis of the program's 2014 budget of \$95,000. He stated a \$30,000 grant was expected from the Minnesota Department of Natural Resources (MN DNR) and expenses totaled approximately \$89,000 as of September 30th.
- A detailed overview of various issues that arose, as well as the corrective actions offered (condition of storage lot, identification of underwater utilities, harvesting and herbicide applications, and shoreline fragments).
- He entertained questions and comments from the Board.

The Board briefly asked questions or made comments, in which Harper responded to. Those questions and comments include the confirmation that:

- The harvesters were parked in different locations this year based on the high water levels.
- The harvester stands that were recently purchased were being utilized.
- Many of the seasonal employees have expressed an interest in returning next year.

- Staff submitted a request for Lake Minnetonka utility locations from 41 organizations and utilities, in which information was received in many different formats. He acknowledged that one utility company admitted to limitations on the accuracy of the information provided. Staff utilized all information received in 2014 to direct the harvesting crew away from any documented areas.
- Zebra mussels were attached to the harvesters upon removal.
- The equipment was mechanically sound, with the exception of replacing one of the head gaskets this season. Additionally, he stated that the new bimini tops worked well. To that end, he did not foresee unusual budgeting expenses for the 2015 season.

B. 2014 Lake Minnetonka Shoreline Boat Storage Count Report

Green asked Herman for an overview of this agenda item.

Herman directed the Board a draft Report within their packet, with respective appendices. She provided an overview of the Report, via a PowerPoint presentation, by making the following comments:

- That the boat storage count has been performed by LMCD staff since 1971 at riparian, multiple dock, and district mooring areas (performing the count on even years only since 2000). The current count marked the 31st time this project has been coordinated.
- The three primary objectives of the project included: 1) establish the total number of watercraft stored, 2) outline historical data collected, and 3) identify observable trends.
- A review of the methodology utilized (historically consistent).
- A detailed overview of the summary of the findings (focusing on storage changes from the 2012 boating season). There were 10,174 watercraft stored on Lake Minnetonka in 2014. Of those, 6,329 were riparian storage and 3,845 were multiple dock/district mooring area storage. Sites storing three and four plus restricted watercraft were 355 and 137, respectively. Additionally, there were 1,099 sites with defined empty slips.
- An overview of how the City of Mound's Commons Docking Program count was assessed within the Report findings.
- An overview of specific conclusions and trends, which included: 1) a comparison of watercraft storage from 2012 to 2014, 2) a review of historical averages, and 3) assessment in the storage of specific numbers of watercraft stored, as well as those maintaining empty slips.
- The 2014 Proactive Code Enforcement Program report would be presented at a later date as staff is continuing to finalize the assessment of those findings.
- The next Shoreline Boat Storage Count is scheduled for the 2016 boating season. She solicited the Board's interest in continuing with that date or extending the report to every three years (2017)
- She entertained questions from the Board, as well as final approval of the draft report.

Roy arrived at 7:30 p.m.

The Board briefly asked questions or made comments, in which Herman responded to. Those questions and comments, with respective responses include the following:

- The belief that the Board could learn from the data offered, or future data to be considered, but was unsure as to what that would be (i.e., watercraft usage, a comparison of use between Upper vs. the Lower Lake, etc.).
- A recommendation that Herman provide a cost analysis (including staff hours, gas usage, etc.) in the performance of the two combined projects vs. just the Proactive Code Enforcement Program.
- Watercraft documented under the miscellaneous category (paddle boards, kayaks, canoes, etc.).
- Consideration of the program's original purpose. Nybeck provided a brief overview of the fly-over methodology used for some of the historical counts.

LeFevere stated the approved 1991 Lake Minnetonka Management Plan (Plan) made some assumptions about the watercraft storage and density use on the Lake (which concluded that the 1:50' Rule was a sustainable and supportable number). He further stated that if non-supportive triggers occurred, the Board was going to look at ways of decreasing boat storage and/or usage in some way. He was unsure if the current figures have been compared to the Plan figures, as well as the respective assumptions made within.

Nybeck believed that the trigger points within the Plan were based on active boat density and user attitudes, not watercraft storage. Active boat density and user attitudes were documented in a joint project between the LMCD and the Minnesota Department of Natural Resources (MN DNR), which was discontinued by the Board in 2004. He questioned the Board's interest in initiating another flyover survey with the MN DNR.

- Confirmation that the methodology has been in place since 1998 (including the current categorization of watercraft). With respect to the more recently manufactured watercraft (i.e., wake board boats), staff categorized them within the same definition offered in Appendix A (a runabout, based on the open hull). Hughes questioned, based on the reporting of that watercraft's increased sales, if a more in-depth inventory of such would offer a view of their use.
- Confirmation that the documentation for the Proactive Code Enforcement Program was completed in conjunction with the Shoreline Boat Storage Count.
- Expressed interest in further considering the data offered and where it might lead (acknowledging the lack of information pertaining to boat launches and the need to establish a more comprehensive summary). Additional ideas included the documentation of traffic patterns (referencing the November public hearing for the consideration in establishing a Quiet Water Area within the north Seton Channel).

10. UPDATE FROM STANDING LMCD COMMITTEES

Green asked if the committee chairs had anything to report.

Morris stated that the AIS Task Force will be meeting on November 14th. He referenced an article in the October 21st *Lakeshore Weekly News*, "Zebra mussel-infested boats stopped from entering Chan lake three times," documenting watercraft trying to enter surrounding Lake Minnetonka lakes with zebra mussels attached. He believed that the emergency high water ordinance declared this past summer (which provided for the entire Lake to be no wake) unintentionally contributed to some Lake Minnetonka boats going to other lakes. He acknowledged his comment was strictly a theory but one, he believed, was relevant to consider.

Green stated that the MN DNR watercraft inspection data supported that theory (more towards the beginning of the season). He confirmed the data offered: 1) the last body of water a watercraft was in (i.e., Lake Minnetonka) and 2) more specific information on the watercraft itself (per Zorn's inquiry).

Klohs stated that the Ordinance Review Committee met just prior to this meeting, in which they continued their discussion on the municipalities and proposed ordinance amendments (similar to what was recently done with the commercial marinas). He believed a draft document of such would be available for the Board's review at their December 10th meeting.

Green stated the Executive Committee met on October 14th, at which time they discussed 2015 committee assignments and the appointment of a nominating committee for Board Officers (the latter of which was planned for the November 12th Board meeting). In the meantime, he encouraged the Board to think about their interest in serving on the various committees.

11. EXECUTIVE DIRECTOR REPORT

Nybeck stated that he recently met with Hughes on preparations for the November 12th public hearing. A press release, with a respective area map of the proposed Quiet Water Area, will go out in the near future. He solicited the Board's help in its distribution. He referenced the website www.enjoytonka.com that allowed stakeholders the ability to sign a petition opposing the proposal. He believed that the public hearing will provide for divided comments.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:52 p.m.

Jay Green, Vice Chair

Andrew McDermott, Secretary