

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

5:00 P.M., Wednesday, June 10, 2015
Wayzata City Hall

1. CALL TO ORDER

Baasen called the meeting to order at 5:00 p.m.

2. ROLL CALL

Members present: Dan Baasen, Wayzata; Jay Green, Mound; Gary Hughes, Spring Park; David Gross, Deephaven; Ann Hoelscher, Victoria; Gabriel Jabbour, Orono; Dennis Klohs, Minnetonka Beach; Fred Meyer, Woodland; Jeff Morris, Excelsior; Rob Roy, Greenwood; Sue Shuff, Minnetonka, and Deborah Zorn, Shorewood. Also present: Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; and Emily Herman, Administrative Assistant.

Members absent: Dave Lang, Minnetrista and Gregg Thomas, Tonka Bay

3. APPROVAL OF MINUTES- 5/05/15 LMCD Special Meeting
 5/13/15 LMCD Special Board Meeting
 5/13/15 LMCD Regular Board Meeting

MOTION: Baasen moved, Gross seconded to approve the 5/5/15 LMCD Special Meeting minutes as submitted.

VOTE: Ayes (4; Baasen, Green, Gross, and Hughes), Abstained (7; Hoelscher, Jabbour, Klohs, Meyer, Morris, Roy, and Shuff); motion carried.

MOTION: Roy moved, Hoelscher seconded to approve the 5/13/15 LMCD Special Board Meeting minutes as submitted.

VOTE: Ayes (9); Abstained (2; Gross and Morris); motion carried.

MOTION: Hughes moved, Gross seconded to approve the 5/13/15 LMCD Regular Board Meeting minutes as submitted.

VOTE: Motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA

Shuff moved, Baasen seconded to approve the consent agenda as submitted. Motion carried unanimously. Items so approved included: **4A)** Audit of vouchers (5/16/15 – 5/31/15) and (6/1/15 – 6/15/15); **4B)** April financial summary and balance sheet; **4C) CRAIG RAPP, LLC**, approval of agreement to serve as a facilitator for updates to the approved LMCD Strategic Plan; and **4D) LMCD Resolution 141**, a resolution approving Master Subscriber Agreement for Minnesota Court Data Services and Authorizing Execution Thereof.

5. OTHER BUSINESS

A. Approval of draft 2016 LMCD Budget

Baasen asked Nybeck for an overview on this agenda item.

Nybeck stated that the draft budget, with cover letter, offered within the packet was sent out to the LMCD member cities on May 15th (based on the Board's May 13th approval). The main feature of the budget was a 10.4% levy decrease from adopted 2015 LMCD Budget. City officials were invited to attend a meeting on June 4th (with Secretary Gregg Thomas and Minnetrista Mayor Lisa Whalen in attendance). One comment received from Mayor Whalen was for the LMCD to avoid spikes in the levy to the member cities from year-to-year. Presentations have been made to the Spring Park City Council on May 26th, the Victoria City Council on June 8th, and the Orono City Council on June 8th. A pending presentation is planned with the Tonka Bay City Council on June 23rd. He recommended that the Board approve the 2016 LMCD Budget at this meeting (directing staff to hold off on submitting to the member cities until June 25th). By doing so, this would allow other Board members to present the draft budget to their respective city (and to provide feedback to the LMCD Board on June 24th). An agenda item will be scheduled for this meeting, with a draft cover letter. A sample PowerPoint prepared for the Victoria City Council meeting was e-mailed to the entire LMCD Board this date, which could be modified for a respective city council meeting.

A summary of the Board discussion was as follows:

- Jabbour stated that he believed the LMCD needs to pay attention to expenditures vs. performance of staff. In particular, the Board should not feel obligated to unnecessarily expend approved budgeted funds.
- Baasen questioned whether there was a time when he has served on the Board that funds have been spent that have not been justified.
- Hughes stated that Nybeck did a nice job of presenting the draft 2016 LMCD Budget to the Spring Park City Council on May 26th (as well as educating the city council on LMCD activities and programs). After discussion by the city council, the City of Spring Park prefers a flat budget vs. lowering the overall levy to the LMCD member cities (with one city council member preferring an increase to allow for more projects to be conducted).
- Green commented that the proposed levy went down because of a \$17,500 transfer from reserve funds to off-set the overall levy to the member cities. Overall, expenditures for 2016 will remain relatively consistent with 2015. He encouraged that the budget process be initiated earlier for future years, which would allow for more Board discussion and deliberation.
- Roy stated that the City of Greenwood was pleased with the draft 2016 LMCD Budget.
- Hoelscher stated that the Victoria City Council was pleased with the presentation made on June 8th by herself and Nybeck.
- Baasen encouraged other Board members that had not presented the draft 2016 LMCD Budget to the city councils that appointed them to do so.
- Jabbour stated that LMCD member cities could always make a voluntary contribution to the LMCD's Save the Lake Fund. He indicated that this has been done in the past.
- Shuff stated that the City of Minnetonka philosophically supported the budget and hoped that the cost savings with the LMCD moving to the new office location would provide an opportunity to support more

projects.

- Gross stated that he would be presenting to the Deephaven City Council on June 15th. With regards to expending budgeted funds just because they have been budgeted, he has not observed this during his time on the LMCD Board (2006).

MOTION: Green moved, Roy seconded to approve the draft 2016 LMCD Budget, subject to staff holding off on submitting it until June 25th, the day following the June 24th Regular LMCD Board Meeting).

VOTE: Ayes (10); Nays (1, Hughes); motion carried.

B. Ordinance Amendment, first reading of a draft ordinance relating to the storage of government watercraft on Lake Minnetonka; amending LMCD Code Section 2.02, Subd. 6.

Baasen stated that it was recently brought to his attention the storage of governmental watercraft at some licensed multiple dock facilities was problematic because these watercraft needed to be stored at authorized locations. He believed that the draft ordinance amendment was a step to address this by allowing for the storage of that type of watercraft to not count against the licensed facilities' approved Boat Storage Units (BSUs). He asked Nybeck to provide further background on this agenda item.

Nybeck stated that features of the draft ordinance include the following:

1. The watercraft must be stored within the authorized dock use area for each site;
2. The watercraft must be stored at approved locations on an approved site plan; however, further research is needed with LMCD legal counsel on how this can be done from a process standpoint; and
3. The watercraft must be for a public service standpoint (no exchange of compensation with the multiple dock license holders).

He stated the Board could approve first reading at this meeting and continue discussion in two weeks when LeFevere will be in attendance. A second option for the Board to consider was to approve first reading, waive second and third readings, and adopt the draft ordinance at this meeting.

Zorn arrived at 7:20 p.m.

A summary of the Board discussion was as follows:

- Jabbour raised concern about the timing of a potential application process when the storage of governmental watercraft comes to his attention.
- Gross questioned whether the Board would have any approval rights. Nybeck stated that he understood that the approval process currently being considered would be done at the staff level.
- Jabbour stated that this type of watercraft, based on his years of experience, come and go.

MOTION: Gross moved, Roy seconded to approve first reading of the draft ordinance amendment as submitted.

VOTE: Motion carried unanimously.

6. OLD BUSINESS

There was no old business.

7. NEW BUSINESS

Baasen stated the Three Rivers Park District will be holding a retirement party for John Barten on June 17th. He believed that Barten has been a strong partner for the LMCD and he hoped that a number of Board members were able to attend this celebration.

Nybeck stated that staff would need to post this and LeFevere's parties since a quorum of the LMCD Board may be in attendance. This posting will include the invitations; providing for their respective details.

Jabbour questioned whether the LMCD would be sending out a Request for Proposal for legal counsel after LeFevere's retirement.

Nybeck stated that the exact retirement date for LeFevere from LMCD has not been finalized.

Baasen stated that he was scheduling a meeting with LeFevere to firm up some of these details and that he would report back to the Board.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:24 p.m.

Dan Baasen Chair

Jay Green, Vice Chair