

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., Wednesday, December 14, 2011
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; Kelsey Page, Greenwood; Anne Hunt, Minnetrista; Chris Jewett, Minnetonka; Steve Johnson, Mound; Keith Kask, Deephaven; Dennis Klohs, Minnetonka Beach; Jeff Morris, Excelsior; Bill Olson, Victoria; Herb Suerth, Woodland, and Roger Swanson, Spring Park. Also present: Charlie LeFevere, LMCD Counsel; Greg Nybeck, Executive Director, Judd Harper, Administrative Technician, and Emily Herman, Administrative Assistant.

Members absent: Debbie Siakel, Shorewood.

3. APPROVAL OF AGENDA

MOTION: Jewett moved, Hunt seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

4. CHAIR ANNOUNCEMENTS, Chair Babcock

Babcock stated that the Ordinance Review Committee will be reviewing proposed changes to the Code for required public amenities for special density licenses on December 20th (5:00 p.m. in the LMCD office). He invited all that were interested in this matter to attend.

Baasen requested staff to forward the spreadsheet that summarizes approved and proposed public amenities to the Board prior to the meeting.

Olson arrived at 7:05 p.m.

**5. APPROVAL OF MINUTES – 11/09/11 LMCD Regular Board Meeting
11/16/11 LMCD Workshop/Planning Session**

MOTION: McDermott moved, Jewett seconded to approve the minutes from the 11/9/11 LMCD Regular Board Meeting as submitted.

VOTE: Ayes (10), Abstained (3; Baasen, Suerth, and Swanson); motion carried.

In considering the November 16th LMCD Workshop/Planning Session minutes, Nybeck stated that Chip Welling of the Minnesota Department of Natural Resources (MN DNR) expressed concern about the second portion of the following statement documented in the second bullet point on page 3: "A question was raised relating to fish kill for mechanical harvesters vs. herbicide treatments; acknowledging that the fish population declined in Grays Bay after the herbicide treatment." Nybeck believed that the words after the semicolon

could be removed. However, he did not see harm in leaving or removing the statement as the minutes provide for a summary of the Board discussion at this meeting.

Babcock asked if the MN DNR did not agree with that statement, in which Nybeck confirmed they did not. Babcock expressed concern about removing a statement from the record that was made. He recommended a notation be placed within the minutes that documented the statement was not an official position of the Board.

The Board briefly discussed this and directed staff to amend the sentence so that it read as follows: "A question was raised relating to fish kill for mechanical harvesters vs. herbicide treatments. Comments were also mentioned that the fish population declined in Grays Bay after the herbicide treatments."

Kask noted that he was not in attendance at this meeting and the draft minutes do not document this.

MOTION: McDermott moved, Jewett seconded to approve the minutes from the 11/16/11 LMCD Workshop/Planning Session Meeting as amended, incorporating the two changes noted above.

VOTE: Ayes (12), Abstained (1, Kask); motion carried.

6. APPROVAL OF CONSENT AGENDA

McDermott moved, Hunt seconded to approve the consent agenda as submitted. Items so approved included: **6A**, Audit of vouchers (11/10/11-11/30/11) and (12/1/11-12/15/11); **6B**, October financial summary and balance sheet; **6C**, **City of Wayzata**, approval of 2012 Agreement for use of the community room for LMCD Board Meetings; and **6D**, Approval of Personnel Committee recommendations for 2012 Employee Benefit Package.

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. Approval of appointments for 2012, as recommended in 12/5/11 staff memo:
- Auditor Selection- Abdo, Eick, & Meyers
 - Legal Counsel- Kennedy & Graven
 - Prosecuting Attorney- Tallen & Baertschi
 - Official Newspaper- Lakeshore Weekly News
 - Banking Depository Resolution for 2012 – 4M Fund

Babcock asked Nybeck for an update on this agenda item.

Nybeck stated that this agenda item has traditionally been considered by the Board on the consent agenda. However, LMCD Prosecuting Attorney Steve Tallen has requested to address the Board.

Babcock asked Nybeck if any of the proposed appointments would be outside of the budgeted line items for 2012, in which Nybeck confirmed all proposed appointments are within budget. Babcock invited Tallen to address the Board.

Tallen thanked the Board for this opportunity. He stated that he traditionally provides the Board with an annual update, in which he intends to do so at this time, as well as taking this opportunity to request an increase in fees for the 2012 annual appointment. He made the following comments:

- He is currently in his 25th year prosecuting for the LMCD.
- Due to the recent economy, he has not increased his fees the past two years (providing for only cost-of-living adjustments prior to that).
- He requested cost-of-living adjustments (equal to what three years would provide), as well as a raise in his fees (\$125 per hour for prosecution and \$70.50 per hour for legal assistant). He substantiated his increase by providing a historical overview of fine revenues vs. attorney fees (documenting years when fees were greater than revenue). He believed that he was doing a good job, that the Sheriff was happy with his performance, and that he hoped the LMCD found his request to be modest. He understood that the economy has not completely turned around; however, he believed the numbers and performance provide for such a request.
- He entertained questions and comments from the Board.

The Board asked a series of questions, in which the following summarizes Tallen's responses:

- An update on the case of a professional hockey player from Canada that was arrested for Boating While Intoxicated (BWI) on Lake Minnetonka this past summer.
- A discussion as to the general ratio between fees and fines. He stated that the Board has maintained in the past that it is nice to have a surplus, but not to let that drive prosecution. Fees and fines are unpredictable year by year as they are driven by who and why one is prosecuted or arrested. He acknowledged that those prosecuted with a higher economical demographic is more difficult as they have greater resources. Additionally, he stated that each case could result in a different fine scale based on individual circumstances (i.e., one that maintains a public defender could pay the minimum \$50 fine). However, few clients that use Lake Minnetonka use a public defender. He believed that the weather is a factor in that ratio (good boating weather provides for an increase in citations and arrests).
- Confirmation that his firm serves other clients, in which they too have received a similar proposal to increase prosecution fees in 2012.
- He reviewed the standard offer that is typically provided to those prosecuted under the LMCD's Proactive Code Enforcement Program (continuance for dismissal). He compared this offer to the process to what is assessed by a judge should the complaint go to trial.
- Confirmation that they continue to use the urine test for BWI until a new breath testing machine is available, which is anticipated in the near future.

MOTION: Jewett moved, McDermott seconded to approve the Appointments for 2012, as recommended in the 12/5/11 staff memo.

VOTE: Motion carried unanimously

B. Staff update on 2011 LMCD Proactive Code Enforcement Program

Babcock asked Herman for background on this agenda item.

Herman directed the Board to her staff memo, dated 12/8/11, in which she highlighted the following information:

- The Program was initiated in 2006 for the purpose of enforcing watercraft storage ordinances at residential sites on Lake Minnetonka.
- The primary enforcement efforts included: 1) identifying and/or re-inspecting sites storing five or more restricted watercraft that do not have a multiple dock license, and 2) sites storing three or four larger restricted watercraft that do not comply with the 1:50' General Rule.
- She reviewed the discussion held at the April 27th Board meeting. At this meeting, staff was directed to: 1) compress the three part communication process down to two, 2) soften legal notation within the initial correspondence, and 3) follow through with action.
- She provided an overview of the 2010 prosecuting matters. Eleven complaints were filed for non-compliance (four charged in violation of Code Section 2.03, subd. 1 and seven charged in violation of Code Section 2.02, subd. 2). She directed the Board to the staff memo for specific details.
- An overview of the 2011 Code enforcement findings (providing for 144 inspected sites).
- An overview of the 2011 prosecuting matters, in which five complaints are due to be filed with the LMCD prosecuting attorney in January.
- In conclusion, she documented the following: 1) a recommendation to continue with the compressed communication process, 2) a question as to whether there is continued Board interest (as noted at the 4/27/11 meeting) in researching storage and use patterns for personal watercraft (PWC), 3) solicited confirmation from the Board that staff is to continue enforcing the watercraft storage ordinances for sites that reduce the size of their watercraft and remain out of compliance for the second boating season and beyond, 4) that staff appreciates the option to offer the streamlined multiple dock license process for residential shared docks (ordinance #207; adopted 6/9/10), in which one to date has taken advantage of this opportunity, and 5) that the 2012 Proactive Code Enforcement Program will be completed in conjunction with the 2012 Shoreline Boat Storage Count Program.
- She entertained questions and comments from the Board.

Babcock believed that Herman should continue enforcement of the watercraft storage ordinances for sites that have reduced the size of their watercraft and remained out of compliance for the second boating season and beyond.

Jewett asked when the Code was amended to address PWC, in which Babcock believed it was around mid to late 1980s. Jewett believed PWCs have significantly changed over the years and recommended

Board review of the Code (comparing the similarity of the Board's action in changing the speed limit for snowmobiles back in 2010).

The Board briefly discussed review of PWC regulations, in which they concluded the matter should be referred to the Ordinance Review Committee (ORC) to determine whether the storage regulations should be amended.

Babcock asked Herman if she had a feel for how many sites maintain at least two PWCs, in which Herman stated there were many but did not have numbers available to substantiate a thorough response. He concurred with Jewett that manufacturing of the PWCs have changed substantially over the years. He believed that there was a need to obtain a more accurate count on their use and possibly what the general size of the PWCs were in the 1980s that substantiated it as a restricted watercraft vs. how large they are now. He confirmed that the Board, in the 1980s, did express their concern to the manufactures as to the noise level that they produce. However, their original intent was to restrict their storage for the purpose of their lake use patterns.

Baasen recommended the ORC review both the storage and use patterns of the PWCs, as well as the possibility to provide for a public hearing based on the committee's findings.

Babcock recommended the ORC review a former Minnesota Department of Natural Resources (MN DNR) study that outlined the PWC's use patterns and acreages of water needed to operate such.

LeFevere stated that this discussion is part of the watercraft storage ordinances on a lakewide basis, which, in turn, is related to the LMCD's Management Plan. That Plan documents what density of watercraft storage can be supported on the lake. It was determined that, because of the various characteristics of the watercraft, the 1:50' General Rule was a sustainable regulation (providing for a series of accountability to increase that density). To this end, the Plan was driven more by the operating characteristics of the boat as to the use of the lake.

Babcock stated that the Plan also provided for increased enforcement as the density levels increased.

Tallen addressed the Board. He documented that enforcement of the storage ordinances typically provided for the watercraft being owned by someone not living at the residential site or that was provided to a business associate for their use; documenting the Board's original intention to not establish "mini marinas". With that said, he offered his time to participate in the review of those regulations; addressing other hurdles upfront that are dealt with when enforcing the storage ordinances.

Page asked Herman how she was addressing watercraft on shore, in which Herman clarified that as long as the watercraft is not touching the water; nor a boat ramp that it is sitting on, it not counted against their density.

Nybeck recommended staff provide options for the Board to consider in counting PWCs when presenting the goals and objectives of the Shoreline Boat Storage Count in the spring, as well as taking into consideration any ORC recommendations.

MOTION: Jewett moved, McDermott seconded to have the Ordinance Review Committee research the storage and use patterns of PWCs; providing for staff to accumulate recommendations to consider.

VOTE: Motion carried unanimous.

C. AIS Management and Prevention Discussion Update

Babcock stated both Hunt and Jewett are prepared to provide an update on their research pertaining to EWM mechanical harvesters and other management tools. He asked Hunt to initiate that discussion.

Hunt stated that in follow-up to the November 16th Workshop/Planning Session, she researched new techniques and technology for Eurasian Watermilfoil (EWM) management. Via a PowerPoint presentation, she made the following comments:

- Of the agencies she contacted, all had a different objective to EWM management (i.e., the LMCD's objective is for navigational purposes only). Some other objectives were titled "eradication"; however, this term meant aggressive management and not eradication. She clarified that EWM could not be eradicated and that it would always have to be managed.
- She acknowledged that the bays on Lake Minnetonka are all inherently different. Therefore, each bay could require a different EWM management technique.
- Techniques utilized for navigational use could consist of mechanical harvesting and chemical treatments (both of which the LMCD utilizes), as well as the use of an aqua-vac. Hunt recommended the LMCD consider the use of an aqua vac, in which she provided further details.
- Techniques utilized for eradication (aggressive EWM management) could consist of chemical treatments, mechanical harvesting, benthic barriers, divers handpulling and suction, aqua vac (Pokegama Lake Itasca County Woischke Resort), and weevils (Paradise Lake Michigan and Eagle Lake Michigan). A detailed overview of the method, use, cost (per acre), and other factors to consider when utilizing these techniques was provided.
- An overview of the current practices utilized by the LMCD for both harvesting and chemical treatments was provided.
- Confirmation that the various techniques offered are all "tools in the tool box"; reiterating that each bay is inherently different and may require a different tool than another. To this end, she believed that all the information provided herein will document the need to update the Lake Vegetation Management Plan (LVMP) on a bay by bay basis for Lake Minnetonka.
- New chemicals (providing for a greater targeted, effective use) are being manufactured at similar costs.
- A detailed overview of the hydro-raking/dredging technique and the various factors associated with its use was provided (utilized in the northeast and the Florida channels).
- The State of Washington (Shoecraft Lake) utilizes a unique barrier curtain system to isolate chemical treated areas (providing for positive results five years post treatment).
- The State of Idaho utilizes herbicides, divers, and a benthic barrier; providing for three to four years of efficacy before re-treating.

- Resources were acknowledged, in which an overview of their support was provided. Additionally, she reiterated the need for the LMCD to have a lakewide LVMP custom to each bay's needs.
- She entertained questions and comments from the Board.

Jewett question what the LMCD's next step is in considering the information provided by Hunt.

Page stated that the AIS Task Force has discussed whether a lakewide LVMP should be recommended, in which he believed that all were in agreement that one was needed. However, the current questions to be answered are: 1) how does a lakewide LVMP get accomplished and funded, 2) what is the timetable needed to accomplish such, and 3) who has the manpower to accomplish the task. He believed the LMCD's management options are fascinating to consider. However, he believed that Hunt has documented that the LMCD is currently utilizing the two most utilized options (harvesting and herbicide treatments).

Hunt stated that harvesting and chemical treatments are the two best options for the LMCD's current objective (management for navigational purposes). She questioned if that objective will remain as a priority to the LMCD or should a more aggressive method of removing EWM so it is less discernable be an objective to consider.

Babcock explained the existence of a scaling problem due to the littoral zone and the amount of surface acreage that is potentially infested with EWM. He acknowledged what management efforts would be the most cost effective, offering the possibility of further delineating the current management techniques (harvesting and herbicide treatments), as well as researching the expenses involved in the use of an aqua vac.

Hunt confirmed that the aqua vac was offered as a service and not for purchase. She questioned if the LMCD should consider selling the harvesters to a private party for contracting of harvesting on Lake Minnetonka. This could relieve staff time to devise a more strategic level of utilizing the techniques and tools available for each bay; based on a lakewide LVMP and the input from each bay's stakeholders.

Babcock invited Dick Osgood to address the Board.

Dick Osgood, Executive Director of the Lake Minnetonka Association (LMA), stated that the LMA recommends and supports a lakewide vegetation management plan; acknowledging it is the next logical progression. He expressed frustration in how the various management techniques are being compared as they can be framed in so many different ways. He questioned what the LMCD is trying to control and acknowledged that comparing acre to acre costs are not valid; offering herbicide treatment estimates based on various use in other bodies of water. He believed that financially Lake Minnetonka could provide for lakewide herbicide treatments; acknowledging that does not mean it should be done. Once all techniques are researched and questions are responded to, the LMA would support the next logical progression of treating Lake Minnetonka with herbicides.

McDermott questioned who would prepare a lakewide LVMP.

Nybeck stated there is a difference between an LVMP and a Comprehensive AIS Management Plan, in which both have been discussed at the AIS Task Force. He further explained that an LVMP is a requirement of the Minnesota Department of Natural Resources (MN DNR) for the permitting of herbicide treatments. An AIS Management Plan would require field work to inventory the lake, as well as continuing forward with parts of the

current LVMP. To this end, he believed an LVMP could be coordinated internal (creating a model for future herbicide treatments). However, a comprehensive AIS Management Plan would need to be contracted out.

Babcock recommended the LMCD create a list of AIS priorities (based on their impact) for 2012.

Baasen believed that having an LVMP would provide for sufficient documentation (based on current discussions with the Minnehaha Creek Watershed District) to raise member cities AIS levies.

Nybeck stated that Osgood has expressed an interest in creating a lakewide vegetation management plan. At this time, the costs to prepare such a plan are unknown and he recommended the Board invite Osgood to present the process and costs associated with such a task at a future meeting.

Babcock asked Jewett to provide background on his research.

Jewett stated he was charged with: 1) reviewing the current harvesters to determine whether their specifications were up to date for consideration of purchasing a new one, and 2) to try and get a better handle on why the harvester capsized last summer. He personally thanked Gabriel Jabbour, Tom Niccum, and LMCD staff who were all instrumental in assisting in his review. A summary of his update was as follows:

- He reviewed the LMCD's current harvesters and how they were manufactured. He stated that timing did not allow for him to review the capsized harvester prior to its removal; however, he was aware of how it was manufactured and had pictures to reference such.
- The Three Rivers Park District is well respected for their harvesting program. Therefore, he met with their harvesting operator (Jeff Jacobs) who also wrote their specifications for a harvester purchased in 2009.
- He spoke with Aquarius Systems and Alpha Boats Harvesting representatives as to what manufacturing techniques have evolved, as well as discussion on the capsized harvester. He could not confirm why the harvester capsized. However, all acknowledged the hull was cracked via the possibility of running up on the rocks, having holding wells fail, or the use of the trailer (its size and/or wear and tear on the skid).
- He acknowledged that the current specifications could be buffed up a bit in consultation with manufacturing engineers. Some suggestions offered included: 1) a thicker reinforcement of the hull in the bow and stern (varying manufacture opinions on steel gauge was received) and 2) the possible use of wood skids (again, varying opinions).
- He acknowledged that the submittal of a Request for Proposal (RFP) of sealed bids for a possible new harvester had been held off, which is contrary to the Board's direction at the November 16th Workshop/Planning Session. The purpose for holding off on the RFP was to make the necessary adjustments to the specifications, which are currently being adjusted. Submittal of the RFP, with review and comments to the manufacturers, is planned for early next week.
- A belief that the next step is to look at operating procedures, in which research provided for varying operating procedures from other agencies.
- In summary, LMCD specifications were not that far off. There is a need to provide for reinforcement of the skids on the barge, as well as consider manufacture placement of various equipment (i.e., the gas tank and the balancing of water tight compartments). He believed that delivery of a new harvester is possible around July of 2012.
- He entertained questions and comments from the Board.

Babcock asked if he reviewed any manufactured change in the cutter heads, in which Jewett confirmed industry standards are 11' with the placement of adjustable spud anchors.

Morris expressed an interest in addressing any changes that could promote increased safety and productivity, in which Jewett concurred. Jewett stated that after the specification and purchase phase is completed, he expressed an interest (as well as Morris) to review the operational productivity aspect of the program.

Nybeck provided a tentative timeline for the submittal of a RFP for sealed bids. This included: 1) submit the RFP, with specifications, by December 21st; 2) provide for review and comments by January 4th; with the submittal of any changes to the specifications by January 5th or 6th through an addendum, 3) sealed bids to be due in the LMCD office by January 18th, and 4) to provide an update at the January 25th LMCD Board Meeting.

Jewett believed the review and comment period should be pushed back due to the holidays. It was the consensus of the Board to have staff submit the specifications for review and comment as noted above.

Babcock stated that he recently attended a Minnehaha Creek Watershed District (MCWD) Board of Managers Meeting on December 8th where there was discussion of the possible role of the MCWD to address AIS on a watershed wide basis. He confirmed that the MCWD will be expending a substantial amount of funds in the upcoming months, as well as undertaking some partnership opportunities with Christmas and Minnewashta Lake Associations. He believed the MCWD was moving in the right direction; acknowledging the need to continue to work closely with the LMCD in providing knowledge on Lake Minnetonka's usage based needs. In addition to the scientific aspect, a committee of the MCWD will move forward in working with a "user component" of the watershed. He foresaw dovetailing efforts between the MCWD and the AIS Task Force, encouraging the MCWD to utilize this Task Force. He believed that work on the draft AIS comprehensive plan will be starting soon; however, the actual plan will take time, in which different timetables were presented.

Olson stated that the MCWD Board of Managers officially kicked off their involvement in their AIS efforts via an unanimous decision (acknowledging all but one municipality supported their efforts by resolution). The Carver County Park Board is currently working to raise money for inspections on Lake Minnewashta, in which \$15,000 in matching funds through a partnership with the MCWD, has been approved. He noted that the 2012 fishing opener is on Lake Waconia, which is a huge opportunity for the MCWD, Carver County, and a number of other stakeholders to show the Governor we are fighting AIS.

Babcock stated that he communicated to the MCWD Board of Managers that approximately 70% of the watershed is already infested with zebra mussels because of Lake Minnetonka. He encouraged the MCWD to focus its efforts on the remaining 30% of the watershed that does not have zebra mussels. He also encouraged the MCWD on the need to consider reviewing management policies as well. He welcomed the MCWD to the fight against AIS.

D. Appointment of nominating committee for 2012 LMCD Board Officers

Babcock solicited Board members to serve on the nominating committee for 2012 LMCD Board Officers. Jewett, Kask, and Page offered to serve; with Jewett as the chair.

MOTION: Baasen moved, Morris seconded to appoint the above members to the 2012 Nominating Committee.

VOTE: Motion carried unanimously.

E. Chair update of LMCD's 45th anniversary "Save the Lake" Recognition Banquet Dinner:

- Schedule Date and Location
- 2011 Hennepin County Sheriff's Water Patrol Special Deputy Candidate

Babcock asked Nybeck for background on this agenda item.

Nybeck stated that two matters need to be resolved by the Board at this meeting. First, the date and location of the banquet needs to be scheduled, offering the Lafayette Club on Wednesday or Thursday, February 15th or 16th. Second, a decision on the special deputy to be recognized needs to be made, adding that Lt. Steve Hartig from the Sheriff's Water Patrol has recommended special deputy Michael Keller.

The consensus of the Board was to hold the Banquet Dinner at the Lafayette Club on Wednesday, February 15, 2012.

MOTION: McDermott moved, Morris seconded to recognize Michael Keller as the LMCD's special deputy honoree to be recognized at the 45th Anniversary "Save the Lake" Recognition Banquet Dinner.

VOTE: Motion carried unanimously.

10. Update from standing LMCD Committees:

Babcock asked for an update from the Chair, or designated representative, of each committee.

AIS Task Force

Page stated a meeting is scheduled for December 16th to continue assessing the 2008 to 2011 Herbicide Treatment Programs based on the Lake Vegetation Management Plan's goals and objectives, as well as defining the goals and objectives of the AIS Task Force.

Finance Committee

Page stated a meeting will be scheduled in January to consider reinvestment of a matured Certificate of Deposit.

Ordinance Review Committee

Babcock stated a meeting is tentatively scheduled for December 20th to discuss special density license public amenities and to take an initial review of the rules and regulations pertaining to personal water craft (PWC).

Personnel Committee

Babcock stated the committee met previously to review employee compensation for 2012, to establish a

process for 2011 performance reviews, to discuss current position descriptions, and to discuss the 2012 employee benefits package. He reminded the Board that documentation for the Executive Director's performance review was emailed out, in which he urged all to respond at their earliest convenience. Another committee meeting has been scheduled for the first week in January.

Public Safety Committee

Johnson stated the committee met on December 5th, at which time they reviewed two matters. First, a review of inconsistent bow fishing regulations provided for around the lake. The City of Orono's regulations appear to be a good model and will be utilized in an effort to achieve some form of consistency throughout the lake. Staff was directed to draft documentation for all member cities to consider and provide input in achieving that lakewide consistency. Second, a review of the Solar-Light Program, with a consensus that replacement rather than expansion is more likely because too many solar lights could have a negative effect. Staff was directed to provide for annual maintenance of those in existence from this point forward.

LMCD/Hennepin County Sheriff's Water Patrol Meeting

Babcock asked Baasen to provide an update on the annual LMCD and Hennepin County Sheriff's Office Water Patrol Meeting, which was held on December 13th.

Baasen stated that he strongly recommended more members attend this meeting in the future. One of the main responsibilities of the LMCD is to maintain safety on Lake Minnetonka, in which the LMCD could not achieve the level that they have without the cooperation of the Hennepin County Sheriff's Department and the Water Patrol Office. He provided a summary of the meeting by highlighting the following:

- The Water Patrol has eight full time personnel and 30 special deputies (authorized up to 35 deputies and looking to add more this summer).
- Lt. Hartig reviewed their 2011 enforcement statistics that was previously provided to the Board; reiterating that alcohol related citations were up by 50%.
- Tallen reviewed enforcement procedures that were prosecuted; specifically for the alcohol related citations.
- A request has been made for Save the Lake funding to partially fund a Remote Operated Vehicle (ROV) that is submersed in the water to confirm drowning victims or impediment to navigation. He believed it would be an effort of multiple agencies.
- The LMCD has requested to have Water Patrol staff report any malfunctioning of buoys and/or solar lights, in which the Water Patrol was very supportive of.
- He could not speak more highly of the great partnership the LMCD has with Sheriff's Department and the Water Patrol; acknowledging their ability to fund the Water Patrol's existence and coordinate activities with the special deputies. He believed that relationship was solidified by Sheriff Stanek's annual appearance at the meeting.
- Stanek documented that the Water Patrol's budget will remain flat in 2012, even though funding challenges are present due to increased annual costs for personnel. Anything the LMCD can do to help the Sheriff's Office would be greatly appreciated.
- He entertained questions and comments from the Board.

Nybeck reiterated that the Water Patrol has eight full time employees (a Lieutenant, Sergeant, and six deputies). At one point, staffing levels consisted of five deputies and two supplemental staff assigned to Lake

Minnetonka during the boating season. Staffing levels for deputies has increased in recent years from five to six, with one supplemental deputy each boating season. It appears that this will continue in 2012.

Save the Lake Committee

Olson stated that the committee met on November 1st to discuss possible 2012 fundraising initiatives, in which a follow-up meeting will be scheduled in January to meet with a professional fundraiser. The committee is scheduled to meet on December 20th to review the 2012 Save the Lake funding proposals (including the Sheriff's request for the above noted ROV). The committee's recommendations on these proposals is scheduled for the January 11th Board Meeting.

11. EXECUTIVE DIRECTOR REPORT

Nybeck updated the Board on three topics. First, he provided an overview of the LMCD's holiday schedule (providing for the office to be closed on Friday, December 23rd and Monday, December 26th). Second, he directed the Board to the 2011 Fall/Winter LMCD Newsletter within their handout folder; acknowledging it was mailed this date. Third, he stated that the MN DNR will be holding a roundtable discussion on Friday and Saturday, January 6th and 7th, in St. Paul. He will be attending on behalf of the LMCD.

Babcock stated that Suerth would like to say a few words to the Board.

Suerth stated that this will be his last meeting as the City of Woodland representative to the LMCD Board. It has been a pleasure serving on the Board the last 17 plus years. He thanked each of the members for taking the time and effort for being on this Board. He complimented the legislature for having the foresight to create the LMCD; recognizing all the efforts that have been accomplished as compared to many bodies of water around the United States. He believed this Board is blessed and recognized the long service and experience that Babcock has provided to the Board. He reiterated his thanks for all that the Board is doing and asked them to take care of our "beloved" lake

Babcock thanked Suerth for his level of service he provided; recognizing all the years he has chaired the AIS Task Force.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:28 p.m.

Douglas E. Babcock, Chair

Andrew McDermott, Secretary