

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

6:00 P.M., Wednesday, September 28, 2016
Wayzata City Hall

1. CALL TO ORDER

Chair Green called the meeting to order at 6:00 p.m.

2. ROLL CALL

Members present: Jay Green, Mound; Deborah Zorn, Shorewood; Chris Jewett, Deephaven; Dan Baasen, Wayzata; Ann Hoelscher, Victoria; Gary Hughes, Spring Park; Gabriel Jabbour, Orono; Dennis Klohs, Minnetonka Beach; Gregg Prest, Excelsior; Bret Niccum, Minnetrista; and Sue Shuff, Minnetonka. Also present: Vickie Schleuning, Executive Director; Jim Brimeyer, Interim Executive Director; and Emily Herman, Administrative Assistant/Technician.

Members absent: Fred Meyer, Woodland; Rob Roy, Greenwood; and Gregg Thomas, Tonka Bay. Also absent was Troy Gilchrist, LMCD Legal Counsel.

3. APPROVAL OF AGENDA.

Green proposed that Item 6C, "Process and timetable for recodification process" be continued to the October 26th meeting to allow staff time to further review the logistics involved.

Jabbour stated that he would like to include the following questions when considering this process: 1) the use of Save the Lake funds for this process, 2) an overview of the Fund itself, and 3) the use of tax funds for Save the Lake expenses.

MOTION: Shuff moved, Niccum seconded to approve the agenda, as amended, making the changes noted above.

VOTE: Motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA

Zorn moved, Hughes seconded to approve the consent agenda as submitted. Motion carried unanimously. Item so approved included **4A**) Audit of vouchers (9/6/16– 9/30/16).

Klohs believed there was a need to confirm whether the second meeting of each month (4th Wednesday) is considered a Regular Board Meeting or a Workshop. He believed the intension of this meeting was to be a workshop setting that would not subject the Board members to the Open Meeting Law. He recommended Schleuning confirm this matter with Gilchrist.

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

There were no public comments.

6. OTHER BUSINESS

A) Lt. Vnuk, Hennepin County Sheriff's Office Water Patrol Unit, 2016 Boating Season Update

Vnuk thanked Jabbour, Niccum, and Al & Alma's General Manager Jay Soule for holding an appreciation gathering for their staff that worked the July 4th holiday weekend. He further thanked Brimeyer for his service to the LMCD in working with the Sheriff's Office and Water Patrol Unit. He provided the following update:

- The distribution and a detailed overview of a 2016 LMCD Summer Deputy Grant Summary of Activities. This handout provided for the deputy's enforcement activities and a summary of such from 2015 to 2016; providing for a 90% enforcement increase.
- An overview of how the newly established emergency access ramp was utilized and staffed.
- That the Sheriff's Office provided for a substantial amount of additional funds over and above what was offered through the Save the Lake grant to further supplement this important program.
- Acknowledgment that this position is saving lives.

The Board offered a few questions and comments in which Vnuk expounded on: 1) the LMCD could assist the Sheriff's Office in 2017 by increasing the funds for the continuation of this program, 2) an overview of the Water Patrol staffing levels (including the special deputies currently in place and those that are in training), 3) the positive impact the increased staffing/enforcement is having on the Lake residents; offering a meeting that was held with Big Island residents that acknowledged their ability to further enjoy their property during peak boating days and times, 4) and that all enforcement is based on probable cause.

Jabbour expressed the need to continue working towards the establishment of a Water Patrol satellite station within the Lower Lake area.

The LMCD thanked Vnuk for his update and the service offered.

B) Jerry Rockvam, Rockvam Boat Yards, Discussion of Reconfiguration of Non-Conforming LMCD Code

Rockvam expressed his interest in removing every other dock finger and replacing it with two permanent pylons to provide for the storage of wider boats. This would be completed on the east side of the main walkway for Site 1. In considering this reconfiguration, he would need to adhere to Code Section 2.015, Reconfiguration of Non-Conforming Structures. He believed this Code section limited him in considering this and that the Board should consider providing approval of such and revisiting the ordinance to allow for the dramatic changes offered in this growing industry.

The Board directed Schleuning to work with Gilchrist in drafting an amendment to the Code for consideration at their October 12th meeting. This amendment would include: 1) the lack of consideration of square footage calculations in a slip and 2) the need to find the total dock footage of the whole area.

Baasen arrived at 6:45 p.m.

- C) Process and timetable for recodification process - tabled
- D) Future role of Executive, Finance, and Personnel Committees
 - LMCD Investment Policy

Brimeyer directed the Board to his memo, dated 9/28/16. He provided background as to the historical use of the above noted committees and his current recommendations as follows: 1) create an additional 12-month cash flow budget, allow the director to proceed with laddered investments, and amend the Investment Policy to reflect the removal of a Finance Committee, 2) establish an Administrative/Personnel Committee for the coordination of evaluating of the Executive Director (with full Board participation), review of benefits package, as well as a sounding board to the Director, and 3) the continuation of working groups with defined beginning and ending dates and clear missions/goals.

- E) Observations from Interim Director Jim Brimeyer

Brimeyer directed the Board to a document within the packet that outlined his thoughts relative to the enforcement of the Code, recodification, and proposed staffing levels; providing an overview of each area.

The Board thanked Brimeyer for his service to the LMCD and presented a personal gift on behalf of the Board, Gilchrist, and staff.

There being no further business, the meeting was adjourned at 7:30 p.m.

James Jay Green, Chair

Gregory J. Thomas, Secretary