

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., June 14, 2017
Wayzata City Hall

WORK SESSION

6:00 p.m. to 7:00 p.m.

Members present: Jay Green, Mound; Gregg Thomas, Tonka Bay; Ann Hoelscher, Victoria; Dan Baasen, Wayzata; Bill Cook, Greenwood; Gary Hughes, Spring Park; Dennis Klohs, Minnetonka Beach; Mark Kroll, Orono; Fred Meyer, Woodland; Mike Molitor, Minnetrista; Gregg Prest, Excelsior; and Sue Shuff, Minnetonka. Also present: Vickie Schleuning, Executive Director; Emily Herman, Administrative Technician; and Troy Gilchrist, LMCD Legal Counsel.

Members absent: Chris Jewett, Deephaven and Deborah Zorn, Shorewood.

1. Continued Discussion of Draft Ordinance Amending LMCD Code Section 5.30 Regarding Alcoholic Beverages and Underage Drinking and Social Hosting (Previously Considered April 12, 2017 and May 10, 2017)

Vice Chair Thomas directed the Board to the agenda packet offered for this discussion item. He acknowledged that LMCD Prosecuting Tallen was in attendance and asked LMCD Civil Attorney Troy Gilchrist to provide an overview of his memo, dated 6/9/17, and the respective draft ordinance.

Gilchrist offered the following comments:

- Based on a number of concerns that were raised regarding the Board's consideration of various ordinance drafts of the social host approach (March 22nd and April 12th), it was his recommendation to go back to the drawing board and focus on the original concern;
- Instead of attempting to cast a net over those who host gatherings involving underage drinking, the new approach, outlined within the draft ordinance, focuses on operators of watercraft who allow or fail to take reasonable steps to prevent underage possession or consumption of alcohol;
- The term "operator" is already defined in the code, so this approach would build on existing language and avoids the challenges around trying to define host and gatherings on the Lake vs. at the home.
- He highlighted new Subd. 8 within the draft ordinance relative to Watercraft Operator. Since this draft, he has spoken with Tallen who suggested the consideration of owner of the watercraft or operator if owner is not present. Further, an exception to this subdivision existed for those underage persons who may lawfully be working to serve alcohol;
- He did not attempt to address drinking in a fish house or on a dock as he did not think those were not part of the original concerns raised. The Board does have the ability to expand the scope of the prohibition, but recommended the better approach was to focus on the primary concern rather than every scenario. With that said, he offered language in considering ice houses within his memo;
- He entertained questions and comments from the Board.

Thomas requested clarification that if all are underage on the boat, it is the operator that gets the citation. Gilchrist confirmed yes and acknowledged that was how the other draft ordinances were written. Hoelscher stated that the other youth who were drinking under Thomas' example above would also be cited for underage consumption. Gilchrist stated there is a risk that a 19 year old sober cab could be the operator with the remaining 19 year olds

consuming. Tallen offered that he has not had a case where everyone, except the operator on the boat, was not drinking. He believed that the youth look at the Lake as a safe haven to drink since they are not on the road and they think no one else will know what is happening.

Thomas asked Gilchrist to confirm that the prior drafted ordinance language was removed from the current version. The language referenced offered a person the ability to call 911 and be exempt from a citation. Gilchrist confirmed that exception, as well as others, were removed to bring this discussion back to the original concerns raised. The draft ordinance being considered this evening is focused more on the watercraft and its operator.

Jay Green arrived at 6:10 p.m.

Tallen provided an overview of various cases that were affected by not having such an ordinance in place. One repetitive situation in particular is where the underage consumer who originally stated a particular adult provided the underage consumer alcohol, but later provides a written statement that the underage consumer was intoxicated at the time of making the original statement and what was meant is that the consumer and friends brought the alcohol on board the watercraft. With this written statement, the case cannot be prosecuted.

Molitor requested a comparison and contrast of the effectiveness of the drafted ordinance before them vs. what is utilized on land. Tallen stated the traditional ordinance within the cities that he represents, could, under certain conditions, cite an individual owner of the home whether they are present at the gathering or not. The ordinance before the Board does not hold an adult responsible if not within the boat. Tallen further stated that a boat is not large enough for an adult to exist within without knowing underage drinking is taking place. Tallen recommended language of operator and/or owner if present on the boat does not absolve the owner of the boat from being responsible just because he turned the wheel over to another operator.

Cook liked the changes and simplification of the draft ordinance, as well as removal of the social host language from the other drafted ordinances. He requested an overview of the penalties in which Tallen provided an overview. He stated all are misdemeanors; \$300 or less petty and over \$300 for misdemeanors. Hoelscher also liked the draft ordinance. She questioned if the draft should state the penalty, and is there a difference in penalty between one that consumes vs. the watercraft operator. Gilchrist stated that the LMCD Code of Ordinances has language that acknowledges violations of all ordinances are misdemeanors. He questioned if the Board were to add this language, would the Board then want it added to all ordinances, i.e., Rules of the Road, etc. Hoelscher was okay with not adding the penalty language as she believed the ordinance was deterrence and should be posted on social media and publicized as much as possible.

Thomas stated that the Sheriff's Office has asked that the LMCD place the language of ice houses back into the ordinance. Discussion was held as to the definition of the term "ice house." Gilchrist was directed to work the term "ice house" into the draft ordinance and schedule this matter under the formal agenda for consideration at the Board's June 28th meeting.

2. Discussion of Compliance Timeframes for Code Enforcement

Schleunig asked the Board to provide feedback on compliance timeframes for various types of code enforcement. Examples of enforcement and the Board's responses "()" are provided below:

- Reducing a surface area of their dock, e.g., the size of their platform (two weeks)
- Is cost a factor in removing a portion of the dock (not really)
- The relocation of an entire dock (sooner than later if blocking neighboring properties owners from utilizing their dock use area or if it presented a safety hazard; otherwise the following year).

Schleuning stated that waiting the additional year requires more staff time in following up and assessing compliance. A question was raised as to whether an enforcement policy should be adopted. Schleuning did not believe a policy was necessary at this time. Her questions were simply to receive feedback from the Board as to their interpretation of enforcement for consistent communication. Gilchrist stated reasonableness always underlines the period of time prescribed.

2A. LMCD Staffing

Schleuning stated that Administrative Technician Emily Herman's last day with the LMCD is Friday, June 23rd. Therefore, she would like the Board's permission to implement some of the 2018 staffing levels in 2017; specifically promoting the part-time Administrative Clerk to a part-time Administrative Assistant position, possibly bringing in temporary staff to cover clerical work, and the hiring of a full-time technician position. It was the consensus of the Board to amend the formal session portion of the agenda to allow Schleuning to present the needs and receive parameters from the Board as to how to proceed.

3. LMCD Watercraft Status Discussion

Schleuning solicited the Board's direction in moving forward with the sale of the LMCD's pontoon and MACO runabout for the purchase of either a slightly used or new pontoon with a trailer. It was the consensus of the Board to amend the formal session portion of the agenda to allow Schleuning to present the needs and receive parameters from the Board as to how to proceed.

4. Escrow for Legal Service Fees

Gilchrist stated that the LMCD Code of Ordinances provides for provisions that require specific applicants to submit escrow deposits to help cover legal costs incurred specific to their proposal. He stated this is a common practice for certain applications being considered at the city level and that it assists in relieving the use of budgeted funds to pay for legal fees. Applications that are typically considered for this practice would be those that require a public hearing. He solicited the Board's interest in further implementing this practice and, if so inclined, he would bring back an amended fee resolution for their consideration. It was the consensus of the Board to direct Gilchrist in bringing the amended fee resolution to the Board.

FORMAL BOARD AGENDA

7:00 p.m. to Adjournment

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Jay Green, Mound; Gregg Thomas, Tonka Bay; Ann Hoelscher, Victoria; Dan Baasen, Wayzata; Bill Cook, Greenwood; Gary Hughes, Spring Park; Dennis Klohs, Minnetrista; Mark Kroll, Orono; Fred Meyer, Woodland; Mike Molitor, Minnetrista; Gregg Prest, Excelsior; and, Sue Shuff, Minnetonka. Also present: Vickie Schleuning, Executive Director; Emily Herman, Administrative Technician; and Troy Gilchrist, LMCD Legal Counsel.

Members absent: Chris Jewett, Deephaven and Deborah Zorn, Shorewood.

Baasen arrived at 7:40 p.m.

4. APPROVAL OF AGENDA

Green requested the addition of item Nos. 14(a) Personnel Discussion on Staffing Needs for 2017, and 14(b) Watercraft Replacement Direction for Staff.

MOTION: Thomas moved, Baasen seconded to approve the agenda as amended.

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

- Administer Oath of Office to Mark Kroll, New LMCD Board Member (City of Orono)

Gilchrist administered the Oath of Office to Kroll who was seated as a representative to the City of Orono.

Green announced Emily Herman, LMCD Administrative Technician, will be leaving to take another position. The Board extended its thanks to her for her work with the LMCD for the past 13 years. Herman stated it has been an honor to work for the LMCD.

6. APPROVAL OF MINUTES- 5/17/17 LMCD Special Board Meeting 5/24/17 LMCD Special Board Meeting

MOTION: Prest moved, Meyer seconded to approve the 5/17/17 LMCD Special Board Meeting minutes.

VOTE: Ayes (9), Abstained (3, Molitor, Shuff, and Thomas); motion carried.

Molitor pointed out in both the Work Session and Regular Meeting minutes for May 24, Chris Jewett is listed as both present and absent. Staff advised they will amend the minutes to reflect Jewett as present.

MOTION: Shuff moved, Hughes seconded to approve the 5/24/17 LMCD Regular Board Meeting minutes as amended.

VOTE: Ayes (11), Abstained (1, Klohs); motion carried.

7. APPROVAL OF CONSENT AGENDA

MOTION: Thomas moved, Molitor seconded to approve the consent agenda as submitted. Items so approved included: **7A)** Audit of Vouchers (6/1/17 - 6/15/17); **7B)** May Finance Summary and Balance Sheet; **7C)** Resolution Accepting Save the Lake Contributions (5/17/17 – 6/2/17); and, **7D)** Amended Public Meeting Calendar.

VOTE: Motion carried unanimously.

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

There were no public comments.

9. PUBLIC HEARING

A) Al & Alma's Supper Club, Corp., 2017 New Intoxicating Liquor License with Sunday Sale

Herman directed the Board to the staff memo, dated June 14, 2017, and provided the following information:

- An overview of the action presented to the Board; staff recommends approval of Al & Alma's Supper Club, Corp. 2017 On-Sale Intoxicating Liquor License with Sunday Sale with use of the following authorized ports of call: 1) Al & Alma's Supper Club, Corp.; 2) City of Excelsior municipal dock; and, 3) City of Wayzata municipal dock. Additionally, staff recommends the Board reimburse the applicant its \$3,000 preliminary investigation deposit.
- An overview of the application and license for the new charter boat, Arabella.
- There were no concerns found with the background investigation. The recommendation to approve the reimbursement of the investigation deposit was based on: 1) no legal fees incurred, 2) the LMCD not being charged for the service, and 3) Board's historical action of such.
- Public hearing requirements and legal notifications.

Shuff inquired if this application is representative of previous applications from Al and Alma's Supper Club, with the addition of Sunday sale. Herman confirmed yes.

Green opened the public hearing at 7:08 p.m. There being no comments, Green closed the public hearing at 7:09 p.m.

MOTION: Thomas moved, Baasen seconded to approve: 1) Al & Alma's Supper Club Corp., 2017 On-Sale Intoxicating Liquor License with Sunday Sale for the charter boat Arabella; 2) the authorized Ports of Call of Al & Alma's Supper Club, Corp., City of Excelsior municipal dock, and City of Wayzata municipal dock; and, 3) the reimbursement of the \$3,000 preliminary investigation deposit.

VOTE: Motion carried unanimously.

B) Bayview Event Center, Commercial Dock and Variance Applications, 687 Excelsior Boulevard, Excelsior (Excelsior Bay) – Continued from May 24, 2017 meeting

Schleuning directed the Board to the staff memo, dated June 14, 2017, and provided the following information via a PowerPoint presentation:

- An overview of the action presented to the Board; Findings of Fact and Order for approval or denial of the Bayview Event Center Commercial Dock and Special Density License, as well as a Variance for Adjusted Dock Use Area (side setbacks) associated with The Museum of Lake Minnetonka's (Museum) recently approved Commercial Dock License.
- An overview on historical licensing on this site. It was a previously licensed multiple dock site with 37 boat storage units (BSU) on 370 feet of shoreline. The dock use area was defined in all the approved site plans since as early as 2001. The setback to the north was approved as part of the site plans; however, not specifically defined in Bayview's application. The variance with Tonka Bay Sales (Site 1) to the north was specifically defined. The extended side site line for the southern boundary with Bayview has a variance for a 30-degree deflection. However, the southern property, Maynard's, does not have that same variance.
- An overview of 2017 issues and proposed licensing; Museum license approvals included a commercial dock and special density license of 1:20 feet, as well as the transfer of a length variance that was originally approved through Bayview Event Center's historical multiple dock licenses for that specific dock. Bayview Event Center closed in 2016, the sale fell through, and the renewed license for 2017 became invalid since it no longer met license conditions.
- With 370 feet of shoreline, the applicant could have 7 BSUs, but only applied for two BSUs. If they applied for five or more, they would have needed a multiple dock license.
- An overview of the current commercial dock license and proposed site plan included: 1) maintaining existing structures, 2) dock two watercraft, 3) place three gates along the dock entrances of the site, and 4) place chains along the transient BSUs to prohibit unauthorized transient use.
- An overview of the commercial dock review criteria. A license is required and the Board may impose conditions or consider criteria.
- The LMCD solicited review and comments from local government agencies. No comments were received. One letter was received representing the adjacent marina owner regarding the northern sight line. The variance has been amended to include the northern extended side setback. They also received a concern regarding the southern extended side setbacks as whether there was a potential to amend the current placement of the structures. She acknowledged the additional handouts offered within the packet and handout folders, as highlighted within her staff memo.
- Public hearing requirements and legal notifications.
- Based on review of the LMCD Code, the following summary was provided: 1) The extended side site lines of the applicant's site and bordering properties are conflicting creating practical difficulties for all subject properties (Code Section 2.01, Subd. 2(b)); 2) The ownership and use of the shoreline for properties creates conditions that would benefit from clarification and documentation; 3) The Code allows the Board to determine dock use areas as appropriate to

reasonably resolve any conflicts (Code Section 1.07, Subd. 2); 4) The license conditions, variances, and special density associated with The Museum of Lake Minnetonka are applicable to the Applicant; and, 5) The Applicant license and variance requests meet the conditions of the Code.

Mr. Peter Snyder, legal representative for Bayview, stated he has not reviewed the items that were sent today. The amended variance mirrors what has been the extended side site line setback with the northern property owners since as early as 2001. There are conflicting interpretations on where the line could be placed, but their request of placement for the northern setback best serves both property owners, and this placement was agreed upon by a previous LMCD Board.

Hoelscher inquired if there is a certificate of title that shows where the property line would be on land. Snyder stated there should be a Certificate of Title and legal description of the property that shows where the border is.

Thomas pointed out at the last meeting, people expressed concern with the northern extended side setback and the need for it to be consistent with the adjacent north property owner. He believed that is what is being proposed and that issue is resolved. Schleuning explained there are two issues: 1) Having the variance formalized within the facts and findings for the license, which has been resolved; and, 2) Having a formal agreement between the parties involved.

Thomas inquired if the agreement in the packet signed by Tonka Bay and Bayview was considered a formal agreement between the parties involved. Schleuning stated that agreement shows they agree on where the line is now, but they want something more that stays with the property.

Snyder stated the agreement between the parties would be outside of the scope of the Code and application requirements. The parties had agreed to the exact location of the line, but they wanted the document recorded. In his legal opinion, it is not recordable as a document that only deals with a line in the water and does not touch the land itself.

Green clarified the subject area via an overview of the site plan that depicts a line above BSU #37.

Thomas referred to the letter included in the meeting packet dated June 14, 2017 that addressed the south extended side setback and stated that property has no objection to what is being proposed.

Kroll requested clarification on who was representing Maynards. Snyder stated he represents Bayview Event Center and could not speak to the representation of Maynards.

Cook stated the northern extended site line is in the adjacent property owner's variance and should also be in this variance document. Green stated in 2003, they all agreed on where the line was, but the documents did not reflect it. With this application, nothing is changing, but that all the documents will show the same placement of the line.

Schleuning advised there is also a legal description in the meeting packet that defines the northern extended side site line. Snyder pointed out he has not reviewed that description, but has no reason to doubt its authenticity. The only necessary legal description would have it go from the shore out to the dolphin pole, along with the map depicting the position of it.

Schleuning stated dolphin poles can move, especially in the winter and that is why they have included item No. 1(g) in the Findings of Fact and Order document. It states, "A legal description depicting the northern side site line will be submitted to the LMCD by the Application and adjacent marina." Snyder stated he will contact a surveyor to make sure it is correct.

Green reopened public hearing at 7:40 p.m.

Peter Johnson, representative for Mr. Gabriel Jabbour, owner of Tonka Bay Sales (Site 1) and Maynards. They have tried to negotiate a common line agreement in recordable form so both property owners would know where the line was. Tonka Bay Marina was committed to establishing the line without any conditions. Bayview Event Center has concluded they are unwilling to sign a document in recordable form and wants to avoid having it recorded. Tonka Bay Marina has decided to cease the effort to get a recordable agreement with the current property owner and will try to address it when the new property owner takes possession of Bayview. They agree that a line should be established, but they do not think there is any practical difficulty with the variance on the north side. He requested the agreement they have signed with Bayview Event Center which is not in recordable form, be placed in the license files for the two properties so it will be part of the LMCD record going forward. They have had the line surveyed and provided the information to Bayview Event Center. It should be attached and included with the agreement.

Green inquired about a previous agreement with Tonka Bay Marina Sales and Bayview for the north side. Mr. Johnson clarified in 2001 a letter was written from Bob Ziton to Gabriel Jabbour that served as an agreement. The line has been in use for 20 years without any big fights between the property owners.

Mr. Johnson reported on the south side, both property owners have side opening slips that open to a common line and they are using a line that looks comparable. If the LMCD considers this line permanent, Maynards believes there should be some agreements regarding the side opening slips. The purpose of Maynards letter was to point out their nonobjection is very specific to the application currently being considered. As an Applicant, Maynards is entitled to come before the Board and use a straight extension of the side lot line as the dock use area boundary.

Kroll inquired why this is being discussed now if there will be a new owner of the Bayview property in two weeks. Mr. Johnson responded a complete application has been filed for a new application to be considered two weeks from now. They hope to get the agreement they want with the new applicant before the next LMCD Board meeting. In response to a previous comment by Kroll, Mr. Johnson clarified Maynards is the trade name and South Shore Properties is the property owner. Thomas commented the Board requested this be on the agenda because currently, Bayview does not have a license to dock boats.

Green closed the public hearing at 7:50 p.m.

Cook inquired if they are able to put legal descriptions of lines in their permits. Gilchrist responded the agreement needs to make clear that the Code is the ruling document, but it does allow for some variations depending on agreement by property owners. In this situation, it is unclear how the Code applies, and the Board has resolved it through variances in the past. Schleuning commented there are different ways of describing lot lines, but having something more specific will be helpful in the future. A legal description would be a great way to show where the agreed upon lines are located. Cook stated they could do a legal description, but they did not want to record it because it was not tied to the property since it is on the water. A legal description or survey would allow them to always go back and see where the line is.

Klohs advised all their applications have legal descriptions on everything they do and this application just needs to be updated.

Thomas inquired about a recordable agreement. Gilchrist stated it is up to the property owners and not something the LMCD should get involved in.

Shuff inquired about the term of the license and if the goal is to allow Bayview to sell their boats. Schleuning advised the license would be valid until December, or until it is superseded. She confirmed Bayview desires to be in compliance so they can sell their boats.

In response to Thomas, Schleuning highlighted the topics on the Findings of Fact and Order document included in the meeting packet.

Prest made a motion to direct the LMCD legal counsel to draft Findings of Fact and Order denying Bayview Event Center a Commercial Dock License and Variance. He explained in two weeks they will be faced with a new application and it sets a precedent for others to request boat storage for boats they are selling.

Hoelscher inquired what happens if the license request is denied and Bayview remains out of compliance.

The motion failed for lack of a second.

Green referred to the Findings of Fact and Order, under item No. 1(b), and pointed out there was no time frame. Schleuning advised licenses are not transferable, and technically, a new owner should apply for a license right away.

Green referred to the Findings of Fact and Order, under item No. 1(d), and inquired if the LMCD had jurisdiction to require them to put gates up. Schleuning stated yes, because safety is a requirement on the dock.

Green referred to the Findings of Fact and Order, under item No. 1(g), and inquired how they can require the adjacent marina to submit a legal description. Schleuning stated it had already been submitted, but she will change the wording.

MOTION: Thomas moved, Shuff seconded to approve the draft Findings of Fact and Order approving Bayview Event Center, LLC 2017 Commercial Dock License and Variance for Adjusted Dock Use Area (side setbacks), including the length variance and special density license associated with the Museum's commercial dock license for the property located at 687 Excelsior Boulevard in Excelsior, with an amendment to delete the line "and adjacent marina" from item 1(g) in the Findings of Fact and Order.

Prest proposed a friendly amendment to change the license deadline to October 31, 2017. He reasoned the property is run down and if the boats are not sold, it will become blight.

Green advised the boats are in the water all winter, and if they are not sold before the water freezes, they will be trapped there until spring.

MOTION Prest moved, Green seconded to amend the motion to amend the license deadline from
TO December 31, 2017 to October 31, 2017
AMEND:

VOTE ON Ayes (6), Nays (5, Baasen, Klohs, Molitor, Shuff, and Thomas), Abstain (1, Kroll); motion carried.
MOTION
TO AMEND:

VOTE ON Ayes (10), Nays (1, Prest), Abstain (1, Kroll); motion carried.
ORIGINAL
MOTION (AS
AMENDED):

10. OTHER BUSINESS

A) Approval of 2018 LMCD Budget

Green advised the budget will be certified to the member cities by July 1, 2017.

Schleuning stated Minnetonka and other cities generally supportive. The City of Orono had expressed concern with the percentage they pay versus the voting percentage.

MOTION: Baasen moved, Shuff seconded to approve the 2018 LMCD Budget as presented.

VOTE: Motion carried unanimously.

Baasen thanked Schleuning and the Budget Workgroup that produced the 2018 budget.

11. UPDATE FROM STANDING LMCD COMMITTEES

Aquatic Invasive Species Committee/Taskforce: Green reported the harvesters are on the water. Schleuning stated they are beginning in Lafayette Bay. They will be determining which bays will be scheduled and it will be posted on the website and social media. They have both milfoil and curlyleaf pondweed permits and will be working with the DNR to record what is happening in the bays. They have four people on staff and their goal for offloading sites is to leave it cleaner than when they got there.

Green stated one requirement with the MN DNR grant was to publish a map of where they harvested with GIS technology. With this mapping, they are hoping to go back retroactively and include where they were. Schleuning advised she will look into it.

Green stated the legislature did not approve the \$5.00 surcharge on boat registrations for AIS.

Schleuning commented they are also working on the IT inventory so they know when items need to be replaced.

Recodification Workgroup: Gilchrist stated they began discussion on a first rough draft on the commercial section. It is the most interwoven section of the code and they will need to make it more readable and consistent. He was directed to break out the individual uses within their own chapters. He requested the Board provide any comments and feedback to him regarding the residential section he provided to them. The inclination is to want to push for policy changes, but through the recodification process, they need to focus more on organizing and cleaning things up.

Save the Lake Committee: Baasen advised everyone received a spring solicitation letter in their packet. He requested members distribute them within their communities to people that may be interested in supporting Save the Lake. They have almost 400 people on the mailing list and they need to expand it. The boater safety class will have over 40 attendees, there is a waiting list, and they need help. He requested Board members help out, or recommend someone that could. Green stated he will be there in the afternoon.

Molitor inquired if the mailing list is accessible to them so they do not solicit someone who has already donated. Baasen stated they can provide the list; however, staff can do the comparison but sometimes a second letter is more effective than the first. Personal contact through delivery is often the best method.

Strategic Plan Subcommittee: Schleuning advised they will move forward with the Strategic Business Plan without the dashboard. They need to get going on it, and if there is something missing, it can be added during a future review.

12. EXECUTIVE DIRECTOR UPDATE

Schleuning reported the 2017 Summer Rules brochure is expected back from the printer this week. They will be provided to marinas, Three Rivers Park District watercraft inspectors, and the Water Patrol. It will also be posted on the website.

Schleuning stated they are experiencing their seasonal spike in calls and inquiries, and people have been very cooperative. She was encouraged to hear the people on personal watercraft slowing down and coaching each other on the importance of not creating a wake in the channels. She also looked into a couple of complaints and will be following up and updating the representatives as appropriate.

13. OLD BUSINESS

There was no old business

14. NEW BUSINESS

A) Personnel Discussion on 2017 Staffing Needs

Schleuning stated she would like to promote Administrative Clerk Tammy Duncan to Administrative Assistant and proposed to pay her at least \$18.00 an hour for this year and then bump it up to \$20.00 an hour next year. Her current salary is \$14.00 an hour and she would work three days a week. She has taken on additional duties, and is performing items at a higher level than her current job description as clerk.

Klohs stated they need to secure qualified help for Schleuning and \$20.00 an hour is fair since she has been doing more than what her job required for a long time. He also stated that it is a tight labor market and the organization needs to be competitive.

Molitor inquired what the plan is for Duncan's job if she moves to Administrative Assistant. Schleuning stated the 2018 budget includes a part time Office Clerk and there are some funds dedicated for contractual services that could be used to cover this position. This is part of a larger view of the organization's equipment needs and funding requirement as well.

MOTION: Klohs moved, Hughes seconded to offer a three day work week at \$20.00 per hour to Tammy Duncan as Administrative Assistant.

VOTE: Motion carried unanimously.

Green advised they also need to provide parameters to guide Schleuning in looking for a new Administrative Technician. Schleuning stated they have one rate at \$28.00 per hour and it would be nice to have a range. She is currently working on the job description and duties for this position and suggested the range be \$25.00 to \$28.00 depending on qualifications. The Board agreed with her suggestion and directed her to proceed.

Thomas expressed concern that Schleuning will be stressed and they should proceed quickly for someone to fulfill the Administrative Technician role.

Hughes stated if there is difficulty in finding the right person, they should look at using a temp agency to provide some help for some of the day to day activities. Green concurred.

Meyer stated considering the circumstances, keeping the budget balanced may not be as important. Schleuning stated from 2008 to date, the areas of reserve do not look as bad compared to just focusing on the general budget. They want to make sure they continue to provide good service to their communities.

Kroll stated he spoke with Mr. Crosby, a member of the Orono City Council, and he inquired about putting a dock in Molly's Corner on property owned by the City of Orono for the storage of a fire and rescue boat. Schleuning advised she sent an email out today regarding this request and she will forward the information to Kroll. If it is less than four, owned by the municipality, and used for emergencies services only, it does not need a license or permit. However, it still needs to meet the setback requirements.

B) Direction to Staff Regarding Watercraft Replacement

Green advised they need to make a decision about replacing the pontoon and Mako. He has looked on Craigslist for a replacement, but there has not been anything locally available. Schleuning stated one broker told her they were not interested, but she would like to check with a few others. The motor on the pontoon is okay, but she would like something a little more powerful. The motor on the Mako is good and could possibly be used on the pontoon. She would like an 18-foot pontoon, which starts at \$8,000 for a new one without a motor, if one can be found. The Board provided direction to Schleuning to find some alternatives for a pontoon with a trailer.

Kroll offered his pontoon for tours, but not for harvesting.

Green stated he is sorry to see Herman go. Herman stated she will miss everyone and they were great to work with.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:49 p.m.

James Jay Green, Chair

Ann Hoelscher, Secretary