

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., October 24, 2018
Wayzata City Hall

WORK SESSION

6:00 p.m. to 6:55 p.m.

Members present: Jay Green, Mound; Gregg Thomas, Tonka Bay; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Dan Baasen, Wayzata; Gary Hughes, Spring Park; Mark Kroll, Orono; Mike Molitor, Minnetrista; Andrew Punch, Excelsior; Chris Rich, Woodland; and Sue Shuff, Minnetonka. Also present: Troy Gilchrist, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: Dennis Klohs, Minnetonka Beach; Jake Walesch, Deephaven; and, Deborah Zorn, Shorewood

1. AIS Harvesting Program Review

The City of Orono and Lake Minnetonka Association (LMA) have requested that the AIS harvesting program be discontinued for Lake Minnetonka. While the LMCD received a lot of positive comments this year and some helpful new initiatives were implemented, this program, like other AIS programs, is not a perfect system. The Board is gathering information and reviewing the program, options, alternatives and the impact of any decision. Chair Green asked for Board feedback.

- Shuff stated she would like to hear from harvesting experts.
- Baasen stated he would like more information to base any decision.
- Kroll stated he felt a one-year moratorium should be put in place in order to review the program in detail.
- Green stated that there are a number of considerations such as the impact to fish kill from harvesting versus short and long-term impacts to fish, and other environmental issues of chemical use.
- Kroll stated his City has heard a number of complaints about the harvesting fragments.
- Thomas stated he agrees the program should be run correctly, would like to learn about different ways, and bring to his City for input.
- Kroll stated Deephaven passed a resolution to ban harvesting (others on the board were not aware of this resolution)
- Molitor asked what has changed with the program over the years that this is an issue.
- Green replied there is fear that it is reverting back.
- Hoelscher stated the program has been scaled back and is not sure there are better options.
- Cook would like a full assessment. Chemicals were used for control, now there are different problem weeds. He would like the board members to talk to their councils.
- Rich stated he spoke briefly with his Mayor. There doesn't seem to be a silver bullet, maybe there might be more effective operational approaches.
- Hughes stated he appreciated the AIS Taskforce meeting but would like more information. He noted there have been different problem weeds over the past five years.

- Kroll asked what is there to lose with a moratorium, maybe other opportunities for targeted application.
- Shuff said the downside is for all the people who want harvesting and the general public.
- Green inquired if there were changes when the harvesters were reduced, are there problems, or just a perception. This needs to be determined.
- Hoelscher asked if the all or nothing approach would be a right thing to do. Maybe there are options to not harvest in certain cities. She asked if we can continue to operate safely if there isn't adequate resources or time.

Green stated it appeared that more information is needed so a good decision can be made so a meeting will be scheduled with other agencies.

REGULAR SESSION

7:00 p.m.

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; Bill Cook, Greenwood; Dan Baasen, Wayzata; Gary Hughes, Spring Park; Mark Kroll, Orono; Mike Molitor, Minnetrista; Andrew Punch, Excelsior; Chris Rich, Woodland; and Sue Shuff, Minnetonka. Also present: Troy Gilchrist, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: Dennis Klohs, Minnetonka Beach; Jake Walesch, Deephaven; and, Deborah Zorn, Shorewood

4. APPROVAL OF AGENDA

MOTION: Rich moved, Shuff seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

There were no Chair announcements.

6. APPROVAL OF MINUTES- 10/10/18 LMCD Regular Board Meeting

MOTION: Thomas moved, Hughes seconded to approve the 10/10/18 LMCD Regular Board Meeting minutes as submitted.

VOTE: Ayes (11), Abstained (2), (Molitor, Punch). Motion carried.

7. APPROVAL OF CONSENT AGENDA

MOTION: Baasen moved, Cook seconded to approve the consent agenda as presented. Items so approved included: **7A**) Audit of Vouchers (10/16/18 – 10/31/18).

VOTE: Motion carried unanimously.

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

Gabriel Jabbour, Tonka Bay, addressed the Board. Jabbour has served on several AIS advisory boards and routinely offers assistance on the Lake. Jabbour expressed several serious concerns with the safety and supervision of the harvesting program from 2015 to present. He stated that if the program is to continue there needs to be adequate training and education of employees to ensure safety.

Eric Evenson, Director of the Lake Minnetonka Association (LMA), spoke in support of Mr. Jabbour's statements. The LMA has received complaints regarding cleanup of weeds on the shoreline. Evenson supports discontinuation of the program and suggested a 1 year moratorium is necessary to evaluate the program.

9. PUBLIC HEARING

There were no public hearings.

10. OTHER BUSINESS

There was no other business.

11. OLD BUSINESS

There was no old business.

12. NEW BUSINESS

A) Enlargement of Licensed De-Icing Facility, Cory and Denae Martilla, 21750 Byron Circle (Continued)

Schleunig reported that a memorandum was included in the Board packet providing answers to some of the questions that the Board brought forward at the last meeting. She stated that this is an application to enlarge a de-icing facility located at 21750 Byron Circle and reviewed the possible actions that the Board could take. She stated

that an email was provided from the manufacturer that recommended a minimum of three de-icing units and therefore the plan was updated to show three units. She stated that the amended site plan was also provided identifying the location of the floating silt curtain and outside safety fence. She provided additional details on the monitoring which will be performed through a smart system by the homeowner and advised that a local monitoring agent will provide onsite inspections according to the schedule provided. She stated that staff will work with the applicants to ensure that the lighting will not impact neighboring property owners.

Thomas stated that the local monitoring agent was present at the last meeting. He asked and received confirmation that the local monitoring schedule would be completed by Mr. Smith or his employees. He asked for information on how the monitoring is completed.

Schleuning provided details on the monitoring that will be completed and the MN DNR standards that are used to determine if the ice is thick enough. She stated that Walesch could not be present but wanted it recorded that he is not in favor of the expanded de-icing permit as he does not believe it is needed in that bay, believed it to be dangerous, and therefore would not support the use for a general residential purpose.

MOTION: Thomas moved, Baasen seconded to approve the expanded De-Icing License as presented and authorize the Executive Director to grant the license once all conditions are met.

VOTE: Motion carried unanimously.

13. TREASURER REPORT

No treasurer report.

14. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- The Water Patrol presentation provided at the last meeting was added to the LMCD website and Facebook page to share information regarding the partnership with the public. She noted that the LMCD Save the Lake funds are used to partially fund that Water Patrol Deputy.
- Staff continues to work on projects that will improve the lake, and applications for multiple dock licenses will be sent within the next week.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Committee/Taskforce: Green reported that the group met on October 19th and reviewed the agencies that attended the meeting. He stated that Hennepin County offers grant funds for AIS, noting that applications are due in November. He stated that studies were conducted on 12 lakes that do not have public access and AIS were found in some of those lakes, noting that a report will soon be made available. He stated that the cleaning stations on some lakes are getting a lot of use to remove AIS and that service is looking to be expanded. He stated that the possibility of partnering multiple agencies was discussed to identify additional AIS that may be spreading. He stated that updates were provided from the DNR including a presentation on zebra mussels

density. He stated that Three Rivers Park District provided presentations and provided an update. He stated that there was also discussion on a preventative program near the public access locations but advised that there are permitting issues that may arise. He stated that a discussion on harvesting also occurred. He stated that it was decided that perhaps an additional workshop, with representatives from the DNR, could be held the week prior to a regular meeting to further discuss harvesting.

Schleuning noted that she would send an email to the Board to determine the best date for that special meeting.

Shuff stated that Tom Elmer runs the program and she had nothing to do with his application other than making a recommendation to him that he might be interested. She stated that she has never voted on his employment. She stated that she is interested in the topic because of comments from her neighbors and because she was not sure why a moratorium was being discussed without additional information.

Rich stated that some of the items mentioned in the public comments were news to him and noted that he would love to see the data that the LMCD has on these issues that have occurred and been reported. He wanted to ensure that everyone is safe.

Baasen stated that perhaps the Board consider holding the special meeting on November 14th but simply start the meeting earlier in the evening.

Green stated that his only thought in holding the meeting during the morning would be to get members of the DNR at the meeting to provide additional input.

Budget Workgroup: Cook had nothing further to report.

Recodification Workgroup: Gilchrist thanked the members of the Board that provided their comments on the sections of the code assigned to them. He stated that there is still time for the remaining members to provide their input.

Save the Lake Committee: Baasen reported that the Committee has not met since the last LMCD Board meeting but is planning to send a fall solicitation letter out before the end of October. He stated that a copy will be sent to all Directors for review.

Strategic Plan Subcommittee: Schleuning reported that staff continues to make progress and move forward with the strategic initiatives.

Other: Molitor seconded the comments from Rich requesting to see the data the LMCD has regarding the incidents mentioned during the public comments portion of the meeting tonight in regard to AIS. He stated that they are serious allegations being made and the Board should be aware of what is going on.

16. ADJOURNMENT

MOTION: Kroll moved, Rich seconded to adjourn the meeting at 7:50 p.m.

VOTE: Motion carried unanimously.

James Jay Green, Chair

Ann Hoelscher, Secretary