

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., July 24, 2019
Wayzata City Hall

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Gregg Thomas, Tonka Bay; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Dan Baasen, Wayzata; Ben Brandt, Mound; Gary Hughes, Spring Park; Dennis Klohs, Minnetonka Beach; Nicole Stone, Minnetonka; and Jake Walesch, Deephaven. Also present: Troy Gilchrist, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: Mark Kroll, Orono; Mike Molitor, Minnetrista; Chris Rich, Woodland; and, Deborah Zorn, Shorewood. Excelsior Vacant.

4. APPROVAL OF AGENDA

MOTION: Walesch moved, Hughes seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

There were no Chair announcements.

6. APPROVAL OF MINUTES- 06/26/2019 LMCD Regular Board Meeting

MOTION: Thomas moved, Baasen seconded to approve the 06/26/2019 LMCD Regular Board Meeting minutes as submitted.

VOTE: Ayes (7), Abstained (2), (Stone and Walesch) Motion carried.

7. APPROVAL OF CONSENT AGENDA

MOTION: Cook moved, Brandt seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (07/01/2019 – 07/15/2019) and (07/16/2019 – 07/31/2019); **7B)** June Financial Summary and Balance Sheet; and, **7C)** Resolution Accepting Save the Lake Contributions (06/10/2019 – 07/01/2019).

VOTE: Motion carried unanimously.

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

Gabriel Jabbour, 985 Tonka Road, stated that he believed there are boats that could be dumping sewage in the lake. Big Island was a problem and he stated that he is almost positive he could identify the boat that dumped sewage. He stated that he spent almost all day with the University of Minnesota assisting in the second treatment of a bay. He stated that the previous week the Board added an item to the agenda to possibly include North Arm to the list of quiet water bays. He requested that the Board not add items to the agenda once posted unless it is a time sensitive item so people can attend the meeting if so desired.

Cook stated that there has been discussion in the past about sewage valves and he would like to add that item to the agenda for the Officers meeting so that a plan can be developed. He asked that Mr. Jabour be included in that discussion.

9. PUBLIC HEARING

There were no public hearings.

10. OTHER BUSINESS

A) Resolution Recognizing Volunteers Participating in July 4th Big Island Cleanup

Thomas stated that he asked Schleuning to prepare this after reading the updates and seeing the news reports. He asked for the approval of the Board for the resolution, noting that it would then be sent to the parties that assisted in the cleanup following the Fourth of July. He read aloud the proposed resolution. He asked if there are other known volunteers that should be recognized.

Eric Evenson, Director of Lake Minnetonka Lake Association, stated that there are some residents of Big Island that have gone out to assist in cleanup activities each year following the holiday.

Thomas stated that perhaps "residents of Big Island" be added to the resolution.

MOTION: Cook moved, Baasen seconded to adopt the Resolution Recognizing Volunteers Participating in July 4th Big Island Cleanup, amending the language to add "residents of Big Island".

VOTE: Motion carried unanimously.

11. OLD BUSINESS

A) Communications and Public Engagement Proposal

Hoelscher stated that the proposal from one of the consultants was included in the packet for the Board tonight. She reported that three good proposals were received, and she met with two of the consultants. She recommended extending an offer to Goff. She noted that the initial proposal received from Goff exceeded the Board's budget for the item because that figure was not included in the RFP. She stated that after discussion Goff believed that they

could add a lot of value for the \$25,000 budgeted. She noted that Goff comes highly recommended and has done similar work for organizations similar to the LMCD and did research on LMCD prior to meeting with her. She stated that Goff would like to help the LMCD develop its messaging and get that story out to its stakeholders. She believed that outsourcing this activity would allow LMCD staff to better focus on the other items they need to complete.

Baasen referenced the first page, which addresses legislative support and asked if that was discussed.

Hoelscher stated that was discussed and noted that Goff was in the room during the last legislative session because they had represented the Board of Soil and Water Conservation and therefore are well informed on the topic. She stated that the company also has connections and resources that could help the LMCD possibly acquire additional funding.

Thomas stated that he and Hoelscher spoke earlier today and discussed her recommendation. He recognized that the Board did not have the opportunity to review the information until the meeting tonight. He stated that if the Board is not comfortable taking action tonight, action could be delayed to the next meeting.

Klohs asked the other two firms that submitted proposals.

Hoelscher provided those names.

Klohs asked if the proposal includes a focus on the five items included in the RFP.

Hoelscher stated that the focus will be on branding and reputation as well as media relations. She stated that strategic advice for the legislature will also be provided. She noted that the website and social media items would not be included. She stated that information will be provided that can be shared on those platforms, but a revamp of the website and social media would not be included in the amount of funding available.

Klohs asked if the work will be billed per hour.

Hoelscher explained that the consultant stated that most clients like to see hourly billing for the items completed. She noted that multiple members of the firm would be working together to accomplish the desired work.

Klohs stated that there has been a lot of feedback and it will be highly scrutinized by the public as to how the LMCD is spending its money. He asked how this hourly rate compares to the other proposals.

Hoelscher noted that this was the most complete proposal and the other proposals did not include hourly rates.

Klohs stated that he believes that comparative hourly rates should be provided.

Thomas noted that the Board previous approved spending up to \$25,000 and this proposal would not exceed that budgeted amount. He noted that the Committee recommends Goff for a host of reasons. He stated that this approval would allow Schleuning to continue to negotiate the details of what will be included.

Klohs noted that this budget item will be challenged and therefore there should be sufficient information to backup the decision.

Thomas stated that a request for proposals was sent and three proposals were received that were reviewed by a Committee. He stated that due diligence has been completed but if the Board is not comfortable the item can return at the next meeting.

MOTION: Baasen moved, Thomas seconded to approve the selection of Goff and to direct the Executive Director to negotiate a contract that will be brought back to the Board for review.

Further discussion: Hughes referenced the hourly rate and asked if that encompasses the company rate or whether each person would bill separately. He used the example of three people working for one hour.

Thomas noted that it appears there are different pricing strategies that could be used.

Klohs stated that this would basically buy the LMCD ten hours of work per month for a 12-month contract.

Thomas stated that it is his understanding that this was the only firm that worked with public relations and legislative activity.

Hoelscher confirmed that to be a true statement. She stated that the other firm she met with earlier in the week suggested that the LMCD engage a separate firm for legislative advocacy. She stated that the nice thing is that Goff can handle both activities. She stated that the proposer that she met with earlier this week has since withdrawn their proposal because of a conflict. She stated that Goff was her choice with three choices and remains her choice with only two choices available.

Klohs commented that Goff seems to be a great choice and noted that his only concern was that this will be scrutinized by the public and therefore there should be adequate information to support the choice.

Hoelscher stated that a comment that was received from all three proposers was that the LMCD should move on this now and not delay activity. She stated that she would not want to delay this activity any further and would like to get the consultant on board to start on August 1st, if possible.

Schleuning stated that when reviewing the different consultants, one item noted was the scope provided. She stated that Goff has great expertise in many different areas. She explained that the company has the experience and templates that could assist in completing the work in a shorter amount of time.

Walesch stated that of the three proposals that were submitted, one has been withdrawn, one proposal seemed to be put together last minute, and Goff was the most qualified and has the skill set that would be most applicable to the LMCD. He referenced the hourly rate and believed that to be related to the larger proposal. He was unsure that hourly rate would apply to the scope that can be done within the LMCD budget available. He suggested that the concerns raised during the discussion tonight related to billing be clearly defined in the contract and shared with the Officers before executing the contract. He noted that the contract

could still be signed, and the services could begin, rather than delaying to the next meeting.

Stone stated that it seems that Goff would be a good fit for the organization. She noted that it will be interesting to see what the contract looks like, whether that is an hourly rate or a specified amount of time. She stated that while she would like to support the action tonight, she would also be curious about the billing details.

Brandt asked if this would be an item that would be reviewed annually or just a contract for one year.

Hoelscher stated that she was unsure. She noted that it is important for the LMCD to have this assistance but was unsure what would happen in future years.

Thomas stated that there are not currently funds for this item in the 2020 budget but noted that if needed he was sure an amendment could be done in the future.

Cook stated that he is supportive of the effort and the motion proposed. He stated that the Board will be meeting in two weeks and that would provide sufficient time for the negotiations to be completed and the contract to be prepared.

Baasen stated that the LMCD is a government entity and is required to complete due diligence when reviewing a contract. He stated that his motion allows this activity to move forward and is also a responsible action that allows the Board to review the contract.

VOTE: Motion carried unanimously.

B) Strategic Plan 2019-2020 Draft

Schleuning explained the process the Work Group went through to create the draft Strategic Plan. She noted that the group reviewed the previous plan to determine items should continue to remain priorities. She highlighted areas of the plan that remain unchanged and some items that have been added. She provided additional detail on the strategic priorities, initiatives, and the action plans that may be needed in the future. She stated that the Board and staff have already begun to make progress on some items and will continue to work on those items. She recognized that some of the items are larger tasks that will take more than two years to complete.

Hughes commented that a lot of work was spent creating the document.

Klohs commented that these items are a big undertaking and take up the time of staff, which further supports the need for a communications consultant. He commented that the plan is a great method to keep the organization focused and moving forward.

Thomas commented that some items may be easily accomplishable while other items are larger tasks that will take much longer to accomplish.

Stone stated that she appreciates the work that was put into developing the plan.

Walesch, Brandt, Hoelscher, and Baasen thanked those responsible for putting the plan together.

Thomas noted that some of the items may need to be prioritized as it may not be possible to accomplish all the items within two years.

Klohs stated that the Work Group can provide further prioritization information and bring that back to the Board.

12. NEW BUSINESS

Hoelscher stated that the Board still does not have a representative from Excelsior and Excelsior reached out to her about possible representation from the Board at Apple Day on September 21st. She stated that the Board staffed a booth the previous year and it was a successful event. She asked if there are Board members that would want to staff a booth.

Thomas noted that he, Baasen, Stone, and Schleuning staffed the LMCD booth at the Art at the Lake event.

Cook stated that he would be happy to volunteer, organize and attend.

Thomas stated that if he is available, he would be glad to attend as well. He welcomed other Board members that may want to attend as well.

Stone volunteered as well.

MOTION: Thomas moved, Walesch seconded to approve the LMCD staffing a booth at Apple Day in Excelsior on September 21st.

VOTE: Motion carried unanimously.

13. TREASURER REPORT

No report.

14. EXECUTIVE DIRECTOR UPDATE

A) Lake Minnetonka Vegetation and AIS Master Plan Progress

Cook stated that the consultant has been working on some of the preliminary tasks and the first Technical Advisory Group (TAG) meeting was held. He noted that there was good input received and response will be made to the TAG. He reported that a formal update will be provided at the next meeting.

Schleuning provided the following information:

- **Big Island Illness Investigation:** A press conference was held and an update from the Health Department was shared on the LMCD website. As of July 18th, no further illness reports were received, and the incident is considered complete. She reviewed educational material provided from the CDC and some of the suggestions that were received that could reduce the risk of a similar outbreak in the future.

Thomas asked the Board to think more on the topic as it will appear on a future agenda.

Walesch stated that he has spoken with residents on the lake who believe that some boats are using grinder pumps. He stated that there should be some way to be assured that the grinder pumps are not being used. He stated that boats can have the tanks pumped at any of the marinas and therefore the pumping mechanism should not be used.

Cook asked Walesch to engage Jabbour on that topic and noted that the Officers meeting will continue the discussion.

- **Beach Closure Information:** The website includes a map showing the current beach closures.
- **Algae:** The LMCD received many calls related to Filamentous algae and provided additional information. The recommended treatment at this time is removing due to the end of the season.
- **Water Levels:** She reviewed the current water level.
- **Fourth of July Boater Safety Update:** It was a fairly safe year this holiday. She reported on July 4th there were 124 stops which resulted in six BUI's and 22 citations. She stated that there were two assaults and one disorderly conduct. She stated that she received a lot of comments saying that boaters were respectful.

Lieutenant Shane Magnuson stated that he was assigned to Water Patrol in February/March.

Gilchrist asked that the Board be informed if there is anything that they can do to assist the Water Patrol.

Schleuning thanked the Water Patrol, MN DNR, fire departments, and other staff that assisted in preparing for the 4th of July holiday.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: No report.

Budget Workgroup: No report.

Recodification Workgroup: Gilchrist reported that the draft code is up and posted on the website and there is an option on the website for residents to provide input on the draft code. He stated that he hoped to continue to move this forward for adoption later this summer.

Save the Lake Committee: Baasen reported that the group met on July 9th and discussed solicitation efforts, noting some contributions have been received without solicitation. He advised that two solicitation letters will be sent out

prior to the end of the year. He noted that incentives were approved again this year including lip balm, keychain, boat towel, and burgee. He noted that the items would have the LMCD logo.

Baasen advised of the dates of the James J. Hill event. He noted that he will ask for volunteers to assist with the event at the August 14th meeting.

Strategic Plan Subcommittee: No report.

16. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:43 p.m.

Gregg Thomas, Chair

Ann Hoelscher, Secretary