

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., February 27, 2019
Wayzata City Hall

WORK SESSION

6:00 p.m. to 6:50 p.m.

Members present: Gregg Thomas, Tonka Bay; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Ben Brandt, Mound; Gary Hughes, Spring Park; Dennis Klohs, Minnetonka Beach; Mark Kroll, Orono; Mike Molitor, Minnetrista; Nicole Stone, Minnetonka; and Deborah Zorn, Shorewood. Also present: Troy Gilchrist, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: Jake Walesch, Deephaven; and Chris Rich, Woodland. No Delegate, Excelsior.

Persons in Audience: Adam McLain, Aaron Bean, Richie Anderson, Roxanne Rockvam, and Bill Olson.

1. Fuel Boat Discussion

Chair Thomas stated that the proposers had requested this item be removed from the agenda in order to address staff concerns.

Attorney Gilchrist stated staff has spent a significant amount of time researching this item and it would be beneficial to hear an outline of the items that led to the staff recommendations.

Thomas requested staff provide background information.

Schleuning stated she had made several contacts regarding the fuel boat operation and associated regulations including Minnesota State Fire Marshal's Office, local fire departments, Minnesota Pollution Control Agency, Minnesota Weights and Measures, U of M Duluth and U.S. Coast Guard, and others. In addition, she contacted representatives of Lake Geneva where a fuel boat has been in operation for four years. Various feedback was received that was positive, in opposition, or concerns. While a significant amount of information was gathered, staff believed that the main points for the board to consider was based on information received initially from the Minnesota State Fire Marshal's Office. That information is included in the memo. She noted she appreciated everyone's feedback and assistance with the research.

She further explained that the principal concern is whether the fuel boat meets the definition of a "marine motor fueling facility" as prescribed by the current 2015 Minnesota Fire Code. She further noted that the six local fire departments associated with Lake Minnetonka are the "authority having jurisdiction" to make that decision. At the time, three fire departments stated they did not believe it met the definition, therefore, this type of fuel boat operation would not be approved.

Based on the research, the uncertainties associated with the current Fire Code language and lack of dedicated criteria, it is staff's recommendation for the board to wait until appropriate fire codes and associated criteria are in place before considering an amendment to the LMCD Code to allow such an operation.

2. Strategic Plan

Schleuning reviewed the 2017/2018 Strategic Plan and 4th Quarter results indicating a significant amount of progress has been made the past two years.

Chair Thomas asked Director Zorn, the chair of the strategic planning committee to share her thoughts.

Zorn stated she is digesting the information and asked other board members for their feedback.

Cook stated that moving forward the LMCD change its focus to address initiatives regarding AIS management work.

Baasen stated he would like to address the challenges facing the lake.

Hoelscher stated she would like to see the board to continue to focus on the mission of its work as indicated in the folders and liked the strategic plan dashboard.

Klohs would like to see the dashboard and frequent updates about achievements toward the strategic plan.

Kroll thought it was important to continue to address milfoil and other AIS, along with wakeboard shared use policy and the impact to erosion.

Molitor stated it is important to keep focused on the strategic plan and make sure that we choose the amount of activities that we can perform properly.

Stone stated that she is new and wants to make sure to represent the best interest of Minnetonka and the lake.

Hughes stated he would like to see the Work Sessions used for discussion about lake goals and initiatives.

Brandt stated he would like to see information addressing how we work with the various partners such as cities, MCWD, DNR, LMA. Second, the budget including revenues and fees should be reviewed, along with the concerns about AIS.

Gilchrist stated he would like to see continued perspectives about board policy.

Thomas asked the audience to provide any input.

Richie Anderson, North Shore Marina, stated he would like to be more involved and referenced conversations with Schleuning to work on a project with LMCD staff to provide educational information for boating operations.

Zorn stated she appreciated the information and looked forward to working with the Strategic Planning Committee on options to bring forward to the board. The Strategic Planning Committee is currently Zorn, Klohs, and Hughes. Any interested parties should let staff know. Meetings will be set up shortly.

Regular Session
7:00 p.m.

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; Mark Kroll, Orono; Mike Molitor, Minnetrista; Nicole Stone, Minnetonka; Jake Walesch, Deephaven; and, Deborah Zorn, Shorewood. Also present: Troy Gilchrist, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: Chris Rich, Woodland; No Delegate, Excelsior.

4. APPROVAL OF AGENDA

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

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

Gilchrist administered the following Board member:

- ~~A) Oath of Office to Chris Rich (City of Woodland)~~
- B) Oath of Office to Nicole Stone (City of Minnetonka)

Stone introduced herself to the other members of the Board.

6. APPROVAL OF MINUTES- 01/23/2019 LMCD Regular Board Meeting

MOTION: Zorn moved, Brandt seconded to approve the 01/23/2019 LMCD Regular Board Meeting minutes as submitted.

VOTE: Ayes (11), Abstained (2), (Baasen, Stone). Motion carried.

7. APPROVAL OF CONSENT AGENDA

MOTION: Cook moved, Walesch seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (02/16/2019 – 02/28/2019).

VOTE: Motion carried unanimously.

8. PUBLIC PRESENTATIONS

A) Destination Imagination – The Minnetonka Lakers

Schleuning stated that she was introduced to the Minnetonka Lakers Destination Imagination group about one month ago when the group completed a project about preventing pollution on Lake Minnetonka. She stated that the group was selected as winners at their last event and will move on to the State level. She invited the group to come forward.

Cathy Maser, leader of the group, explained that the group had their choice on any public project and the youth chose to do their project on protection of the lake.

The youth from the Minnetonka Lakers Destination Imagination group presented the elements of their project that included winter kill of fish, the effect of motor oil as a contaminate, blue green algae, the appropriate amount of salt that should be used on a driveway and the impact salt has on the lake, nine things people can do to help the lake, milfoil, the effect of pesticides and fertilizer on the lake, and the effects of herbicides. They provided an example of a river that caught on fire because of pollution. They also reviewed different causes of fish death in the lake and reviewed different recreational activities that people enjoy on the lake. The youth provided an informational packet that contains educational information on aquatic hitchhikers.

Chair Thomas thanked the youth for their presentation. He confirmed that the youth all attend Minnewashta elementary school and range in ages from third through fifth grade. He invited that the youth to introduce themselves.

The youth from the group introduced themselves.

Zorn stated that she has youth at Deephaven Elementary and asked if the informational brochure could be shared with other schools in the area.

The youth confirmed that the information could be shared with other schools to help spread awareness about preventing pollution in the lake.

Zorn stated that when the youth turn 12 years old, they can take a boaters' safety course, noting that the LMCD offers a free course for youth.

Brandt stated that he watched the YouTube video the group created earlier, which was great, and thanked the

group for their presentation tonight.

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

There were no public comments.

10. PUBLIC HEARING

There were no public hearings.

11. OTHER BUSINESS

A) Resolution Authorizing Appointment of Committee Members

Schleuning stated that after the last meeting, people were asked to reappoint themselves or request a new assignment. She stated that members can always sign up for a new appointment at any time during the year, should another member wish to join.

Chair Thomas confirmed that the Committee appointments can change as new members join.

Hoelscher referenced the Communications Work Group, which met the previous year but then went dormant. She suggested that the group be split into communications (related to public communications) and the second part addressing talking points.

Schleuning stated that Walesch can be added to the Communications Work Group, and the additional suggestions can be determined within the group.

Chair Thomas noted that the motion tonight simply addresses Committee assignments and therefore the work group would be outside of that spectrum.

MOTION: Kroll moved, Baasen seconded to approve the resolution authorizing appointment of Committee Members.

VOTE: Motion carried unanimously.

12. OLD BUSINESS

A) Vegetation and AIS Master Plan RFP

Cook stated that an AIS Task Force meeting occurred on February 8th, at which time several verbal comments were received from members of different agencies/partners. He stated that following that meeting, there was a potential proposers meeting, to which one proposer attended. He stated that the group discussed the proposal with that representative and his firm. He noted that he also spoke with another proposer via telephone and met a third

proposer in person. He reviewed a summary of the comments received, breaking those comments into stakeholders and proposers. He reviewed some of the themes of the comments received and stated that they attempted to incorporate most of the comments into the draft RFP, which was included in the Board packet. He highlighted the seven deliverables by priority. He reviewed the selection process, noting that the Board is still on the prework stage. He asked that the Board also establish a Selection Committee and reviewed the proposed types of members that he would like to see on the Board, which spans a number of organizations. He noted that the selection could be made following tonight's meeting and he could bring those members back to the Board at the next meeting.

Klohs asked if there is a cap on the cost of the activities within the RFP.

Cook stated that he removed that referenced from the draft RFP. He stated that he does have a sense of the approximate cost, based on information received from other lakes. He stated that at this point he would like the proposers to tell the Board the estimated cost, and that proposed cost could be used to weigh proposals, rather than creating an arbitrary number.

Klohs agreed that would be the best method.

Walesch asked the number of proposals that are expected to be received.

Cook stated that there are probably about six companies that could do the work but noted that one group recused themselves because of a conflict of interest, which would leave five potentials. He stated that he would be delighted to receive two or three proposals. He stated that they are all Minnesota based companies.

Molitor stated that he is interpreting that harvesting will not be completed by the LMCD this year based upon the proposed schedule.

Cook stated that he does not expect that the LMCD staff would do any harvesting this year because the work could not be done in time.

Klohs noted that the work could be contracted out.

Molitor stated that it would appear that any harvesting would occur then in July or after.

Cook confirmed that would fit with the growing season and more review is underway regarding options.

MOTION: Cook moved, Hoelscher seconded to authorize the publication of the RFP to solicit proposals and further authorize the establishment of a Selection Committee as described.

VOTE: Ayes (12), Nay (1, Molitor). Motion carried.

Chair Thomas expressed gratitude for the many hours of work and background that Cook has contributed to this process.

13. NEW BUSINESS

There was no new business.

14. TREASURER REPORT

Cook had nothing further to report.

15. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- Two snowmobiles recently broke through the ice and fell into the lake, as alerted by Hennepin County Water Patrol. She expressed that lake users should be cautious of open water or thin ice areas. There is a higher propensity for open water or thin ice in areas such as channels or near bridges.
- Fish ice houses need to be removed by Monday, March 4th. If lake users have concerns about removing the fish houses on time, they should contact Water Patrol right away to discuss resolution.
- Deicing regulation changes start in March, for activities between March 1st and March 15th, and then for the period after March 15th.
- Take extra care during ice tweener times. As the weather warms and ice conditions become less predictable, people should take extra precautions for themselves, children, and pets.

16. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: No further report.

Budget Workgroup: No report.

Recodification Workgroup: Gilchrist stated that he is still awaiting some comments and will then speak with the Work Group.

Save the Lake Committee: Baasen reported that the group has not met since the last Board meeting. He noted that the group will meet again in March and is attempting to schedule the first boaters' safety class.

17. CLOSED SESSION TO CONDUCT PERFORMANCE EVALUATION OF THE EXECUTIVE DIRECTOR PURSUANT TO MINN. STAT. 13D.05, SUBD. 3(a)

Gilchrist explained the closed session format and process.

MOTION: Thomas moved, Krolls seconded to move to closed session to conduct a performance evaluation of the Executive Director pursuant to Minn. Stat. 13D.05, Subd. 3(a).

VOTE: Motion carried unanimously.

18. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:51 p.m.

Gregg Thomas, Chair

Ann Hoelscher, Secretary