LAKE MINNETONKA CONSERVATION DISTRICT
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AGENDA
LAKE MINNETONKA CONSERVATION DISTRICT
Wednesday, May 22, 2019
Wayzata City Hall
600 Rice Street, Wayzata, MN 55391

WORK SESSION
6:30 p.m. to 7:00 p.m.

The purpose of the Work Session is to allow staff to seek input from the Board and for the Board to discuss matters in greater detail than generally available at the formal Board Session. The Board may give staff direction or express a preference, but does not formally vote on matters during Work Sessions. While all meetings of the Board are open to the public, Work Session discussions are generally limited to the Board, staff, and designated representatives. Work Sessions are not videotaped.

1. Budget Discussion- Meeting to Start at 6:30 p.m.

FORMAL BOARD AGENDA
7:00 p.m. to Adjournment

The purpose of the Formal Session is to allow the Board to conduct public hearings and to consider and take formal action on matters coming before the LMCD.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **CHAIR ANNOUNCEMENTS,** Chair Gregg Thomas
6. **APPROVAL OF MINUTES –** 05/08/2019 LMCD Regular Board Meeting
7. **APPROVAL OF CONSENT AGENDA**
   - **A)** Audit of Vouchers (05/16/2019 – 05/31/2019)
   - **B)** April Financial Summary and Balance Sheet
   - **C)** Executive Director Compensation

8. **PUBLIC COMMENTS –** Persons in attendance for subjects not on the agenda **(limited to 5 minutes)**. *Audience members may provide information to the Board. Please direct all comments to the Board Chair. The Board generally will not engage in public discussion or act on items not on the agenda. The Board may ask for clarifications or direct staff to report back on items at future meetings.*

9. PUBLIC HEARINGS

A) 5345 Cedar Point Road, Variance for Dock Use Area Length and Side Setbacks

10. OTHER BUSINESS

11. OLD BUSINESS

A) Preliminary 2020 Budget

12. NEW BUSINESS

13. TREASURER REPORT

14. EXECUTIVE DIRECTOR UPDATE

A) Lake Minnetonka Vegetation & AIS Master Plan Progress

15. STANDING LMCD COMMITTEE / WORKGROUP UPDATE

- Aquatic Invasive Species Taskforce
- Budget Workgroup
- Recodification Workgroup
- Save the Lake Committee
- Strategic Plan Subcommittee

16. ADJOURNMENT

Future Items – Tentative

- Lake Use Vision and Policy Discussion Continuing Series- TBD
  - Boat Density
  - Lake Sales and Services

LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS
7:00 P.M., May 8, 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; Chris Rich, Woodland; 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; and, Deborah Zorn, Shorewood

4. APPROVAL OF AGENDA

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

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

Chair Thomas commented that he and Cook represented the LMCD at an event the previous weekend. He stated that people expressed interest in what the LMCD does, asked questions about zebra mussels, and some expressed concern with the LMCD not harvesting this year. He noted that Art on the Lake will be on June 8th and advised that additional volunteers from the Board are still desired.

6. APPROVAL OF MINUTES- 04/24/2019 LMCD Regular Board Meeting

Hoelscher noted on page two, under Item 6, there is a spot left to fill in. She believed that Hughes should be listed in that spot.

Hughes confirmed.

MOTION: Cook moved, Brandt seconded to approve the 04/24/2019 LMCD Regular Board Meeting minutes as amended.

VOTE: Ayes (9), Abstained (1), (Baasen) Motion carried.

7. APPROVAL OF CONSENT AGENDA

MOTION: Hughes moved, Cook seconded to approve the consent agenda as presented. Items so approved

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included: **7A)** Audit of Vouchers (05/01/2019 – 05/15/2019).

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

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) 2020 Budget Discussion

Cook reviewed historical information for the budget, noting that the budget also forecasts two years into the future. He reviewed the details of the 2019 budget forecast, highlighting items that may come in over or under the budgeted amounts. He also provided a summary of the proposed 2020 budget.

Chair Thomas asked and received confirmation that the 2020 budget would require a transfer from the general reserves to make up the loss. He asked for perspective from the Save the Lake Chair as to whether that is a reasonable increase to expect.

Baasen stated that he was agreement. He stated that a two percent increase was forecasted for the general budget, which ends in a deficit. He asked why a three percent increase was not proposed to avoid the deficit.

Cook stated that unless programs or value are being added, he believes that the dues requested should be kept equal to inflation levels. He stated that he worries about sustainability when people's incomes and inflation is at a certain level while government increases continue at a higher level.

Baasen stated that because there are so many things going, using the AIS master plan as an example, and other opportunities, that he does not see a decrease in expenses in the future. He noted that if the proposed legislation is passed, that could take away some fees and he does not think it is responsible to present a deficit budget.

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Cook stated that he would also be interested in input about increasing the reserve balance. He stated that there is a wide range recommended for the amount to be held in reserves by the auditor. He stated that the LMCD keeps bumping to the top of that range.

Baasen asked if the reserve fund is going to be used to balance the budget, will there then be a line item showing that transfer from the reserves to present a balanced budget.

Cook confirmed that there would be a line item transfer shown.

Baasen stated that he was simply asking questions for clarification and trusts the opinions of Cook. He noted that the LMCD has had a challenging 18 months and the next 18 months will most likely follow the same path.

Chair Thomas stated that the forecast for the end of this year shows that the reserve balance will be at 48 percent, which is within the 30 to 50 percent range recommended.

Cook confirmed that forecast even accounts for the budget amendments that were completed this year.

Chair Thomas stated that even with the proposed transfer from the reserve, the balance would remain at 46 percent. He stated that in 2018 the inflation rate was 2.44 percent. He noted that using that rate of inflation, if dues were to increase by that same amount it would result in an $8,800 increase to the levy which would still not balance the budget.

Klohs stated that this is a transition year for the LMCD, in terms of where the organization has been and where it is going. He stated that the lake management plan is resetting what the LMCD does and where it spends its money. He agreed that there are a number of initiatives in the Strategic Plan that the organization would like to do but does not have sufficient staffing. He stated that either the to-do list needs to be decreased or another staff person needs to be added. He stated that there is no way to forecast the results of the harvesting program until the study is completed. He stated that this is a nice start to the budget discussion and no decisions should be made tonight.

Cook confirmed that a budget agenda item is not before the Board tonight, the intent was just for discussion.

Klohs stated that there is a solid argument that another full-time employee is needed. He stated that Cook does an excellent job, and this is a good start to the conversation.

Chair Thomas asked for details on the tentative budget schedule.

Cook reviewed the budget timeline which starts tonight with the preliminary discussion. He stated that on June 5th there will be a meeting to discuss the preliminary budget with city officials. He noted that the final review and adoption by the LMCD is scheduled to occur on June 12th.

Rich thanked Cook for putting this together. He stated that he echoes the comments of Klohs that the Board is in a holding pattern until the deliverables from the study are presented. He stated that his biggest concern is the pending communications line item of $25,000. He stated that while it would be nice to have, there are bigger

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priorities. He stated that he would like to see that item held off given the other things that are going on and need to be done. He suggested that item be tabled until more information is known at the end of the year and actual revenues are known.

Chair Thomas stated that Cook put the line item in the 2019 forecast because the Board approved that item. He noted that to his knowledge someone has not been hired and that has not yet begun. He stated that there is not a communications item in the proposed 2020 budget.

Gilchrist stated that the item was raised as an idea and the motion was to develop an RFP that could come back to the Board for approval. He noted that the action itself was not approved, simply the direction to prepare an RFP, which would then be reviewed by the Board.

Chair Thomas stated that once the RFP is prepared, that will come back before the Board for review and potential approval.

Rich stated that he supports development and review of the RFP. He noted that he does not disagree that the service would be helpful, he just believes that there are higher priorities and too many unknowns at this time to preserve the health of the lake.

Walesch stated that in general this makes sense based on what is known now. He echoed the comments that there are a number of things that may be considered in the future with the AIS study. He assumed that the study will result in initiatives that the Board will want to implement. He noted that those initiatives and the costs associated are unknown at this time. He stated that it would be nice to be able to anticipate what may result from that study, specifically whether the harvesting budget would be reallocated to coincide with the study results, or whether additional dollars would be needed for implementation.

Cook agreed that they do expect initiatives from the study, which may send the Board in the direction as in the past related to harvesting at a high level, or it may change the direction and the actions of the LMCD. He stated that if there are changes, the organization would need to go through a process that engages the stakeholders as well. He noted that elements may happen quickly while the long-range items may happen more slowly. He stated that this is a challenging year to present a budget because the 18-month plan is unknown at this time and yet a budget must be presented by mid-June. He noted that any amendments will be tracked.

Walesch stated that what has been presented makes sense.

Brandt had nothing further to add. He thanked Cook for developing a good budget.

Stone agreed that this was a good starting point, given the year in front of the LMCD. She referenced the pending communications amendment and stated that she differs about the importance of having good communications for the LMCD, especially after her recent experience at the legislature. She stated that if the $25,000 line item was taken out of the forecast for 2019, that would put the forecast at $17,500 which would put the organization above the 50 percent reserve range. She stated that if communication is a priority and the decision is made to move forward on the RFP, perhaps it would make more sense to put the item in the 2020 budget rather than the 2019

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forecast. She stated that she would be more aggressive in terms of increasing the municipal dues which would offset the potential costs ahead of the organization.

Hoelscher stated that the new items tend to stick out more than the old things. She agreed that communications is crucial. She stated that currently the LMCD does not have the staff and the $25,000 would be sufficient to get things going without putting additional burden on staff. She noted that while the funds are marked for 2019, there is nothing budgeted for 2020. She explained that this would be an ongoing item and there should be continued funding, although the amount may not need to be $25,000 every year. She stated that everyone is excited about the AIS study and she hoped that this would not be a one-time fee, suggesting that a line item for lake management expenses be added to future budgets as there will be continued expenses resulting from the study. She agreed that additional funds should not be requested from the cities if nothing new is being done but noted that communications and the new lake management activities are new items.

Chair Thomas stated that even if no new services were added, or permits issued, the staff salaries would still need to be adjusted for the cost of living. He stated that he would want to see an increase in the levy amount even if new services are not provided.

Hughes referenced the seven goals and objectives within the AIS RFP and noted that there are a lot of new things to do and communicate to the public. He stated that the organization has done a great job using existing information to develop this budget, but stated that when the new information is known there will be changes for the organization and more money will be expended to do what the organization should be doing, but did not yet know all those items. He stated that he is very excited to see the results of the AIS study.

Rich stated that the organization has been around for 50 years without the communication line item and was unsure why it is crucial now.

Klohs stated that he felt that way about 90 days ago, but based on what is going on with the organization, the potential legislation, different law suits, and confusion about what the organization does, it has become clear that most people are not aware of what the LMCD does. He stated that he now leans more towards an aggressive public relations program to delineate what the LMCD does. He stated that the LMCD is easy to pick on when things go wrong on the lake and no one has a clue to the enormous amount of work the organization does. He agreed that the item should be an annual budget item.

Baasen stated that there are bullies on the playground and sometimes you need to fight back. He stated that he is also strongly in favor of stating that this is a time to be strong and send the message of the LMCD on a regular basis. He agreed that staff does not have the time to commit to this and therefore he would support the item.

Chair Thomas stated that the LMCD is not going to harvest this year and that could generate issues that the LMCD should get ahead of rather than being in the position to respond after the fact. He noted that Hoelscher wrote the last press release for the organization and the decision was made that perhaps this is the time to solicit professional advice.

Walesch asked who is developing the RFP criteria.

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Schleuning stated that she is starting to put together a communications RFP, using a standard template and incorporating certain target issues that the Board has identified but has time constraints.

Walesch stated that he thinks it is important that the LMCD communicates what it is doing with the elected officials. He explained that even people who should know what the organization does, may not know. He explained that the elected officials are the ones that the Board will go before with budget requests and initiatives. He stated that he would be interested in bullet points being developed in a concise manner identifying what the LMCD does and what would happen without the LMCD. He stated that it would be just as important to develop information to share with elected officials as it would be to develop information to share with the general public.

Chair Thomas stated that Schleuning is often encumbered by too many duties and this communications position could help to alleviate some of those additional duties.

Cook redirected the discussion towards the budget. He stated that the 2020 budget and 2010 budget both have inflationary increases for salaried positions built in. He stated that the 2020 budget has one additional half time staff member for the next three quarters as well. He stated that he will make modifications to the proposed budget to incorporate the comments made and will present two options at the next meeting, one showing no increase in municipal dues and the other showing a 2.4 percent increase in municipal dues. He noted that the purpose would be to gather additional input and he would then follow the Board direction to go forward to the municipal meetings.

Baasen explained that the cities have made the comment that they like predictability, so that they are able to plan for the future. He stated that he would suggest not looking at a zero increase but would instead compare the presented 2 percent increase and then perhaps a higher rate, such as three percent. He stated that it would also be helpful to show what would be needed to balance the budget.

Chair Thomas expressed appreciation to Cook for his continued hard work on the budget. He referenced page four of the budget presentation, specifically the income projected and estimated loss in permit fees. He noted that the Board had previously mentioned conducting a review of the fees and suggested that perhaps the best way to proceed may be to develop a Fees Workgroup. He noted that the Work Group would report to Cook, who reports to the Board. He reviewed the charges of the Fees Work Group to determine the appropriate method to establish fees, determine the best approach to establishing new fees, and to develop a recommendation to develop new fees. He stated that the deliverables can be modified if desired, noting that he simply created this as a method of moving forward. He asked for volunteers that would be interested in joining the Fees Workgroup.

Walesch stated that the group should know the legal parameters for the different fees.

Chair Thomas noted that would be included under the first charge of the group. He stated that he will send out a solicitation letter via email. He confirmed the support of the Board in creating the Fees Workgroup.

13. TREASURER REPORT

Cook had nothing further to report.

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14. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- Electric Shock Devices: Information is available that will be shared with the public.
- Boater Safety Course: Information for the course is available on the website. The class will be held on Monday, June 10th.
- Solar Lights: An update was provided about the current maintenance so they are ready for installation.
- Help keep the lake clean and safe. Pickup trash items if you see them. A photo was shown of the trash that was picked up at the public launches during the summer sign installation.
- AIS Detector Training: Schleuning, Matthew Cook and Cook completed the training. She strongly recommended the class and is available for Directors complete the training.
- Water levels: Schleuning reviewed the water levels measured today, noting that one inch of rain is forecasted. She noted that high water has not yet been declared.

Stone stated that she was at the capital today for the public hearing. She stated that the House did not pass the bill, but the Senate did, so they are now in Committee to determine which elements will remain in the bill. She stated that the LMCD was allowed to speak today. She stated that the LMCD was one of the only groups not requesting funding. She stated that it was also clear that many of the people did not understand what the LMCD is or what the organization does.

Chair Thomas thanked Stone for contributing her time, noting that he has previously spoken as has Hoelscher.

Stone noted that the bill must be reconciled by May 20th, but no action was taken at the meeting she attended.

Klohs asked if there is still time for more input.

Stone confirmed that there is still additional time for input to be received.

Chair Thomas stated that to his knowledge, every opportunity the LMCD has had to comment are opportunities that the organization has sought, rather than being invited to comment.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: Cook reported that the group will meet Friday.

Budget Workgroup: Cook had no report.

Recodification Workgroup: Gilchrist reported that a letter was sent out to the group. He stated that the idea would be to send out a letter to the stakeholder group, that has not yet been identified, welcoming the stakeholders to look at the recodification online and provide emailed comments by a set deadline. He noted that additional amendments could be made to the code, if necessary, following the comments. He hoped that the recodification could be finalized later this summer. He confirmed that the draft states that the intent was not to make substantive changes

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to the code.

Save the Lake Committee: Baasen reported that the group will be holding the Boater Safety Class on June 10th, noting that they are looking for Directors to assist with the class. He stated that during the solar lights installation it was noticed that some of the lights have been damaged and will need to be replaced. He stated that the lights purchased last year appear to be more fragile than those purchased in previous years. He referenced the spring solicitation letter, noting that he hopes to bring a draft to the May 22nd meeting with the intent to send the letter prior to Memorial Day.

Strategic Plan Subcommittee – Next Phase 2019/2020 Discussion: Schleuning stated that the group will meet the following week.

Klohs stated that when there are discussions about initiatives, those actions fall upon staff to complete. He stated that the existing staff does not have time to take on additional tasks. He stated that even the initiatives in the current Strategic Plan cannot be accomplished by the existing staff. He noted that his primary concern with the Strategic Plan is budgeting for the long-time personnel needs.

Baasen asked if the progress of the previous year's plan should be reviewed when creating the next year's plan.

Chair Thomas confirmed that is done.

Schleuning noted that the fourth quarter progress has been updated and will need to be added to the website.

16. ADJOURNMENT

Being no further business, the meeting was adjourned at 8:36 p.m.

VOTE: Motion carried unanimously.

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Dan Baasen, Acting Chair / Vice Chair Ann Hoelscher, Secretary

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Lake Minnetonka Conservation District
Check Detail
May 16 - 31, 2019

ITEM 7A

Date	Num	Name	Memo	Account	Class	Paid Amount
05/23/2019	**EFT19-61**	**ADP Service Fee**		**Alerus Checking**		
			Payroll 5/16/19 - 5/31/19	4180M10 · Professional Services - Admin.	Admin.	-76.70
TOTAL						-76.70
05/23/2019	**EFT19-62**	**Frontier Communications**		**Alerus Checking**		
			Phone and Internet 5/4/19 - 6/3/19	4060M10 · Telephone - Admin.	Admin.	-186.69
TOTAL						-186.69
05/23/2019	**EFT19-63**	**SelectAccount Group Service Fee**		**Alerus Checking**		
			HSA Administrative fee for May ...	4380M10 · Employee Benefits - Admin.	Admin.	-1.90
TOTAL						-1.90
05/23/2019	**EFT19-64**	**Health Partners**		**Alerus Checking**		
			Dental Insurance, June 2019	4380M10 · Employee Benefits - Admin.	Admin.	-111.76
TOTAL						-111.76
05/23/2019	**EFT19-65**	**P.E.R.A**		**Alerus Checking**		
			Payroll 5/16/19 - 5/31/19	2020 · Payroll Liabilities -	Admin.	-1,040.89
TOTAL						-1,040.89
05/23/2019	**EFT19-66**	**SW/WC Service Cooperatives**		**Alerus Checking**		
			Health Insurance, June 2019	4380M10 · Employee Benefits - Admin.	Admin.	-1,394.00
TOTAL						-1,394.00
05/23/2019	**EFT19-67**	**US Bank**		**Alerus Checking**		
			iback up annual fee	4181M10 · Professional Comp. Serv.-Ad...	Admin.	-199.50
			Meeting Supplies (HyVee, Lunds...	4230M10 · Meeting Exp. - Admin.	Admin.	-49.07
			GoDaddy annual fee	4070M10 · Web Page / Internet - Admin.	Admin.	-159.98
			Rite in the Rain paper Amazon	4100M20 · Printing - S/L	STL	-197.70
			Adobe Creative Cloud	4180M10 · Professional Services - Admin.	Admin.	-257.93
TOTAL						-864.18

Lake Minnetonka Conservation District
Check Detail
May 16 - 31, 2019

Date	Num	Name	Memo	Account	Class	Paid Amount
05/31/2019	**EFT19-68**	**ADP**		**Alerus Checking**		
			Salaries - Admin	4020M10 · Salaries-002 - Admin	Admin.	-7,453.31
			P. E.R.A.	2020 · Payroll Liabilities -	Admin.	1,040.89
			ER PERA	4022M10 · ER PERA - Admin	Admin.	-557.62
			ER/FICA Medicare - Admin	4021M10 · ER Share of Admin FICA/Medi...	Admin.	-568.79
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	Admin.	42.13
TOTAL						-7,496.70
05/23/2019	**21601**	**City of Mound**		**Alerus Checking**		
05/23/2019	Rent, June		Rent, June 2019	4320M10 · Office Rent - Admin.	Admin.	-1,570.45
TOTAL						-1,570.45
05/23/2019	**21602**	**Innovative Office Solutions LLC**		**Alerus Checking**		
05/23/2019	Inv.#IN2500497		Office Supplies	4220M10 · Office Supplies -Admin.	Admin.	-110.24
			STL #10 Envelopes	4100M20 · Printing - S/L	STL	-157.90
TOTAL						-268.14
05/23/2019	**21603**	**Kennedy & Graven**		**Alerus Checking**		
05/23/2019	March, 2019		Legal Fees March, 2019	4620M10 · Legal Fees - Admin.	Admin.	-2,473.90
			Codification Project	4670M10 · Recodification	Admin.	-17.30
TOTAL						-2,491.20
05/23/2019	**21604**	**League MN Cities Ins. Trust**		**Alerus Checking**		
05/23/2019	W.Comp		Admin	4340M10 · Insurance - Admin.	Admin.	-2,739.00
			AIS	4340M30 · Insurance W/C - EWM	AIS	-913.00
TOTAL						-3,652.00
05/23/2019	**21605**	**LMCC**		**Alerus Checking**		
05/23/2019	Inv.#1285		VOD Services for Meeting 5/8/19	4182M10 · Media (Cable/Internet) - Admin.	Admin.	-100.00
TOTAL						-100.00

Lake Minnetonka Conservation District
Check Detail
May 16 - 31, 2019

Date	Num	Name	Memo	Account	Class	Paid Amount
05/23/2019	**21606**	**Mark Hodges Media Productions**		**Alerus Checking**		
05/23/2019	Inv.#20190109		Meeting 5/8/19	4182M10 · Media (Cable/Internet) - Admin.	Admin.	-80.00
TOTAL						-80.00
05/23/2019	**21607**	**Premier Materials Technology Inc.**		**Alerus Checking**		
05/23/2019	Inv.#46091		Solar Lights	4160M20 · Public Safety - S/L	STL	-3,029.00
TOTAL						-3,029.00
05/23/2019	**21608**	**Southwest News Media**		**Alerus Checking**		
05/23/2019	Inv.#378052		Admin Clerk position	4110M10 · Public Info./Legal - Admin.	Admin.	-96.00
			Paddletap Miracle	4110M10 · Public Info./Legal - Admin.	Admin.	-24.75
			Ordinance #234	4110M10 · Public Info./Legal - Admin.	Admin.	-54.45
TOTAL						-175.20
05/23/2019	**21609**	**Tallen & Baertschi**		**Alerus Checking**		
05/23/2019	April, 2019		April prosecution costs	4640M10 · Prosecution Fees - Admin.	Admin.	-2,076.44
TOTAL						-2,076.44
05/23/2019	**21610**	**TimeSaver Off Site Secretarial, Inc.**		**Alerus Checking**		
05/23/2019	Inv.#M24690		Board Meeting Minutes 4/10/19 a...	4230M10 · Meeting Exp. - Admin.	Admin.	-325.00
TOTAL						-325.00
05/23/2019	**21611**	**TimeSaver Off Site Secretarial, Inc.**		**Alerus Checking**		
05/23/2019	Inv.#M24728		Board Meeting Minutes 5/8/19	4230M10 · Meeting Exp. - Admin.	Admin.	-180.00
TOTAL						-180.00
05/23/2019	**21612**	**TS Marine, LLC**		**Alerus Checking**		
05/23/2019	Inv.#2		Boat Stands	4150M30 · Equip. Supplies & Maint. - EWM	AIS	-735.48
TOTAL						-735.48

Lake Minnetonka Conservation District
Cash Balances
As of April 30, 2019

ITEM 7B

	Apr 30, 19
ASSETS	
Current Assets	
Checking/Savings	
Alerus Checking	
1024M10 · Alerus Checking - Gen	-252,292.73
1024M20 · Alerus Checking - STL	196,875.10
1024M30 · Alerus Checking - EWM	115,037.90
Total Alerus Checking	59,620.27
1090M10 · Alerus Bank - Savings	527,815.49
1090M50 · Alerus Savings - Equip. Repl	119,167.32
Total Checking/Savings	706,603.08
Total Current Assets	706,603.08
TOTAL ASSETS	**706,603.08**
LIABILITIES & EQUITY	0.00

Lake Minnetonka Conservation District
Administrative Profit & Loss Budget vs. Actual
January through April 2019

	Jan - Apr 19	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Grants & Other Income				
3080M10 · Interest - Admin.	2,408	500	1,908	482%
3300M10 · Other Income - Admin.	0	0	0	0%
3340M10 · Public Agency Grants - Adm	0	1,000	-1,000	0%
Total Grants & Other Income	2,408	1,500	908	161%
Licenses/Permits				
3110M10 · Multiple/Perm. Dock Lic -Admin.	78,271	83,000	-4,729	94%
3120M10 · DMA license - Admin.	3,350	3,600	-250	93%
3130M10 · Deicing License - Admin.	262	6,000	-5,738	4%
3170M10 · Variances - Admin.	0	1,000	-1,000	0%
3200M10 · Special Density - Admin.	0	500	-500	0%
3220M10 · Special Events - Admin.	0	0	0	0%
3240M10 · Charter Boats - Admin.	6,300	3,400	2,900	185%
3280M10 · Liquor/Beer/Wine License-Admin.	14,900	17,500	-2,600	85%
Total Licenses/Permits	103,083	115,000	-11,917	90%
3020M10 · Municipal Dues - Admin.	72,504	280,000	-207,497	26%
3260M10 · Court Fines - Admin.	15,234	50,000	-34,766	30%
3400M10 · Transfers In - Admin.	0	0	0	0%
Total Income	193,229	446,500	-253,271	43%
Gross Profit	193,229	446,500	-253,271	43%
Expense				
Legal				
4110M10 · Public Info./Legal - Admin.	117	1,000	-883	12%
4620M10 · Legal Fees - Admin.	8,490	40,500	-32,010	21%
4640M10 · Prosecution Fees - Admin.	7,035	38,000	-30,965	19%
4650M10 · Room & Board - Admin.	0	500	-500	0%
4670M10 · Recodification	4,767	5,000	-233	95%
Total Legal	20,409	85,000	-64,591	24%
Office & Supplies				
4060M10 · Telephone - Admin.	760	4,000	-3,240	19%
4070M10 · Web Page / Internet - Admin.	0	1,750	-1,750	0%
4080M10 · Postage - Admin.	691	6,500	-5,809	11%
4100M10 · Printing - Admin.	0	8,200	-8,200	0%
4220M10 · Office Supplies -Admin.	962	4,500	-3,538	21%
4230M10 · Meeting Exp. - Admin.	987	7,000	-6,013	14%
4320M10 · Office Rent - Admin.	7,852	19,200	-11,348	41%
4340M10 · Insurance - Admin.	-8	4,000	-4,008	-0%
4360M10 · Subs/Memberships - Admin.	0	2,500	-2,500	0%
4400M10 · Mileage/Exp's - Admin.	50	1,500	-1,450	3%
4410M10 · Training/Prof. Devel. - ADM	0	1,000	-1,000	0%
4520M10 · Furniture & Equip - Admin.	0	1,550	-1,550	0%
4530M10 · Comp. Sftwr & Hdwr - Admin.	967	5,000	-4,033	19%
Total Office & Supplies	12,260	66,700	-54,440	18%
Personnel Expenses				
4020M10 · Salaries-002 - Admin	60,260	195,500	-135,240	31%
4021M10 · ER Share of Admin FICA/Medicare	4,510	16,000	-11,490	28%
4022M10 · ER PERA - Admin	4,421	15,000	-10,579	29%
4380M10 · Employee Benefits - Admin.	8,564	22,000	-13,436	39%
Total Personnel Expenses	77,755	248,500	-170,745	31%
Professional Services- ADM				
4040M10 · Auditing - Admin.	9,400	9,500	-100	99%
4180M10 · Professional Services - Admin.	1,125	5,500	-4,375	20%
4181M10 · Professional Comp. Serv.-Admin.	0	1,000	-1,000	0%
4182M10 · Media (Cable/Internet) - Admin.	1,280	4,000	-2,720	32%
Total Professional Services- ADM	11,805	20,000	-8,195	59%

Lake Minnetonka Conservation District
Administrative Profit & Loss Budget vs. Actual
January through April 2019

	Jan - Apr 19	Budget	$ Over Budget	% of Budget
3900M10 · Transfer Out (General Fund)	0	6,200	-6,200	0%
4140M10 · Equipment R&M - Admin.	1,519	1,500	19	101%
4660M10 · Proactive Code Enforcement Prog	0	0	0	0%
4980M10 · Contingency - Admin.	-162	14,800	-14,962	-1%
4990M10 · Equip Rpl- Transfer Out - Admin	0	5,000	-5,000	0%
Total Expense	123,587	447,700	-324,113	28%
Net Ordinary Income	69,642	-1,200	70,842	-5,803%
Net Income	**69,642**	**-1,200**	**70,842**	**-5,803%**

Lake Minnetonka Conservation District
AIS Management/Prevention Profit & Loss Budget vs. Actual
January through April 2019

	Jan - Apr 19	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
3020M30 · Municipal Dues - AIS	20,160	80,000	-59,841	25%
3080M30 · Interest - AIS	0	200	-200	0%
3300M30 · Public Agencies/Other Income	0	20,000	-20,000	0%
Total Income	20,160	100,200	-80,041	20%
Gross Profit	20,160	100,200	-80,041	20%
Expense				
AIS Prevention Program				
4151M30 · Equip. Supplies -AIS Prevention	0	0	0	0%
4181M30 · Prof. Services - AIS Prevention	0	20,000	-20,000	0%
4383M30 · ER Share AIS Prevent. Fica-Med	0	0	0	0%
4531M30 · Software & Hardware/Training	400			
4981M30 · Contingency - AIS Prevention	0	0	0	0%
Total AIS Prevention Program	400	20,000	-19,600	2%
EWM Harvesting Program				
Equipment & Repair				
4150M30 · Equip. Supplies & Maint. - EWM	0	13,000	-13,000	0%
4160M30 · Fuel - Harvestor/Wk Boats-EWM	0	3,300	-3,300	0%
4170M30 · Fuel/Supply - Van - EWM	40	1,000	-960	4%
4720M30 · Contract Mechanic Fees - EWM	0	8,000	-8,000	0%
4721M30 · Specialty Mechanic - EWM	0	700	-700	0%
Total Equipment & Repair	40	26,000	-25,960	0%
Office & Supplies- EWM				
4060M30 · Telephone - EWM	0	150	-150	0%
4090M30 · DMV - EWM	0	35	-35	0%
4100M30 · Printing/Advertising - EWM	0	225	-225	0%
4130M30 · Uniforms - EWM	0	190	-190	0%
4350M30 · Ins./Equip. - EWM	0	400	-400	0%
Total Office & Supplies- EWM	0	1,000	-1,000	0%
Personnel Services- EWM				
4020M30 · Salaries - EWM	1,509	31,000	-29,491	5%
4021M30 · ER Share of EWM FICA/Medicare	0	1,400	-1,400	0%
4340M30 · Insurance W/C - EWM	0	3,100	-3,100	0%
Total Personnel Services- EWM	1,509	35,500	-33,991	4%
4740M30 · Truck Service - EWM	0	17,500	-17,500	0%
4980M30 · Contingency - EWM	0	200	-200	0%
Total EWM Harvesting Program	1,549	80,200	-78,651	2%
Total Expense	1,949	100,200	-98,251	2%
Net Ordinary Income	18,210	0	18,210	100%
Net Income	**18,210**	**0**	**18,210**	**100%**

Lake Minnetonka Conservation District
Save the Lake Profit & Loss Budget vs. Actual
January through April 2019

	Jan - Apr 19	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Contributions				
3001M20 · Donations (General) - S/L	6,211	39,500	-33,289	16%
3002M20 · Donations (Photograph) - S/L	0	0	0	0%
3004M20 · Donations (Solar Light) - S/L	0	500	-500	0%
Total Contributions	6,211	40,000	-33,789	16%
3080M20 · Interest - S/L	0	500	-500	0%
Total Income	6,211	40,500	-34,289	15%
Gross Profit	6,211	40,500	-34,289	15%
Expense				
Office & Supplies- STL				
4080M20 · Postage - S/L	20	1,000	-980	2%
4100M20 · Printing - S/L	42	1,000	-958	4%
4220M20 · Office Supplies - S/L	0	300	-300	0%
Total Office & Supplies- STL	62	2,300	-2,238	3%
Projects & Activities- STL				
4110M20 · Environmental- S/L	0	2,000	-2,000	0%
4111M20 · Public Service/Education - S/L	117	2,000	-1,883	6%
4160M20 · Public Safety - S/L	0	36,000	-36,000	0%
Total Projects & Activities- STL	117	40,000	-39,883	0%
4980M20 · Contingency - S/L	0	0	0	0%
Total Expense	179	42,300	-42,121	0%
Net Ordinary Income	6,032	-1,800	7,832	-335%
Net Income	**6,032**	**-1,800**	**7,832**	**-335%**

ITEM 7C

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 22, 2019

TO: Board of Directors

FROM: Dan Baasen, Acting Chair/Vice Chair

SUBJECT: 2019 Executive Director Compensation Adjustment

ACTION

Board approval of a compensation adjustment increase of 4%, retroactive to January 1, 2019 for the Executive Director for 2019.

BACKGROUND

Per adopted Personnel Policy, employees of the Lake Minnetonka Conservation District (LMCD) shall be compensated according to salaries, rates, and schedules established by the Board of Directors. The Board of Directors conducted a review of the Executive Director and the Board directed the Chair to make a recommendation on compensation adjustment. The Board Officers reviewed the topic and recommend a salary adjustment in an increase of 4% retroactive to January 1, 2019.

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 22, 2019

TO: LMCD Board of Directors

FROM: Vickie Schleuning, Executive Director

SUBJECT: Variance for Dock Use Areas, 5345 Cedar Point Road, Cedar Point Road

ACTION

Board consideration of a variance for an adjusted dock use area (side setbacks and dock length) for 5345 Cedar Point Rd on West Upper Lake in the Minnetrista, PID 25-117-24-24-0047, and receive public input during the public hearing.

This public hearing will be continued to the June 12, 2019 Board meeting and additional notice will be mailed to ensure sufficient notice has been provided to residents within 350 feet of the property.

BACKGROUND

The applicants, Eric and Betsy Funderburk, have submitted a variance application for 5345 Cedar Point Road in Minnetrista for an adjusted dock use area, altering side setbacks and dock length.

The application request includes a dock with an overall footprint of 31.8 feet wide by 128 feet long. The proposed dock will include an enclosed BSU measuring approximately 17 feet wide and 38 feet long, covered by a canopy.

The applicants' property has approximately 57.5 feet of 929.4 feet OHW shoreline, including the 7.5 feet to be added from the vacation of an adjacent fire lane. The applicants have already received a Hennepin County examiner's directive to secure this vacated land.

The applicants are seeking a variance to extend their dock to 128 feet in order to achieve adequate water depth. The applicants report that the depth of water (measured from the OHW) from the landward side of the proposed BSU is approximately three feet, and the depth of water from the lakeward end of the proposed BSU is approximately four feet.

The applicants propose reductions to side setback distances on both the east and west sides of the site. The applicants propose a 16.7-foot setback from the eastern side site line for both the canopy and dock, and a 9-foot setback for dock and a 20.5-foot setback for the canopy on the west side.

CONSIDERATIONS OF VARIANCE

The following items should be considered when considering granting a variance.

1. Have the applicants sufficiently demonstrated practical difficulties exist that each of following are true?
    a. Strict application of code prohibits property owner from using Lake in reasonable manner that is otherwise permitted by the code.
    b. Granting variance is within spirit and intent of code.
    c. Plight of property owner is due to circumstances:
        (1) Unique to property;
        (2) Not created by property owner; and
        (3) Not based solely on economic considerations.
    d. Granting a variance does not alter essential character of the area.
2. Are the applicants proposing a use not allowed under the code?
3. Would variance, if granted and with conditions imposed, adversely affect:
    a. Purpose of Code?
    b. Public health, safety, and welfare?
    c. Reasonable access to or use of the Lake by public or riparian owners?

ANALYSIS

1. **Variance.** LMCD Code Section 1.07 Subd 3 allows for variances for dock lengths to a depth of five feet where deemed appropriate.

    Subd. 3. Length Variances. The length limitations prescribed by this ordinance may be adjusted to allow the construction and maintenance of a dock in the Lake to a water depth of five feet, measured from 929.4 feet NGVD, at the outer end of such dock to provide adequate water depth for navigation and to protect the environmental quality or natural habitat of the water adjacent to the dock.

2. **Watercraft Density**. LMCD Code Section 2.02 allows boat storage as follows:
    A. General Rule – one restricted watercraft per 50 feet of continuous shoreline.
    B. Unless a greater number is authorized by the general rule, up to two restricted watercraft may be kept at a dock or mooring on a residential site which was in existence on August 30, 1978.
    C. Up to four restricted watercraft are allowed at a residential site. If all the following conditions are met:
        a. There is one, and no more than one single family residential structure on the site.
        b. The dockage rights at the site are owned exclusively by the owners of the lot.
        c. All of the watercraft kept at the dock are owned by and registered to persons who live in the one residential structure at the site.

    The applicants currently store four watercraft on site, in accordance with paragraph "C" above.

3. **Side Setbacks.** The side setbacks as prescribed in 2.01 Subd. 2 b) are determined by extending the side site lines into the Lake and measuring the corresponding side setback distance from the side site line.

    For purpose of setback calculation, the Code states that the side setback shall be measured

from the "side site lines as extended into the Lake." The code also defines "site" as "any shoreline lot, parcel, or other piece of property legally Subdivided and recorded in the office of the County Recorder." Section 2.01 Subd. 2b of the LMCD Code requires side setback distances of 10 feet for docks less than 50 feet in length and 15 feet for dock length of 50-100 feet. The portions of the proposed structure that extend further than 100 feet into the lake require a 20-foot setback. The canopy requires a 20-foot setback.

4. **Dock Dimensions.** LMCD Code Section 2.12, Subd. 12 states that a dock can be greater than 8 feet in length or width, but not both.

   The site plan submitted by the applicants shows the "L" portion of the dock (southwest corner of structure) with dimensions that do not comply with LMCD regulations. The applicants have agreed to reconfigure this portion of the dock to be no greater than 8 feet in at least one dimension (length or width).

5. **Conditions and Reasonable Use.** The Board will consider whether the strict application of the authorized dock use area in these circumstances as prescribed by Section 2.01 Subd. 2a prohibit the applicants from using the Lake in a reasonable manner and if the request is based solely on economic considerations.

6. **LMCD Board Authority**. The Board has the authority under Section 1.07 of the LMCD Code to allow for adjustments of authorized dock use areas and setbacks, and grant variances accordingly.

   Below is an excerpt from LMCD Code Section 1.07, Subd. 1:

   > Where practical difficulties occur… the Board may permit a variance from the requirements of this Code or may require a variance from what is otherwise permitted by this Code, provided that such variance with whatever conditions are deemed necessary by the Board, does not adversely affect the purposes of this Code, the public health, safety, and welfare, and reasonable access to or use of the Lake by the public or riparian owners.

PUBLIC HEARING

The public hearing provides an opportunity for interested individuals to present their views to the Board for consideration. This is an important part of reviewing the impact of a project. Only items under the LMCD Code and Board authority may be considered as part of any approval or denial decision.

The hearing notice was published in the May 9, 2019 edition of the Lakeshore Weekly News. In addition, the Board packet is posted online and the agenda is posted on the LMCD bulletin board.

A public hearing notice was mailed to nearby residents on May 14, 2019. Because these notices should be given at least 10 days prior to the public hearing, it is recommended the hearing on May 22, 2019 be continued on June 12, 2019 after additional notice is given.

In compliance with MN DNR General Permit 97-6098 and general communications, the MN DNR, MCWD, and the City of Minnetrista were provided a copy of the variance application for review.

No comments have been received from the DNR, MCWD, or the City of Minnetrista. The applicants' neighbors, Pete and Kimberly Hanson of 5335 Cedar Point Road, provided comments in support of the variance due to the small lots and shallow waters. Their comments are attached.

RECOMMENDATION

Staff recommend, after receiving comments as part of the public hearing, that the Board continue the public hearing to the June 12, 2019 Board meeting.

Staff recommend approval of a variance for length. Regarding setbacks, options will be discussed with the Board for consideration at the May 22, 2019 meeting.

ATTACHMENTS

- LMCD Code Excerpts
- Variance Application
- Site Plan
- Email of Support from Neighbor
- Public Hearing Notice (Lakeshore Weekly News)
- Public Hearing Notice (Residents Within 350ft of Site)

ATTACHMENT

LMCD Code Excerpts

Section 1.07. Variance.

Subd. 1. General Statement. Where practical difficulties occur or where necessary to provide access to persons with disabilities, the Board may permit a variance from the requirements of this Code or may require a variance from what is otherwise permitted by this Code, provided that such variance with whatever conditions are deemed necessary by the Board, does not adversely affect the purposes of this Code, the public health, safety, and welfare, and reasonable access to or use of the Lake by the public or riparian owners. Except as otherwise provided in this Code, all variances granted by the district shall be governed by the provisions of this section.

Subd. 2. Unusual Configurations. Where the provisions of this Code would cause the authorized dock use area of two or more sites to overlap, or where there is any other unusual configuration of shoreline or extended lot lines, which causes a conflict between the owners of two or more adjacent or nearby sites as the use of the same area of the Lake for docks, mooring areas or other structures or for reasonable access thereto, the owner of any of the affected sites may apply to the Board for a variance. A variance may be to permit the applicant to locate a dock, mooring area or other structure in a location different from that permitted by this ordinance or to permit or require the owner of any adjacent or nearby site to do so.

Subd. 3. Length Variances. The length limitations prescribed by this ordinance may be adjusted to allow the construction and maintenance of a dock in the Lake to a water depth of five feet, measured from 929.4 feet NGVD, at the outer end of such dock to provide adequate water depth for navigation and to protect the environmental quality or natural habitat of the water adjacent to the dock.

Subd. 4. Application. Applications for variances shall be filed with the Executive Director of the district. The application shall contain (a) the name and address of the applicant' (b) the description and location of the property for which the variance is sought; (c) the variance for which the application is made; (d) the names and addresses of the owners of abutting sites; (e) the names and addresses of the owners of other affected sites; (f) a map or plat of the site for which the variance is sought, and of abutting or other affected sites, showing any existing docks, moorings or other structures; (g) the consent of the applicant permitting officers and agents of the district to enter upon the applicant's premises at reasonable times to investigate the application and to determine compliance with any variance which may be granted; and (h) such other information, such as surveys and photographs, as the Executive Director may require to assist the Board in consideration of the application.

Subd. 5. Fee. The variance application shall be accompanied by a fee in the amount established by resolution of the Board of Directors plus an additional deposit in an amount established by resolution of the Board to cover legal, surveying, engineering, inspection, maintenance or other expenses incurred by the District. The Board shall approve all expenses charged against the deposit and the unused portion thereof shall be returned to the applicant. The application shall state that the applicant agrees to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the District in excess of the amount of the deposit. Fees shall not be refunded at any time after the processing of the application has been commenced.

Subd. 6. Hearings. Upon receipt of a completed variance application, the Executive Director shall schedule a hearing by the Board on the application in accordance with Section 1.05. The Board may grant a variance from the literal provisions of this Code in instances where the property owner can show practical difficulties exist by virtue of circumstances which are unique to the individual property or properties under consideration or to provide access to

persons with disabilities. The Board may only grant a variance if the property owner is able to demonstrate that granting the variance will be in keeping with the spirit and intent of this Code, the plight of the property owner is due to circumstances unique to the property that were not created by the property owner, the proposed use is reasonable under the circumstances, and the variance, if granted, would not alter the essential character of the area. No variance may be granted to allow a use that is not permitted under this Code. The Board may impose conditions in the granting of variances to ensure compliance and to protect other riparian owners and users of the Lake. No variance for access for persons with disabilities shall be granted which allows or provides for the storage of a greater number of watercraft than otherwise would be permitted under this Code.

Subd. 7. Orders to Other Owners. The Board shall not require the owner of any site who is not the applicant to take any action at variance with what is otherwise permitted by this chapter without first giving the owner a reasonable opportunity to be heard thereon as provided by Subdivision 6. If the Board orders such owner to take the action proposed, or any part thereof, a reasonable length of time within which to take such action shall be afforded. Any such order shall be in writing, shall be served upon the owner in the manner that civil process is served, and shall specify the length of time within which the owner shall take the required action, which time shall be no less than 30 days.

Subd. 8. Violations. Locating, constructing, installing or maintaining a dock, mooring or other structure in a manner different from the terms and conditions of a variance which is ordered or permitted is a violation of this Code and grounds for recision of the variance.

Subd. 9. Temporary Low Water Variances. During periods when the Lake level falls below elevation 928.0 feet NGVD, the Board may issue temporary low water variances for multiple docks and moorings in locations or configurations not otherwise allowed by this Code. Such variances shall be subject to the provisions of this section; provided, however, that the Board may waive application requirements of Subd. 4 and may waive the public hearing requirement of Subd. 6. No such variance shall be granted which provides storage for more watercraft or larger watercraft than would be allowed without a variance. Temporary low water variances may be issued for a specified term or for such time as low water conditions continue as determined by the Board. Removal or relocation for the winter season may be required.

Section 2.01. Authorized Dock Use Area.

Subd. 2. Description of Authorized Dock Use Area. An authorized dock use area is described as follows:

b) Width - The authorized dock use area for sites bordering on the Lake is limited in width by the setback limitations prescribed herein. The setback from side site lines as extended in the Lake shall be as follows:

For that portion of the length of the authorized dock use area which extends from the shore_____	The setback shall be
Zero to 50 feet	10 feet
50 to 100 feet	15 feet
100 to 200 feet	20 feet

Section 2.02. Shoreline Requirements

Subd. 1. General Rule. No docks or mooring areas shall be constructed, established or maintained that provide space for or are used for mooring or docking a greater number of restricted watercraft than one for each 50 feet of continuous shoreline in existence on May 3,

1978, unless authorized to do so by special density license pursuant to Section 2.05. For sites with continuous shoreline greater than 100 feet, when measurements determining the number of restricted watercraft allowed result in the provision of a fractional restricted watercraft, any fraction up to and including one-half (1/2) shall be disregarded, and fractions over one-half (1/2) shall be counted as one additional restricted watercraft.

2.12, Miscellaneous Provisions, Subd. 12. Dock Dimensions. "A dock may exceed eight feet, excluding posts, in either its length or width, but not both….."

ATTACHMENT

VARIANCE APPLICATION

Lake Minnetonka Conservation District
5341 Maywood Road, Suite 200
Mound, MN 55364
Phone: (952)745-0789
Fax: (952)745-9085

RECEIVED
APR 15 2019
By _____

LMCD Receipt # _____

In accordance with LMCD Code Section 1.07, where practical difficulties occur or where necessary to provide access to the handicapped, the Board may permit a variance from the requirements of the Code, or may require a variance from what is otherwise permitted the Code provided that such variance with whatever conditions are deemed necessary by the Board, does not adversely affect the purposes of this ordinances, the public health, safety, and welfare, and reasonable access to or use of the Lake by public or riparian owners. The following application, when completed, shall be filed with the Executive Director of the District along with surveys, photos, and such other information as required.

Because this form is to be copied, please use black ink or type. The form may be filled out online and printed.

The person completing this form is the ☐ **authorized agent** or ☑ **property owner** (select one).

Applicant: Eric & Betsy Funderburk

Address: 5345 Cedar Point Road

City, State, Zip: Minnetrista, MN 55364

Phone: (612) 940-5848 Fax: _____ Email: eric.funderburk@nevro.com

Property owner (if different from applicant): _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

PROPERTY LOCATION:

Located in the city of: Minnetrista

Address & Property Identification No (PID): 5345 Cedar Point Road (Address) : 25-117-24-24-0047 (PID#)

TYPE OF VARIANCE: Length and Setback

State practical difficulties causing variance to be required:

We need the length of dock to get to safe navigable water due to the gradual slope of the lake bottom in the Douglass Beach area.Our dock is 31.8ft wide and our lot is 57.5 feet wide. Our other neighbor to our east is only a foot off the line and cannot move down. It would cause a cascading effect for the next four properties. They all go out just as far.

RECEIVED
APR 15 2019
By

ABUTTING LAKESHORE PROPERTY OWNERS:

North or West: Taylor J Sundeen Et Al, 18911 100th Ave North, Maple Grove, MN 55311
(Name and mailing address)

South or East: Peter and Kimberly Hanson, 5335 Cedar Point Road, Mound, MN 55364
(Name and mailing address)

Other affected parties (attach sheet if necessary):

_____
(Name and mailing address)

Please submit names and mailing addresses of owners within a 350-foot radius of the property. Such owners must be verified by checking with the Hennepin County Auditors Office, (612) 348-5910 (or a private abstract company) which can provide actual mailing labels at a cost of $1.25 per tax parcel (minimum of $25.00). This service usually takes two days, and you must have your tax parcel identification number (PIN) ready when calling for this assistance.

Documents listed below are required; check that they are attached:

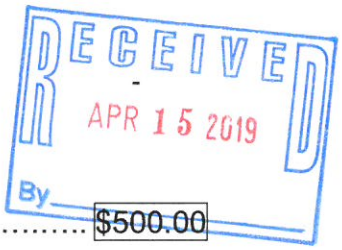
- ☐ **Locator Map** (U.S.G.S area map with scale, North direction, Site clearly marked, Name or Title, LMCD Area Name, LMCD number)
- ☐ **County Plat Map** (Site clearly marked, Name, LMCD area name, LMCD number)
- ☐ **Certified Land Survey** (Legal description, Name, LMCD area name, LMCD number, 929.4 N.G.V.D. shoreline)
- ☐ **Proposed facility site plan** (to scale, 929.4' N.G.V.D. shoreline, LMCD area name, LMCD number, Scale, North direction, affected neighbors, locate setback area, locate dock use area, location of dock structure with dimensions and slip numbers, indicate type of slip if applicable)
- ☐ **Existing facility site plan,** if applicable (to scale, 929.4' N.G.V.D. shoreline, LMCD area name, LMCD number, Scale, North direction, affected neighbors, locate setback area, locate dock use area, location of dock structure with dimensions and slip numbers, indicate type of slip if applicable)
- ☐ **Scaled drawing of docks on abutting properties** and other affected dockage

Absence of significant data requested above could result in a processing delay.

FEE CALCULATION

APPLICATION FEE..... (non-refundable).....$250.00

DEPOSIT..... (refundable, upon full compliance with the Code and extent of administrative, inspection and legal service required).....+$250.00



TOTAL FEE ENCLOSED..... (this fee is for processing of the application and does not entitle the applicant to a variance)..... $500.00

I certify that the information provided herein and the attachments hereto are true and correct; I understand that any variance granted may be revoked by the District for violation of the LMCD code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the District in excess of the amount of the application fee. I consent to permitting officers and agents of the District to enter the premises at reasonable times to investigate and to determine whether or not the Code of the District is being complied with.

I agree to submit a certified, as-built survey upon completion of the docks.

Authorized Signature — **Date** 4/15/2019

Owner
Title

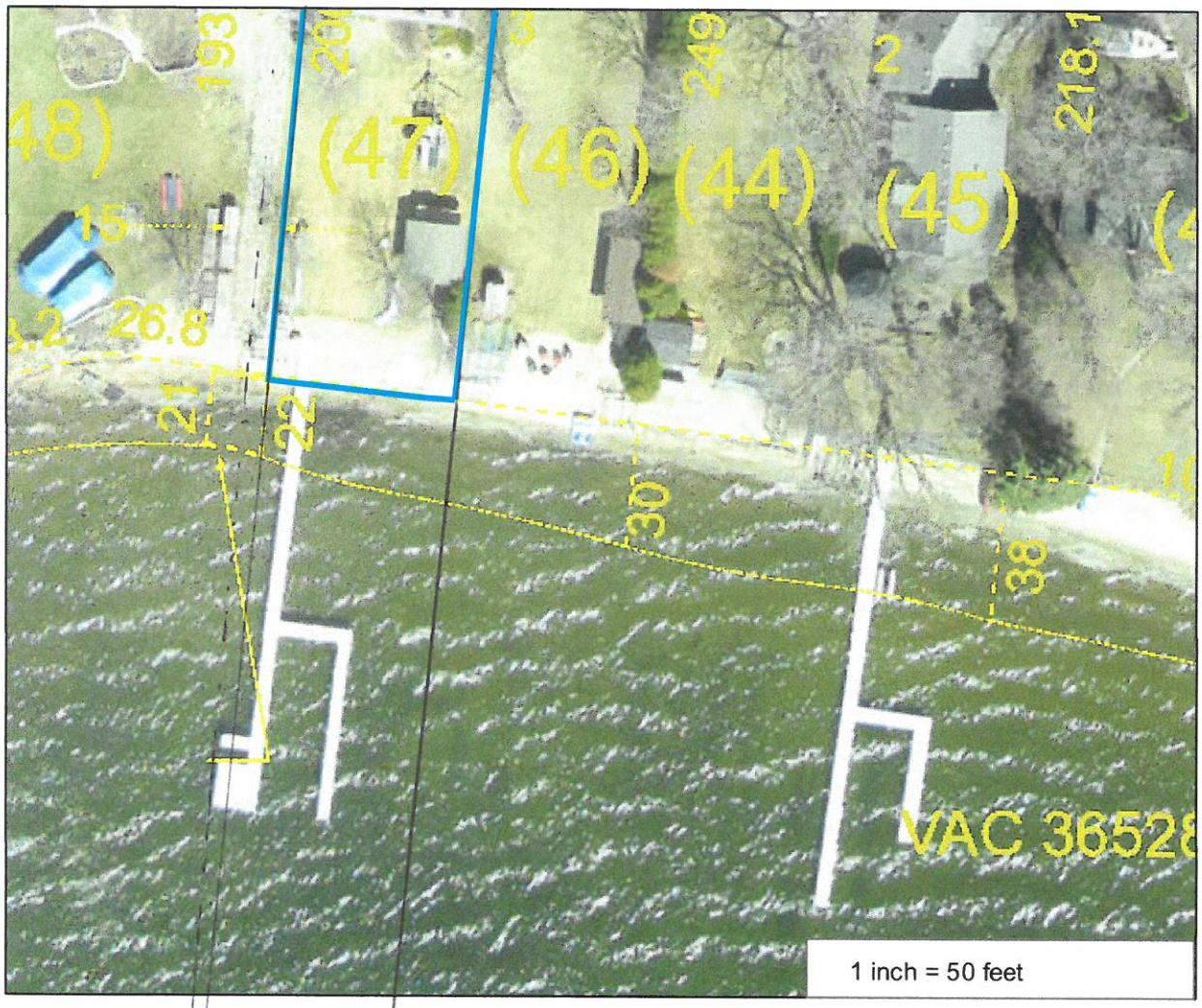
self
Relationship to Owner

Return this application, attachments and fee to:

Lake Minnetonka Conservation District
5341 Maywood Road, Suite 200
Mound, MN 55364
Fax: (952) 745-9085

Hennepin County Property Map

Date: 4/15/2019



PARCEL ID: 2511724240047

OWNER NAME: Eric G Funderburk Et Al

PARCEL ADDRESS: 5345 Cedar Point Rd,
Minnetrista MN 55364

PARCEL AREA: 0.24 acres, 10,645 sq ft

A-T-B: Torrens

SALE PRICE: $622,500

SALE DATA: 05/2001

SALE CODE: Warranty Deed

ASSESSED 2018, PAYABLE 2019
PROPERTY TYPE: Residential Lake Shore
HOMESTEAD: Homestead
MARKET VALUE: $855,000
TAX TOTAL: $10,129.08

ASSESSED 2019, PAYABLE 2020
PROPERTY TYPE: Residential Lake Shore
HOMESTEAD: Homestead
MARKET VALUE: $883,000

Comments:

2015

RECEIVED
APR 15 2019
By

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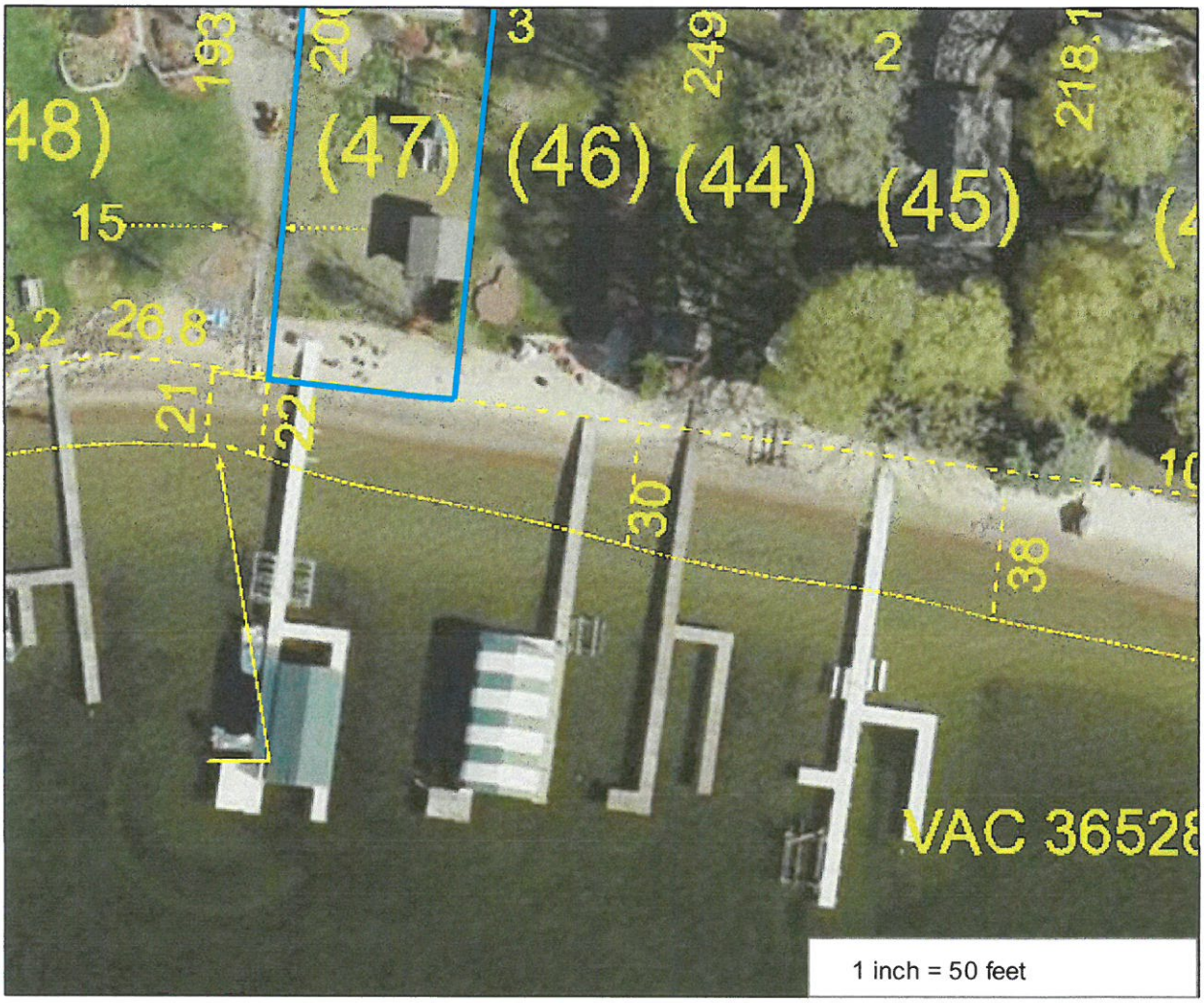

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MARKET VALUE: $883,000

Comments:

~~2006~~ 2012

RECEIVED
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MARKET VALUE: $883,000

Comments:

~~2012~~ 2009

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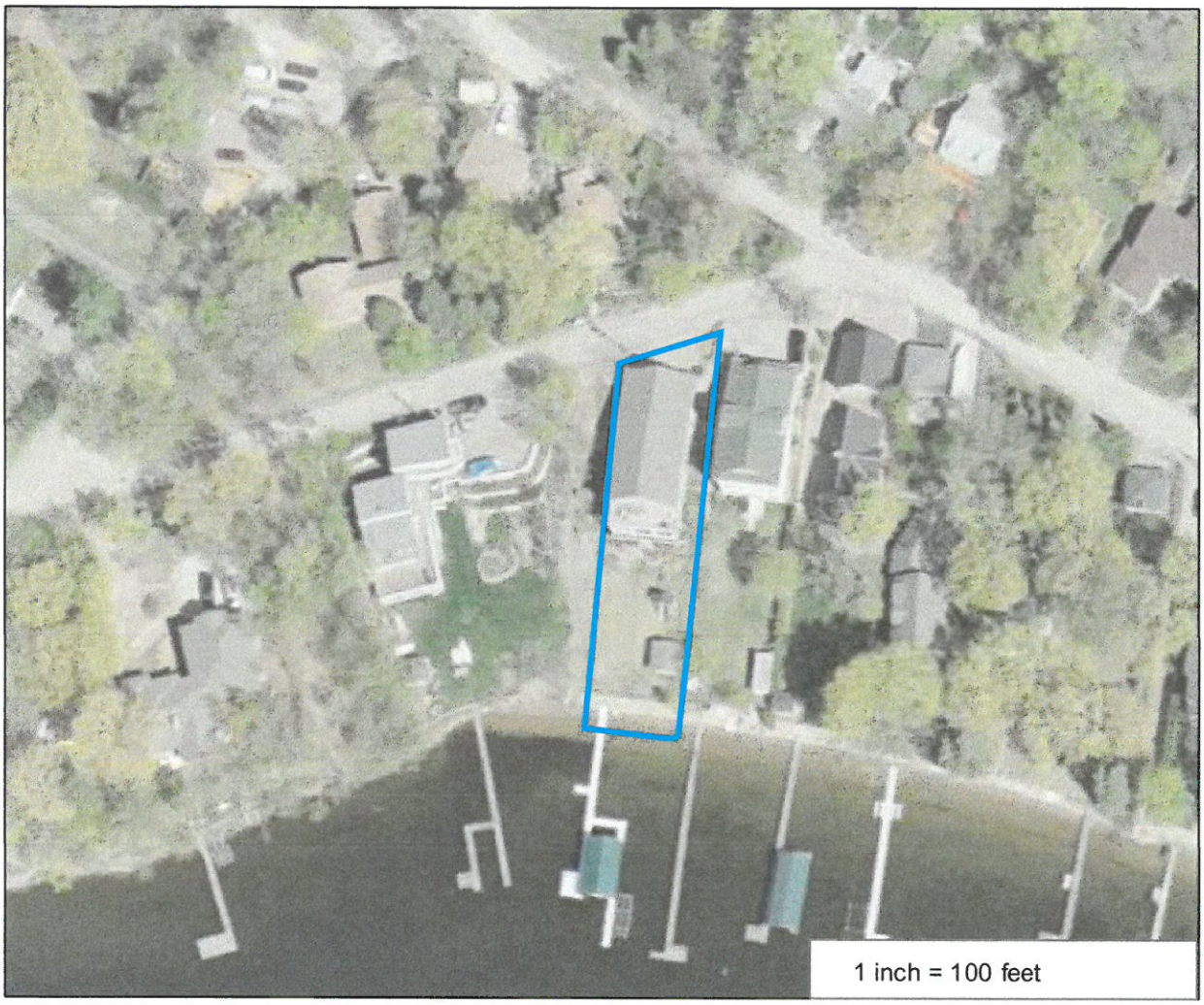

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MARKET VALUE: $883,000

Comments:

2006

RECEIVED
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Hennepin County Property Map

Date: 4/15/2019

No results

Comments:

2004

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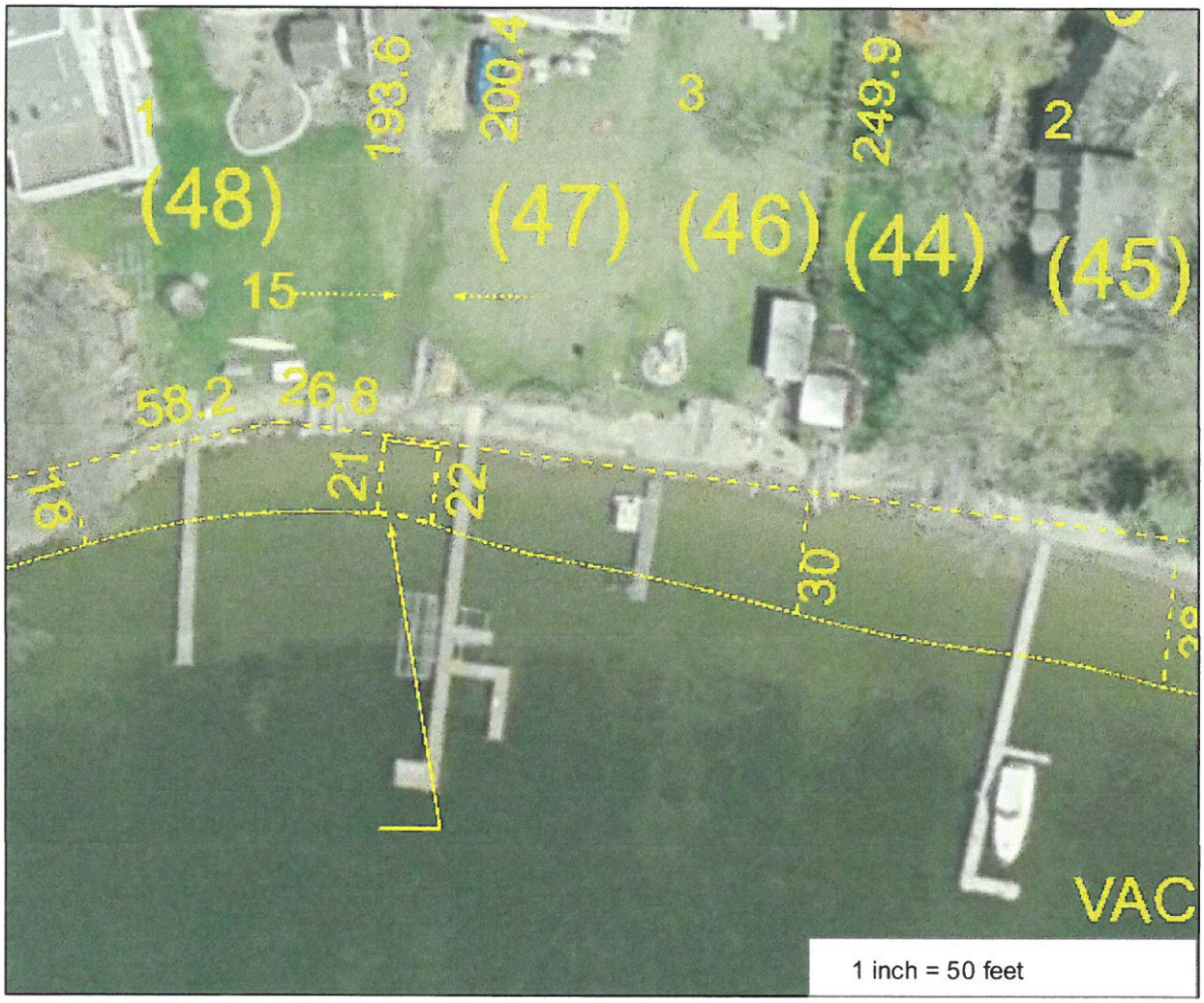

No results

Comments:

2002

RECEIVED
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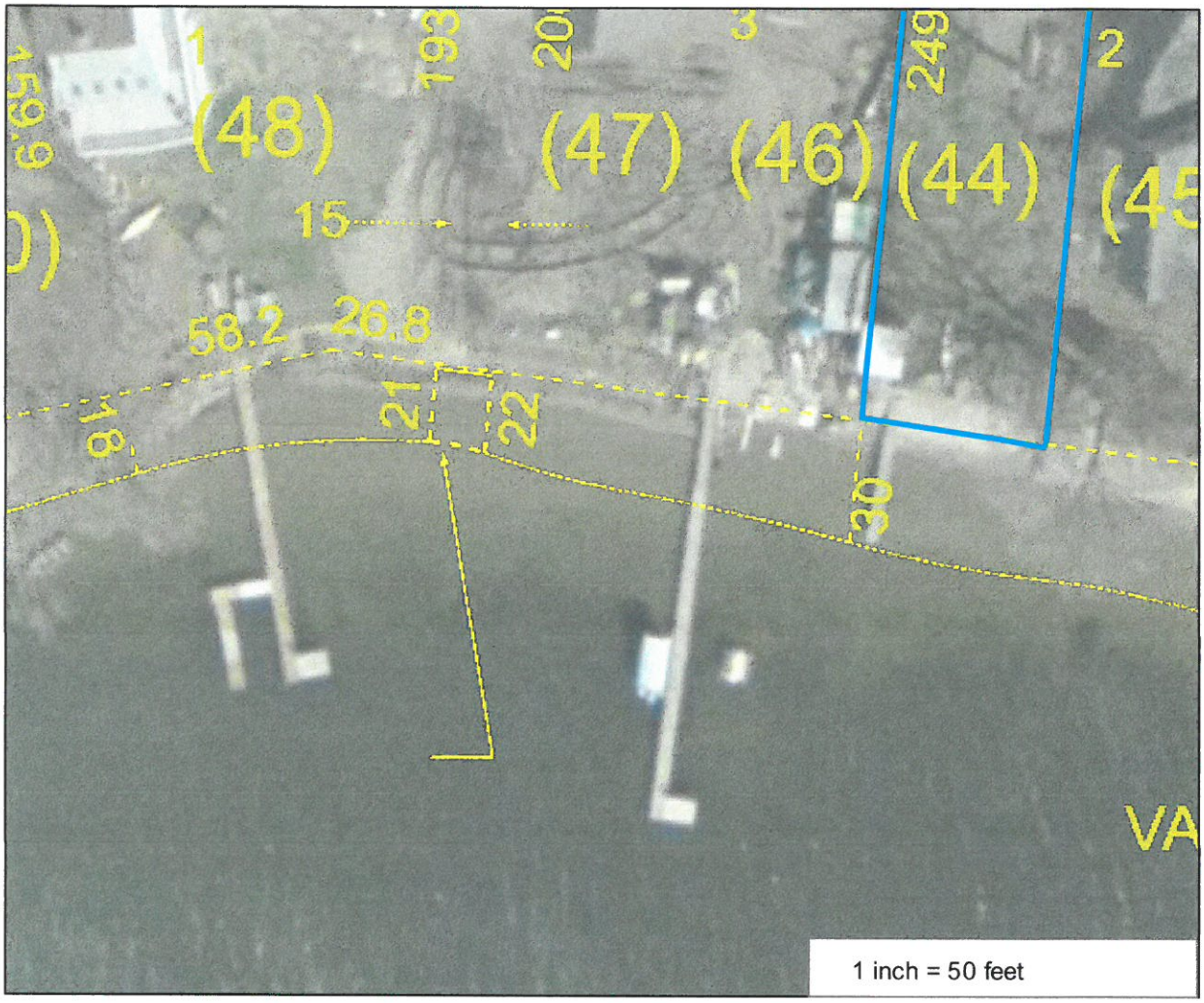

PARCEL ID: 2511724240044

OWNER NAME: Bruce W Allen & Ann L Allen

PARCEL ADDRESS: 5325 Edsall Rd, Minnetrista MN 55364

PARCEL AREA: 0.28 acres, 12,291 sq ft

A-T-B: Torrens

SALE PRICE: $780,000

SALE DATA: 05/2016

SALE CODE: Warranty Deed

ASSESSED 2018, PAYABLE 2019
PROPERTY TYPE: Residential Lake Shore
HOMESTEAD: Non-Homestead
MARKET VALUE: $834,000
TAX TOTAL: $9,850.58

ASSESSED 2019, PAYABLE 2020
PROPERTY TYPE: Residential Lake Shore
HOMESTEAD: Non-homestead
MARKET VALUE: $914,000

Comments:

2000

RECEIVED
APR 15 2019
By

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ATTACHMENT

CERTIFICATE OF SURVEY FOR

Eric Funderburk

IN LOT 3, BLOCK 9, DOUGLAS
HENNEPIN COUNTY, MINNESOTA

EDSALL ROAD

CEDAR POINT ROAD

N 72°31' 07" E 54.96

EDGE OF BLACKTOP

25.2

8.0 13.0 34.2 21.0 10.0

STOOP & STAIRWAY

GARAGE FLOOR ELEV. 956.12

28.4

9.8

EXISTING HOUSE

44.9 24.5

FLOOR LEVEL ELEV. 935.07

6.0 50.0 10.0

199.82 PLACE

224.18

SINCLAIR N 7°02' 5E" E

S 7°03' 30" W

L O T

15.00

SURVEY LINE

N 81°10' 34" W 50.02

11.00

929.4 CONTOUR LINE

Lake Minnetonka

extended prop. line

extended prop. line

17

125ft

water depth ≈ 3ft

16.7

9

8

9

water depth ≈ 4ft

27.8

<1ft

Boat Draft 2'11" minimum

N

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Mark J. Sinclair

DATE 5-16-01 MN LICENSE NUMBER 12755

SCALE	1"=20'
DATE	5/16/01
JOB NO.	01-171

ATTACHMENT

M Cook

From: Pete Hanson <>
Sent: Thursday, April 18, 2019 3:53 PM
To: M Cook
Cc: Hanson, Kimberly
Subject: Funderburk-Support of Length and Setback Variance

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Cook & Lake Minnetonka Conservation District Board Members,

I am writing in support for the dock length and setback variance for our immediate neighbor to the west, Betsy and Eric Funderburk at 5345 Cedar Point Road.

Our home is located in the Douglas Beach area of the lake. In this area homes are close together, but we do the best we can with the small lots that we have. The majority of the lots on Douglas beach are 50 feet wide. Due to the minimum size lots, the curvature of the shoreline and water depth in the area, the standard set backs are difficult to conform to. In addition, the slope of the lake is gradual with the depth at the end of the current dock is approximately 4 feet. The current length of the dock is necessary to get to safe and navigable waters and to minimally disturb the bottom.

We have lived next to the Funderburk's for 10 years and we have never had an issue with the dimensions of their dock.

I ask that you allow this variance to go through.

Thank you for your consideration,
Kimberly & Pete Hanson

5335 Cedar Point Road
Minnetrista, MN 55364

ATTACHMENT

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 2, 2019

TO: Lakeshore Weekly News
Attn: Legal Department
Fax: (952) 473-0895

FROM: Vickie Schleuning, Executive Director

SUBJECT: Public Hearing Notice (05/09/19 Edition)

LAKE MINNETONKA CONSERVATION DISTRICT
PUBLIC HEARING NOTICE
7:00 PM, May 22, 2019
Wayzata City Hall
600 Rice Street, Wayzata, MN 55391

Eric and Betsy Funderburk
5345 Cedar Point Road, Minnetrista, MN 55364
West Upper Lake, Lake Minnetonka

The Lake Minnetonka Conservation District (LMCD) will hold a public hearing to consider a variance application for Eric and Betsy Funderburk of 5345 Cedar Point Road in Minnetrista. An application has been submitted to adjust the site's dock use area through changes to dock length and side setbacks. All interested persons will be given an opportunity to comment.

Details are available at the LMCD Office, 5341 Maywood Road, Suite 200, Mound, MN 55364 or by calling (952) 745-0789.

ATTACHMENT

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 14, 2019

TO: Property Owner or Resident

FROM: Vickie Schleuning, Executive Director

SUBJECT: Public Hearing Notice

You are receiving this notice since Hennepin County property records indicate you own or reside upon property within 350 feet of a site being considered for a for adjusted dock use area (side setbacks and dock length). The site is located at 5345 Cedar Point Road in Minnetrista, MN.

The Lake Minnetonka Conservation District (LMCD) will hold a public hearing to consider the variance application. The applicant proposes to reduce side setbacks for the site and increase dock length to reach sufficient depth for boat storage. All interested persons will be given an opportunity to comment.

Public Hearing Information: A public hearing will be held at 7:00 PM, May 22, 2019, at Wayzata City Hall, 600 Rice Street, Wayzata, MN 55391. The applicants are Eric and Betsy Funderburk of 5345 Cedar Point Road, Minnetrista, MN 55364. The site is located on West Upper Lake on Lake Minnetonka.

Details are available at the LMCD Office, 5341 Maywood Road, Suite 200, Mound, MN 55364 or by calling (952) 745-0789.

To preserve and enhance the "Lake Minnetonka experience"

5345 CEDAR PT RD
WEST UPPER LAKE, MINNETRISTA
VARIANCE APPLICATION
PUBLIC HEARING

Lake Minnetonka Conservation District

Board Meeting

May 22, 2019

Presented by: Matthew Cook, Environmental Administrative Technician

OVERVIEW

- Board Action
- Background
- Variance Request
- Variance Standards
- Considerations & Code Analysis
- Public / Review Agency Comments
- Public Hearing
- Staff Comments
- Q & A

BOARD ACTION

- **Continue Public Hearing:** Motion to consider application at the June 12, 2019 Board meeting to provide adequate opportunity for public input and follow up regarding any public comments on May 22, 2019.

5345 CEDAR PT RD, MINNETRISTA

For illustrative purposes only

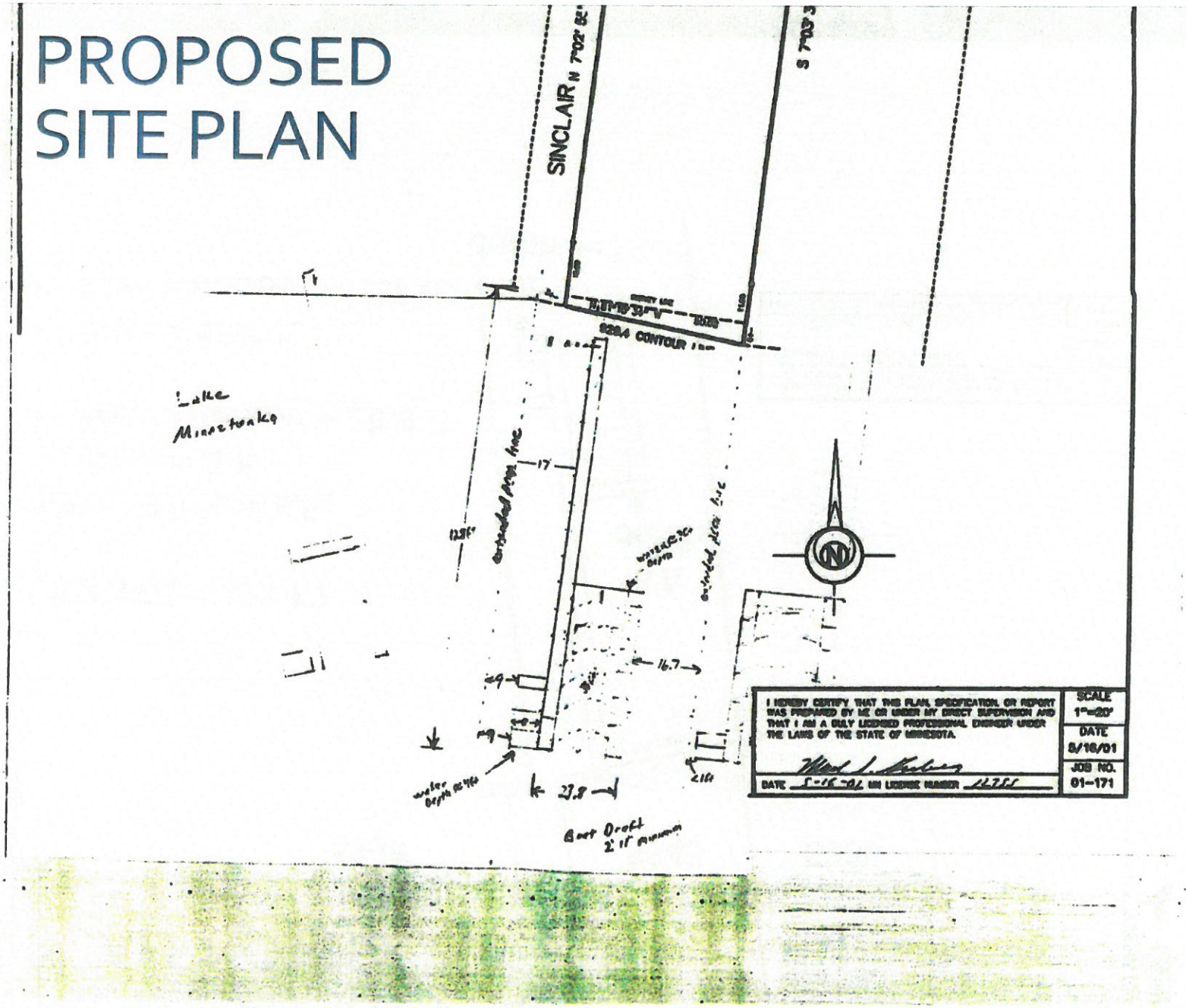
BACKGROUND

- Applicant's property has approximately 57.5 feet of 929.4 feet OHW shoreline.
- One parcel (PID 25-117-24-24-0047)
- Previously existing dock, seeking variance to ensure compliance
- In 2018 received complaint regarding setbacks and length of the dock structure and watercraft
- Property owner submitted variance application April 15, 2019
- Staff noted previous fire lane shoreline not properly recorded at Hennepin County, remedied April 25, 2019

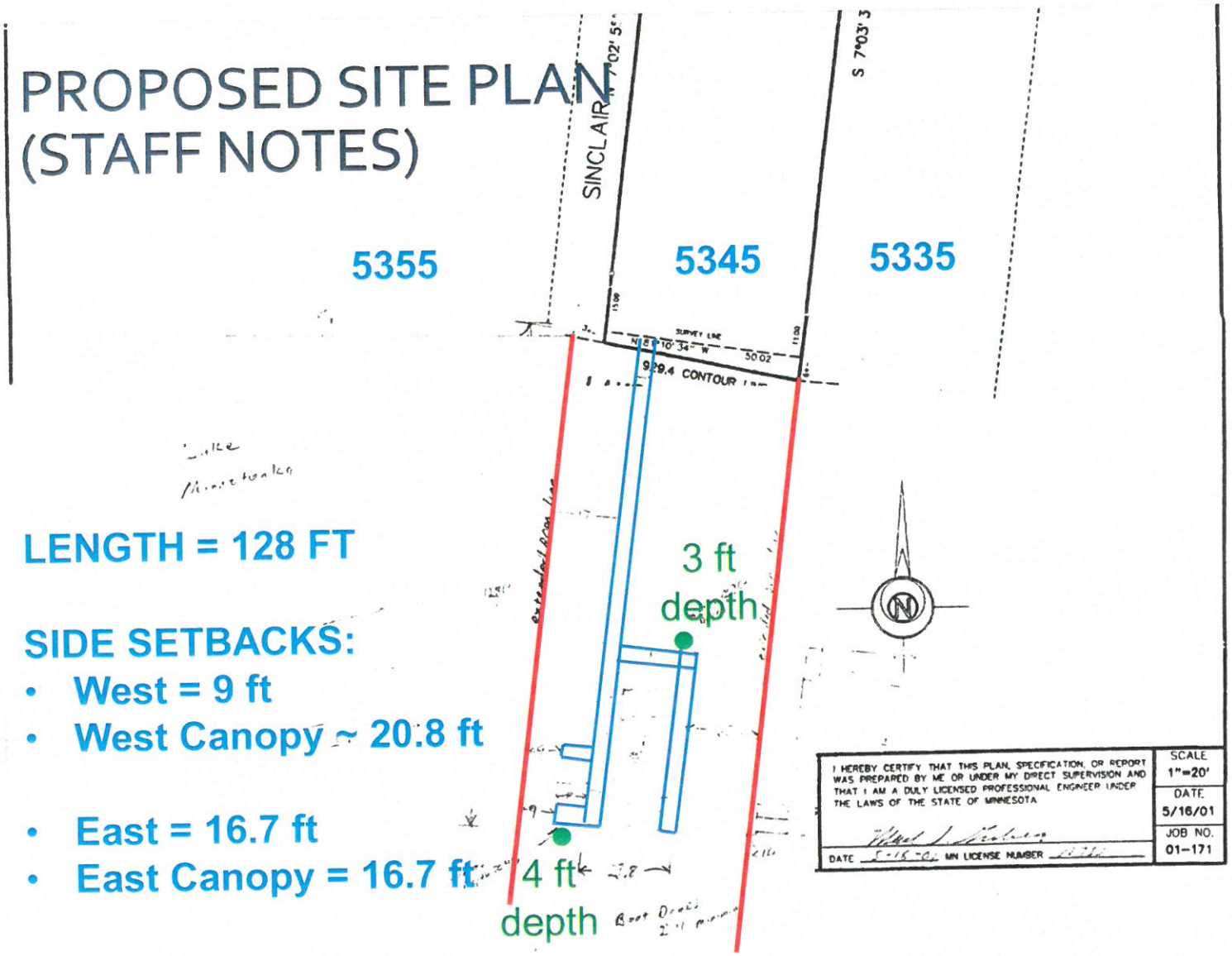
VARIANCE REQUEST

- Dock Use Area Adjustment
  - Side setback reduction
    - Applicant proposes the following setbacks from the extended side site lines:
      - EAST – 16.7-foot setback for structures, watercraft, and canopy
      - WEST – 9-foot setback for structures and watercraft;
        ~20.8-foot setback for canopy
  - Length extension
    - Applicant proposes a dock structure which extends to approximately 128 feet from the OHW

PROPOSED SITE PLAN



PROPOSED SITE PLAN (STAFF NOTES)



LENGTH = 128 FT

SIDE SETBACKS:

- **West = 9 ft**
- **West Canopy ~ 20.8 ft**
- **East = 16.7 ft**
- **East Canopy = 16.7 ft**

VARIANCE STANDARDS

1. **Has applicant sufficiently demonstrated practical difficulties exist that each of following are true?**
    1. Strict application of code prohibits property owner from using Lake in reasonable manner that is otherwise permitted by the code.
    2. Granting variance is within spirit and intent of code.
    3. Plight of property owner is due to circumstances:
        1. Unique to property;
        2. Not created by property owner; and
        3. Not based solely on economic considerations.
    4. Granting variance does not alter essential character of the area.

2. **Is applicant proposing a use not allowed under the code?**

3. **Would variance, if granted and with conditions imposed, adversely affect:**
    1. Purpose of Code?
    2. Public health, safety, and welfare?
    3. Reasonable access to or use of the Lake by public or riparian owners?

CONSIDERATIONS & CODE ANALYSIS

- **Adjusted Dock Use Area.**
  - Board may adjust authorized dock use area for a property in order to provide reasonable access to the lake.

- **Side Setbacks.**
  - Section 2.01 subd. 2b of the LMCD Code delineates setback distances of 10 feet for docks less than 50 feet in length, 15 from 50-100, and 20 longer than 100 feet in dock length. Setback distances from canopies are 20 feet from the edge of dock canopies.

- **Length.**
  - Generally equal to shoreline, but not further than 100 feet in length.

PUBLIC / REVIEW AGENCY COMMENTS

- **Agency Review of Application / Comments (General Permit)**
  - No comments were received from the DNR, MCWD or City of Minnetrista.

- **Public Comments**
  - Resident of neighboring property to the east (5335) support the variance as proposed by the applicants.
  - Representative of owners of 5355 expressed opposition.

PUBLIC HEARING

- **Public Hearing Requirements**
  - **Notification in accordance with legal requirements**
    - Posted in official newspaper May 9, 2019
    - Owners of properties within 350 feet notified, 10-day notice
    - Posted online
  - **Opportunity for interested individuals to present their views to Board for consideration**
    - **Part of reviewing impact of a project**
  - **Only items under the LMCD Code and Board authority may be considered as part of any Approve or Deny decision**

STAFF COMMENTS

Staff recommend to continue hearing to ensure adequate notice

- After continuation of hearing, staff recommends approval of length variance to provide 4 ft of water depth
- Staff recommends denial of any platform that exceeds 8 feet in both length and width
- Staff recommends discussion regarding variance options for side setbacks
  - History
  - Consideration to setbacks, safety, navigation, and ecology
  - Precedent

STAFF COMMENTS

- Dock structure and watercraft storage constructed and maintained in strict conformance with dock plan.
- Watercraft storage must remain in compliance with LMCD Code Section 2.02, watercraft density.
- Watercraft not extend beyond length of boat slip. For purposes of Order, length overall means horizontal length from foremost to aftermost point of watercraft, including all attached equipment in its normal operating position.

STAFF COMMENTS

Previously Suggested Standard Provisions to Include in Variances:

- Any structures placed as part of this variance shall be maintained in good condition and shall promptly be removed, together with any watercraft stored on them, if this variance is ever revoked by action of the Board or if it rendered null and void.
- This variance shall be rendered null and void in event the Subject Property is subdivided. If the Subject Property is combined with another property, the applicant shall request a review of the variance by the LMCD Executive Director to determine if a new or amended variance is required. If the Executive Director determines that a new or amended variance is required, the applicant shall submit an application for the variance to the LMCD within forty five (45) days of the determination or bring the Subject Property into conformance with the LMCD Code without reliance on this variance within the same period.
- This variance grants no vested rights to the use of the Lake. Use of the Lake shall at all times remain subject to regulation by the LMCD to assure the public of reasonable and equitable access to the Lake.
- Utilization of the Lake pursuant to this variance constitutes, and shall be deemed, acceptance of, and agreement to, the terms and conditions of this variance without exception, qualification, or reservation.

To preserve and enhance the "Lake Minnetonka experience"

QUESTIONS?

Lake Minnetonka Conservation District Board Meeting May 22, 2019

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 22, 2019

TO: LMCD Board of Directors

FROM: Bill Cook, LMCD Treasurer

SUBJECT: Preliminary 2020 Budget

ACTION
Board discussion and approval of the Preliminary 2020 Budget, and direction to staff to communicate with member cities to seek input.

The following motions are offered depending on whether the board wishes to approve or modify the request:

Approval

I make a motion to approve the Preliminary 2020 Budget <subject to any stated modifications>, and direct staff to send letters to member cities including the preliminary budget.

Denial

I make a motion to deny the Preliminary 2020 Budget for the following reasons…

BACKGROUND
Based on board discussion at the May 8, 2019 meeting, the Finance Workgroup (Treasurer Cook, Chair Thomas, Director Hughes, Executive Director Schleuning) have developed two potential budgets. The attached budget sheet shows two potential budgets. A third option was considered, but since the 2.4% increase does not require a reserve transfer, a third option is not needed to address the board concerns about the use of reserve funds. Both budget options are balanced and assume that harvesting expenses will be at similar levels as in 2018.

The two budget options are:

1. Increase municipal dues by 2.4%.
2. No increase in municipal dues requiring the use of $15,500 of reserve funds, indicated by a transfer of $15,500 into the income side of the budget.

Based on feedback, the Board Treasurer is recommending that the Board adopt the first budget option. After reflection, not increasing the dues for inflation will put more pressure on future budgets since the rates will have to reflect the typical increases plus the amount not collected this budget. I would continue to support the appropriate use of the reserve fund balance for one-time important strategic initiatives if a 40% reserve to annual expense ratio is maintained. The current

ratio is estimated to be 51% at the end of 2020.

According to Minnesota Statutes 103B.635 Subd. 1, the LMCD Board must submit a budget for the next calendar year by July 1, 2019 to the governing body of each municipality in the District, with a statement of the proportion of the budget to be provided by each municipality. Typically, the member cities are provided time to review and provide comments. Please refer to the attached May 8, 2019 Board Memo for additional background information.

CONSIDERATIONS

- Does the activity align with the mission and goals of the LMCD?
- What impact will the action have on Lake Minnetonka and its stakeholders, short-term and long-term? E.g. Ecology, health, safety, nuisances, economics, etc.
- What are the financial impacts of the actions?
- Is there any preliminary information available from the master planning process?

ATTACHMENTS

- Preliminary 2020 Budget
- May 8, 2019 Board Memo

ATTACHMENT

LMCD Preliminary 2020 Budget- 2.4% Inflation

Budget 2.4% Increase

	2015 Actual	2016 Actual	2017 Actual	2018 Actual	2019 Budget	2019 Forecast	2020 Budget	2020 % Inc.
Revenues								
1 Admin Municipal Dues	$ 247,992	$ 235,866	$ 253,456	$ 271,269	$ 280,000	$ 280,000	$ 286,500	2.3%
2 AIS Municipal Dues	$ 94,500	$ 70,999	$ 66,795	$ 75,534	$ 80,000	$ 80,000	$ 82,000	2.5%
3 Grants and rebates	$ 54,000	$ 14,015	$ 20,995	$ 28,830	$ 1,000	$ 1,000	$ 2,000	
4 Interest and other	$ 4,455	$ 3,793	$ 1,158	$ 3,706	$ 1,200	$ 2,000	$ 3,000	150.0%
5 Licenses and Permits	$ 107,510	$ 112,979	$ 118,149	$ 115,590	$ 115,000	$ 110,000	$ 110,000	-4.3%
6 Court Fines	$ 33,974	$ 35,598	$ 80,908	$ 42,967	$ 50,000	$ 45,000	$ 45,000	-10.0%
7 Donations	$ 50,757	$ 21,425	$ 29,978	$ 35,877	$ 40,000	$ 40,000	$ 45,000	12.5%
8 Transfers In	$ -	$ -	$ -	$ -	$ -	$ 36,000	$ -	
Total Revenues	**$ 593,188**	**$ 494,675**	**$ 571,439**	**$ 573,773**	**$ 567,200**	**$ 594,000**	**$ 573,500**	**1.1%**
Expenses								
9 Personnel Services	$ 281,849	$ 296,900	$ 235,542	$ 259,300	$ 281,000	$ 272,500	$ 325,000	15.7%
10 Office and Supplies	$ 53,533	$ 51,804	$ 57,613	$ 48,720	$ 67,700	$ 58,000	$ 63,500	-6.2%
11 Legal	$ 90,651	$ 98,449	$ 97,268	$ 75,500	$ 85,000	$ 70,000	$ 75,000	-11.8%
12 Admin Professional Services	$ 28,768	$ 16,509	$ 20,582	$ 20,700	$ 20,000	$ 17,500	$ 20,000	0.0%
13 AIS Prevention Program (Inspections)	$ 37,571	$ 25,148	$ 31,663	$ 10,000	$ -	--	--	
14 AIS Management (harvesting, equipment and repair)	$ 48,251	$ 56,103	$ 50,969	$ 50,000	$ 44,700	$ 10,000	$ 50,000	11.9%
15 Equipment Replacement	$ 786	$ 744	$ 1,220	$ -	$ 5,000	$ 5,000		
16 STL Grants and Programs	$ 67,233	$ 42,800	$ 35,307	$ 34,625	$ 40,000	$ 36,000	$ 40,000	0.0%
17 Budget Amendment						$ 100,000		
18 Pending Communications Amendment						$ 25,000		
18 Transfers Out	$ 38,192	$ -	$ 15,000	$ -	$ -	$ -		
19 Other					$ 23,800			
Total Expenses	**$ 646,834**	**$ 588,457**	**$ 545,164**	**$ 498,845**	**$ 567,200**	**$ 594,000**	**$ 573,500**	**1.1%**
Net Income (Total Rev - Total Exp)	**$ (53,646)**	**$ (93,782)**	**$ 26,275**	**$ 74,928**	**$ -**	**$ -**	**$ -**	

Reserve Amounts	**2017**	**2018**	**2019**	**2020**
General	$ 168,928	$ 231,023		
AIS	$ 85,176	$ 94,815		
Reserve Fund Balance	**$ 254,104**	**$ 325,838**	$ 289,838	$ 289,838
Reserve Percentage of Annual Expenses	**47%**	**65%**	49%	51%
Equipment Replacement	$ 118,422	$ 119,167	$ 124,167	$ 124,167
Save the Lake	$ 164,133	$ 164,731	$ 164,731	$ 164,731
		$ 935,575		

See Budget Notes for more information.

Budget Notes

This Budget presentation is a first level budget line item for all three funds.

Line Item Commentary

1	Administration dues were increased to reflect the higher costs and when coupled with the AIS dues generate a 2.4% increase in dues.
2	See #1 above.
3	Grants are often pass through items that show up in equal amounts in the income and expense line, and so are not included in the budget. Rebates are included in typical amounts.
4	Interest and other income is increased to reflect changes in the market and to better identify those income amounts within the budget framework.
5	License and Permit fees are expected to decline from the 2019 budget and are presented at a slightly lower level.
6	Court fines are also expected to slightly decline.
7	Donations are anticipated to increase slightly.
8	Transfers in are from the reserve funds if shown.
9	Personnel services have been increased to reflect the staff raises, new part time hire and additional staff hours anticipated to provide services. This item also reflects the labor costs for the harvesting program.
10	Office and supplies was increased beyond the 2019 forecast to provide resources to produce routine mailings.
11	Legal includes both the administrative and prosecution fees. Legal fees are anticipated to decline subject to fewer applications and conclusion of the recodification process in 2019.
12	Professional Services primarily includes the cost of producing and broadcasting the Board Meeting, Audit fees, and IT consulting fees.
13	AIS Prevention Program is the boat ramp inspection that LMCD has funded from grants received and passing those grants to the Three Rivers Park District for actual inspection activities.
14	Harvesting Program is the removal and disposal of aquatic invasive vegetation such as CLP and EWM from navigation areas. This budget includes the operation of two harvesters during the season. Labor for this activity is included in item 8 above.
16	STL are the Save the Lake Grants that are funded from contributions and donations received from the STL program.
17	STL Programs fund the ongoing Solar Light and Boater Safety Training Classes as well as other lake protection and safety programs.
19	
	Note: Contingency items have been removed as a budget line item.

ATTACHMENT

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: May 8, 2019

TO: LMCD Board of Directors

FROM: Vickie Schleuning, Executive Director

SUBJECT: Preliminary 2020 LMCD Budget

ACTION
Board discussion and approval of the preliminary 2020 budget, and direction to staff to communicate with member cities to seek input.

The following motions are offered depending on whether the Board wishes to approve or modify the request:

Approval

I make a motion to approve the preliminary 2020 budget <subject to any stated modifications>, and direct staff to seek input from the member cities.

Denial

I make a motion to deny the preliminary 2020 budget for the following reasons…

BACKGROUND
According to Minnesota Statutes 103B.635 Subd. 1, the LMCD Board must submit a budget for the next calendar year by July 1, 2019 to the governing body of each municipality in the District, with a statement of the proportion of the budget to be provided by each municipality. Typically, the member cities are provided time to review and provide comments.

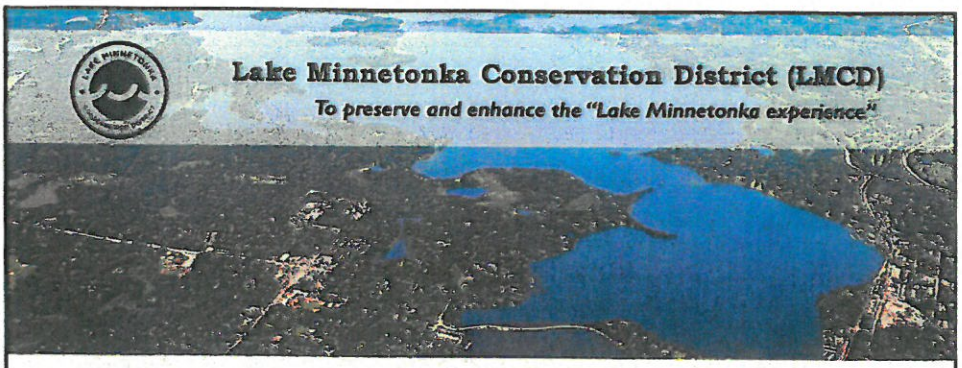
The Budget Workgroup consists of Treasurer Bill Cook and Director Gary Hughes. A highlight of budget revenues, expenses, and options will be provided to the board for consideration.

Anticipated Upcoming Budget Process & Timeline

- Wednesday, 05/08/2019, at Wayzata City Hall – Preliminary budget discussion and approval by the LMCD Board. After approval, letter sent to member cities seeking feedback.
- Thursday, 06/05/2019, at the LMCD office building (Mound Council Chambers) – Meeting to review and discuss preliminary budget with member city officials.
- Wednesday, 06/12/2019, at Wayzata City Hall – Final review and adoption by LMCD Board.
- By July 1, 2019 – Adopted 2020 LMCD Budget to be distributed to member cities.

CONSIDERATIONS

- Does the activity align with the mission and goals of the LMCD?
- What impact will the action have on Lake Minnetonka and its stakeholders, short-term and long-term? E.g. Ecology, health, safety, nuisances, economics, etc.
- What are the financial impacts of the actions?
- Is there any preliminary information available from the master planning process?



LMCD Proposed Budget

Budget Workgroup
Treasurer Bill Cook, Chair Gregg Thomas, Director Gary Hughes
Executive Director Vickie Schleuning

LMCD Board Meeting May 22, 2019

1

Topics

- Board Action
- Historical Review
  - Fund Balance Analysis
  - Comparison of Member City Levy
- 2020 Proposed Budget
- Proposed City Levy Budget
- Board Decisions
- Q & A
- Preliminary Budget Approval

2

Action

- Approval of 2020 Preliminary Budget, with or without changes, and
- Direction to staff to communicate with cities
- General Considerations
  - Per Minnesota Statutes, LMCD Board to submit budget to member cities indicating proportion of levy by July 1st for next calendar year
  - Information presented based on LMCD Board feedback on May 8, 2019
  - Proposed budget includes blend of high level perspective of all fund accounts highlighting certain program areas
    - General, Aquatic Invasive Species (AIS), Save the Lake (STL), Equipment Replacement

3

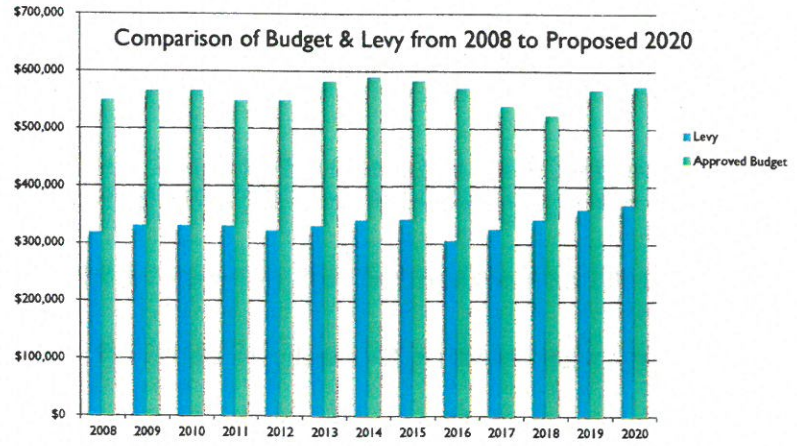
Document highlights

- *2020 Proposed Budget* and *City Levy Share* documents updated based on Board feedback
  - Provide minimum increase 2.4% without using reserve funds
- Variation within the percentage of increases varies due to use of taxable market values as prescribed by State by statutes
  - Some cities experienced greater gains in Payable Taxable Market Value than other cities, changing distribution of the levy
- *2020 Proposed Budget Summary* updated providing better distinction between contingency and reserve funds

4

Levy & Budget Comparison

- Minimal increases or changes in budget or levy from 2008 to Proposed 2020



5

2020 Budget & Levy Example for 2.4% Increase

LAKE MINNETONKA CONSERVATION DISTRICT
2020 BUDGET AND LEVY
(Preliminary)

City	2010 U.S. Census Population Data	2018 Estimated Market Value	2018 Net Tax Capacity	% of Total Net Tax Capacity (Note 1)	Share of Admin. Levy in 2020	Share of AIS Levy in 2020	Share of Total Levy in 2020	Share of Total Levy in 2019	Increase in Total Levy from 2019	% of Increase from 2019
DEEPHAVEN	3,642	$ 1,333,004,600	$ 15,200,500	5.2%	$20,058	$5,741	$25,799	$25,011	$787	3.1%
EXCELSIOR	2,188	$ 516,736,300	$ 6,478,840	2.2%	$8,549	$2,447	$10,996	$10,705	$291	2.7%
GREENWOOD	688	$ 357,528,800	$ 4,169,912	1.4%	$5,502	$1,575	$7,077	$7,090	-$13	-0.2%
MINNETONKA	49,734	$ 9,763,137,900	$ 119,368,272	40.7%	$57,300	$16,400	$73,700	$72,000	$1,700	2.4%
MTKA BEACH	539	$ 349,429,200	$ 4,129,486	1.4%	$5,449	$1,560	$7,009	$7,072	-$63	-0.9%
MINNETRISTA	6,384	$ 1,721,304,900	$ 18,429,850	6.3%	$24,319	$6,960	$31,279	$30,006	$1,273	4.2%
MOUND	9,052	$ 1,343,543,500	$ 13,917,172	4.7%	$18,364	$5,256	$23,620	$22,231	$1,389	6.2%
ORONO	7,437	$ 3,028,344,800	$ 34,672,468	11.8%	$45,752	$13,095	$58,846	$58,275	$571	1.0%
SHOREWOOD	7,307	$ 1,766,719,600	$ 19,513,805	6.7%	$25,749	$7,370	$33,119	$32,858	$261	0.8%
SPRING PARK	1,669	$ 256,511,500	$ 3,539,464	1.2%	$4,670	$1,337	$6,007	$5,804	$203	3.5%
TONKA BAY	1,475	$ 589,670,500	$ 6,730,124	2.3%	$8,881	$2,542	$11,422	$11,641	-$219	-1.9%
VICTORIA	7,345	$ 1,538,972,100	$ 15,947,288	5.4%	$21,043	$6,023	$27,066	$25,554	$1,512	5.9%
WAYZATA	3,688	$ 2,082,362,500	$ 27,221,786	9.3%	$35,920	$10,281	$46,201	$45,392	$809	1.8%
WOODLAND	437	$ 318,203,900	$ 3,746,561	1.3%	$4,944	$1,415	$6,359	$6,362	-$3	-0.1%
	101,585	$ 24,995,470,100	$ 293,065,529	100.0%	$286,500	$82,000	$368,500	$360,001	$8,499	2.4%
Maximum Levy Per MN statute 103B.635 (Total Taxable Market Value * 0.00242%):								$604,890		

(Note 1) Per MN statute 103B.631, no city may pay more than 20% of the total levy. The City of Minnetonka would pay a constant 20% of any amounts to be levied.

Remaining cities factor for determining levy amounts is computed as: (City Net Tax Capacity / (Total Net Tax Capacity - Minnetonka Net Tax Capacity)) * 80%

Total Net Tax Capacity	293,065,529
less Minnetonka Net Tax Capacity	(119,368,272)
Net Tax Capacity for remaining 13 cities	173,697,257

6

Tentative Budget Process & Timeline

- Wednesday, 05/08/2019, at Wayzata City Hall- Preliminary budget review by LMCD Board.
- Wednesday, 05/22/2019, at Wayzata City Hall- Preliminary budget approval by LMCD Board and authorize staff to send out budget information to member cities.
- Thursday, 06/05/2019, at the LMCD office building (Mound Council Chambers) – Meeting to review and discuss preliminary budget with member city officials.
- Wednesday, 06/12/2019, at Wayzata City Hall – Final review and adoption by LMCD Board.
- By 07/01/2019 – Adopted 2020 LMCD Budget to be distributed to member cities.

7

To preserve and enhance the "Lake Minnetonka experience"

Q & A

THANK YOU

Protecting Lake Minnetonka for More Than 50 Years

8

LAKE MINNETONKA CONSERVATION DISTRICT
2020 BUDGET AND LEVY
(Preliminary)

City	2010 U.S. Census Population Data	2018 Estimated Market Value	2018 Net Tax Capacity	% of Total Net Tax Capacity (Note 1)	Share of Admin. Levy in 2020	Share of AIS Levy in 2020	Share of Total Levy in 2020	Share of Total Levy in 2019	Increase in Total Levy from 2019	% of Increase from 2019
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