

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., February 26, 2020
Wayzata City Hall

WORK SESSION

6:00 p.m.

Members present: Rich Anderson, Orono; Dan Baasen, Wayzata; Ben Brandt, Mound; Bill Cook, Greenwood; Ann Hoelscher, Victoria; Gary Hughes, Spring Park; Dennis Klohs, Minnetonka Beach; Mark Kroll, Excelsior; Denny Newell, Woodland; Nicole Stone, Minnetonka; Gregg Thomas, Tonka Bay; Jake Walesch, Deephaven; and Deborah Zorn, Shorewood.

Members absent: None.

Present in Audience: Lieutenant Shane Magnuson, Dave Lawrance, Tom Robb, and Ross Simpson.

1. Deicing Regulations & Operations Overview

Anderson provided a presentation about deicing regulations and operations.

He presented some statistics about current deicing licensees, including other licenses held and the types of facilities.

He shared photos taken by the workgroup when visiting a deicing site.

He explained who is eligible for a license under the current code.

Anderson stated that Schleuning has not had a chance to review the document and any proposed changes and therefore, he was just providing an update to the board at this time as to the status of the workgroup. He stated that the workgroup would continue to work on this topic and would gather feedback from licensees and the public.

2. Request to Amend Code to Expand Facilities Eligible for Deicing License

Paul Robinson provided a presentation on behalf The Cove Homeowners Association.

He provided an overview of the outlot association, including site details, a history of its approvals from the LMCD, and the circumstances that prompted the code amendment request. Paul stated that when they went through the multiple dock licensing process, he had checked with multiple parties and the need for a deicing operation was not mentioned at that time. The cost to replace the dock facility would be significant as they become more damaged due to the ice.

He requested that the code be changed to allow outlot associations with permanent docks to deice their facilities. He provided diagrams of proposed deicing operations for The Cove. He stated he understood the timing likely would not allow a deicing license this year, but wanted the board to consider options.

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; Rich Anderson, Orono; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Dan Baasen, Wayzata; Ben Brandt, Mound; Gary Hughes, Spring Park; Michael Kirkwood, Minnetrista; Dennis Klohs, Minnetonka Beach; Mark Kroll, Excelsior; Denny Newell, Woodland; Nicole Stone, Minnetonka; Jake Walesch, Deephaven; and, Deborah Zorn, Shorewood. Also present: Jason Hill, LMCD Legal Counsel; and Vickie Schleuning, Executive Director.

Members absent: None.

4. APPROVAL OF AGENDA

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

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

A) Oath of Office to Deborah Zorn (City of Shorewood)

Thomas noted that Gilchrist was unable to attend and although Hill is attending in his place, he is unable to complete the Oath of Office and therefore that will occur at the next meeting.

6. APPROVAL OF MINUTES- 02/12/2020 LMCD Regular Board Meeting

Anderson stated that although he did not attend the meeting, he watched the video online. He wanted to add information to New Business Item 13. He stated that those who are affected or their livelihood should be involved in the process. He stated that he would provide the additional language to Schleuning for incorporation. He stated that he wanted to be on the workgroup with Kroll and Newell.

Chair Thomas confirmed that Kroll would not have an objection to adding those statements to the minutes.

Klohs expressed concern that someone that was not in attendance at the meeting could add comments to the meeting.

Schleunig suggested delaying action on the minutes at this meeting. She stated that she could then review the suggested edits and make any changes to be reviewed at the next meeting for approval.

Hughes stated that he would not be in favor of adding to the minutes and only making corrections.

Chair Thomas stated that the suggestion was made that Schleunig will review the video for that section of the discussion and determine if there should be any more detail.

MOTION: Thomas moved, Walesch seconded to table the 02/12/2020 LMCD Regular Board Meeting minutes.

VOTE: Ayes (13), Nay (1), (Hughes). Motion carried.

7. APPROVAL OF CONSENT AGENDA

Anderson stated that he needs to abstain from the Boulder Bridge Farms item as his son is working on the dock project.

MOTION: Kroll moved, Cook seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (02/16/2020 – 02/29/2020); **7B)** Approval of Boulder Bridge Farms Association, Reconfiguration of Nonconforming Structure and Variance, 28124 Boulder Bridge Drive, Shorewood, MN 55331. Two parcels PIDs 31-117-23-31-0019 and 31-117-23-31-0022. South Upper Lake; and, **7C)** Approval of City of Excelsior, New Multiple Dock License/Municipal Planned Unit Development with Continued Special Density License Applications, The Commons and 399 Lake Street, Excelsior, MN 55331. Excelsior Bay.

VOTE: Ayes (13), Abstain (1, Anderson). Motion carried.

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

A) Resolution Authorizing Appointment of Committee Members

Chair Thomas stated that this is a draft version and asked the Board to review the information and provide any feedback to staff.

Anderson referenced the Wake Work Group, noting that the title should be more accurate to include High Water Declaration Regulations which should be separate from Slow and No Wake Regulations.

Chair Thomas stated that in the minutes the group was titled as High-Water Declaration Regulations and Slow and Low Wake Regulations.

Anderson commented that these are two separate items that should remain separate.

Lieutenant Magnuson stated that the meeting topic was High Wake Declaration but wake boats were also discussed. He stated that it would be the opinion of the Board whether to group those items together, noting that he would have different opinions on the two topics because they have different rules/regulations.

Kroll explained that they wanted to put the issues together because it involves some of the same expertise and concerns for safety and environmental damage. He stated that they chose to put together the work group to address those two issues because they are closely related. He invited Anderson to join the group, if he desires, noting that the group has met multiple times. He explained that because there is so much overlap between the two issues it seemed to make sense to put the two together. He stated that the title Wake Work Group was decided upon because it was an easy way to identify the topics.

Chair Thomas stated that his concern with the title Wake Work Group would be that people might feel that focus is on wakeboarding. He believed a longer title would be more appropriate.

Anderson stated that he would like the names to remain the same as they have been, keeping the items as two separate items.

Baasen stated that when the lake was closed because of high water, it was because of wake damage to the shoreline and properties and therefore the issues are related, and it would make sense to combine the issues.

Anderson asked why the issues were kept separate for the past nine months.

Hoelscher stated that the same group could answer two different issues.

Newell stated that there is a lot of science behind the two issues and the same information is useful in both discussions. He stated that this is a matter of energy and the impact that it has on another boat or the shoreline. He stated that it is a discussion of how wave energy is managed rather than the boat that creates it.

Hoelscher stated that she would love to have additional people join the Communications Workgroup and described the intent of the group.

11. OLD BUSINESS

There was no old business.

12. NEW BUSINESS

There was no new business.

13. TREASURER REPORT

Cook reported that the field work for the audit has been completed and the Finance Workgroup will meet to review the audit once the report is prepared.

14. EXECUTIVE DIRECTOR UPDATE

Schleuning had nothing further to report.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: No report.

Budget Workgroup: No report.

Save the Lake Committee: Baasen reported that the group will meet on March 10th. He encouraged the Committee to attend and any other Board members that may be interested.

Strategic Plan Subcommittee: Zorn stated that she and Schleuning are working on a draft that could possibly be added as an item at a future workshop.

Deicing and Permanent Dock Workgroup: No report.

Wake Workgroup: Kroll reported that the group is considering a name change and is open to suggestions. He stated that the group believes that the two issues of high water and wake safety remain linked. He stated that the group has pulled over two dozen scientific papers on the topics and have a guest speaker scheduled for a future workgroup meeting.

Schleuning stated that it is important for the public to know that there will be a lot of public input during this process.

Aquatic Invasive Species Taskforce: Newell asked if the Board should refresh its knowledge of the previous plan that was developed in conjunction with other entities related to chemical treatment. He asked if something could be done this year to ensure the customers of the lake that the LMCD is still engaged in making the lake a better place for them.

B. Cook replied that one of the next meetings of the workgroup will include discussions with the stakeholders and partners and the group will bring a recommendation back to the board.

16. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Gregg Thomas, Chair

Dan Baasen, Secretary