



LAKE MINNETONKA CONSERVATION DISTRICT

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

AGENDA WORK SESSION AND FORMAL MEETING LAKE MINNETONKA CONSERVATION DISTRICT Wednesday, October 28, 2020

Join Zoom Meeting

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Meeting ID: 817 5974 9390

Passcode: 425933

Pursuant to a statement issued by the presiding officer under Minnesota Statutes, section 13D.021, the meeting will be conducted remotely using electronic means. The LMCD's usual meeting room will not be open to the public or the Directors. The LMCD will be using Zoom platform to conduct the meeting remotely. More details about how to use Zoom is available on the website at www.lmcd.org.

PUBLIC PARTICIPATION

Those desiring to participate in the meeting should complete the online form by 2:00 p.m. prior to the meeting. If you are invited to speak at the *Public Comments* Section or *Agenda* Item: 1) Indicate your desire to be heard by "raising hand" through Zoom, 2) Direct comments to Chair Gregg Thomas, 3) Be concise and courteous. The Chair may choose to reorder the agenda for a specific agenda item if it would benefit the needs of those in attendance. People who are disruptive will be expelled from the meeting. If you have questions, please email the Executive Director at vschleuning@lmcd.org.

WORK SESSION AGENDA

6:00 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. The work session may be continued after the formal meeting, time permitting.

1. Budget Document and Financial Summary Overview

FORMAL MEETING AGENDA

7:00 p.m.

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** (10/14//2020) LMCD Regular Board Meetings
- 7) APPROVAL OF CONSENT AGENDA**
 - A) Audit of Vouchers (10/16/2020 – 10/31/2020)
 - B) Ratification of September 23, 2020 LMCD Board Meeting Minutes
- 8) PUBLIC COMMENTS** – *Provides an opportunity for the public to address the board on items that are not on the agenda. Public comments are limited to 5 minutes and should not be used to make personal attacks or to air personality grievances. Please direct all comments to the Board Chair. The Board generally will not engage in public discussion, respond to or correct statements from the public, 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 HEARING**
 - A) None
- 10) OTHER BUSINESS**
- 11) OLD BUSINESS**
- 12) NEW BUSINESS**
 - A) Appointment of Nominating Committee
 - B) LMCD 2021 Employee Benefits Package
- 13) TREASURER REPORT**
- 14) EXECUTIVE DIRECTOR UPDATE**
- 15) STANDING LMCD COMMITTEE / WORKGROUP UPDATE**
 - Aquatic Invasive Species Taskforce

- Budget Workgroup
- Communications & Legislative Relations
- Save the Lake Committee
- Strategic Plan Subcommittee

16) ADJOURNMENT

Future Items for Review – Tentative

- Lake Use Vision and Policy Discussion Continuing Series
 - Watercraft Density
 - Lake Sales and Services
 - Water Skier Observer Requirements
- Reserve Fund Balances



LAKE MINNETONKA CONSERVATION DISTRICT

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DATE: October 28, 2020

TO: Board of Directors

FROM: Vickie Schleuning, Executive Director

SUBJECT: Budget Document and Financial Summary Overview

ACTION_____

Board review of 2020 budget and financial documents.

BACKGROUND_____

In June of 2019, the LMCD Board approved the 2020 Budget. There was a question about the interrelation of the various budget and financial documents. The budget document is a high level view of the approved budget represented by the *State of Revenue, Expenditures, and Changes in Fund Balances Summary* document. For financial accounting purposes, historically three fund accounts have existed to allow better tracking of revenue and expenses for program and activities and for audit purposes. While tracked separately, they are all part of overall LMCD funds. The *Income & Expenses* document provide more detailed information of the overall budget. Attached are color-coded versions of these documents that illustrate how these documents are linked. Treasurer Cook will provide an overview of the budget and financial documents.

BUDGET_____

An overview of the financial documents will be presented.

STRATEGIC PRIORITIES_____

<input type="checkbox"/> Operational Effectiveness	<input type="checkbox"/> Clear & Timely Communications	<input type="checkbox"/> Effective Governance	<input type="checkbox"/> Lake Protection	<input checked="" type="checkbox"/> Other
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ATTACHMENTS/SUPPLEMENTARY INFORMATION_____

- 2020 LMCD Budget and Income & Expense Documents

LAKE MINNETONKA CONSERVATION DISTRICT (LMCD)
STATEMENT OF REVENUE, EXPENDITURES, AND CHANGES IN FUND BALANCES- SUMMARY
ACTUALS FOR 2015-2018, BUDGET FOR 2019, AND BUDGET 2020

	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	100.0%
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	\$ -	--	--	0.0%
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 Communication/Engagement Amendment						\$ 25,000		
19 Transfers Out	\$ 38,192	\$ -	\$ 15,000	\$ -	\$ -	\$ -		
20 Other					\$ 23,800			
TOTAL EXPENDITURES	\$ 646,834	\$ 588,457	\$ 545,164	\$ 498,845	\$ 567,200	\$ 594,000	\$ 573,500	1.1%
EXCESS REVENUES (EXPENDITURES)	\$ (53,646)	\$ (93,782)	\$ 26,275	\$ 74,928	0	0	0	

See Budget Notes for more information.

Budget Notes

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

1	Administration dues were increased to reflect the higher annual costs and when coupled with the AIS dues generate a 2.4% increase in total 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
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 workload needs, new part time hire and additional staff hours anticipated to provide services, and employee compensation. 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 communication mailings and education pieces.
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
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 a two harvesters and/or a combination of three onlake machines 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.
	STL programs fund the ongoing Solar Light Program, Boater Safety Training Classes, and other lake protection and safety programs.
	Note: Contingency items have been removed as a budget line item.

11:24 AM

10/20/20

Accrual Basis

Lake Minnetonka Conservation District

Administrative - Income & Expenses

January through September 2020

	Jan - Sep 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Grants & Other Income				
3080M10 · Interest - Admin.	4,051	2,300	1,751	176%
3300M10 · Other Income - Admin.	315	500	-185	63%
3340M10 · Public Agency Grants - Adm	0	1,500	-1,500	0%
Total Grants & Other Income	4,365	4,300	65	102%
Licenses/Permits				
3110M10 · Multiple/Perm. Dock Lic -Admin.	83,771	81,000	2,771	103%
3120M10 · DMA license - Admin.	3,350	3,300	50	102%
3130M10 · Deicing License - Admin.	1,901	5,000	-3,100	38%
3170M10 · Variances - Admin.	2,000	500	1,500	400%
3200M10 · Special Density - Admin.	0	0	0	0%
3220M10 · Special Events - Admin.	0	0	0	0%
3240M10 · Charter Boats - Admin.	2,700	3,000	-300	90%
3280M10 · Liquor/Beer/Wine License-Admin.	17,850	17,200	650	104%
Total Licenses/Permits	111,571	110,000	1,571	101%
3020M10 · Municipal Dues - Admin.	195,722	286,500	-90,778	68%
3260M10 · Court Fines - Admin.	40,672	45,000	-4,328	90%
3400M10 · Transfers In - Admin.	0	0	0	0%
Total Income	352,330	445,800	-93,470	79%
Gross Profit	352,330	445,800	-93,470	79%
Expense				
Legal				
4110M10 · Public Info./Legal - Admin.	531	1,000	-469	53%
4620M10 · Legal Fees - Admin.	34,477	40,000	-5,523	86%
4640M10 · Prosecution Fees - Admin.	16,520	33,500	-16,980	49%
4650M10 · Room & Board - Admin.	368	500	-133	74%
4670M10 · Recodification	0	0	0	0%
Total Legal	51,896	75,000	-23,104	69%
Office & Supplies				
4060M10 · Telephone - Admin.	1,742	2,900	-1,158	60%
4070M10 · Web Page / Internet - Admin.	0	840	-840	0%
4080M10 · Postage - Admin.	1,382	3,350	-1,968	41%
4100M10 · Printing - Admin.	0	4,900	-4,900	0%
4140M10 · Equipment R&M - Admin.	5,511	6,500	-989	85%
4220M10 · Office Supplies -Admin.	1,356	2,700	-1,344	50%
4230M10 · Meeting Exp. - Admin.	7,582	8,000	-418	95%
4320M10 · Office Rent - Admin.	14,528	19,600	-5,072	74%
4340M10 · Insurance - Admin.	2,620	4,700	-2,080	56%
4360M10 · Subs/Memberships - Admin.	1,975	2,100	-125	94%
4400M10 · Mileage/Exp's - Admin.	130	900	-770	14%
4410M10 · Training/Prof. Devel. - ADM	0	500	-500	0%
4520M10 · Furniture & Equip - Admin.	0	500	-500	0%
4530M10 · Comp. Sftwr & Hdwr - Admin.	384	3,000	-2,616	13%
Total Office & Supplies	37,210	60,490	-23,280	62%
Personnel Expenses				
4020M10 · Salaries-002 - Admin	159,206	222,700	-63,494	71%
4021M10 · ER Share of Admin FICA/Medicare	12,154	17,400	-5,246	70%
4022M10 · ER PERA - Admin	11,916	16,000	-4,084	74%
4380M10 · Employee Benefits - Admin.	19,367	32,000	-12,633	61%
Total Personnel Expenses	202,643	288,100	-85,457	70%

11:24 AM

10/20/20

Accrual Basis

Lake Minnetonka Conservation District
Administrative - Income & Expenses
 January through September 2020

	Jan - Sep 20	Budget	\$ Over Budget	% of Budget
Professional Services- ADM				
4040M10 · Auditing - Admin.	10,700	10,700	0	100%
4180M10 · Professional Services - Admin.	10,543	4,300	6,243	245%
4181M10 · Professional Comp. Serv.-Admin.	619	1,000	-381	62%
4182M10 · Media (Cable/Internet) - Admin.	2,000	4,000	-2,000	50%
Total Professional Services- ADM	23,861	20,000	3,861	119%
3900M10 · Transfer Out (General Fund)	0	0	0	0%
4660M10 · Proactive Code Enforcement Prog	0	0	0	0%
4980M10 · Contingency - Admin.	0	0	0	0%
4990M10 · Equip Rpl- Transfer Out - Admin	0	0	0	0%
5000M10 · Admin Reserve Expense	0	0	0	0%
Total Expense	315,610	443,590	-127,980	71%
Net Ordinary Income	36,719	2,210	34,509	1,662%
Net Income	36,719	2,210	34,509	1,662%

Lake Minnetonka Conservation District
AIS - Income & Expenses
January through September 2020

	Jan - Sep 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
3020M30 · Municipal Dues - AIS	56,017.25	82,000.00	-25,982.75	68.3%
3080M30 · Interest - AIS	0.00	200.00	-200.00	0.0%
3300M30 · Public Agencies/Other Income	0.00	0.00	0.00	0.0%
3400M30 · Transfers In - AIS	0.00	0.00	0.00	0.0%
Total Income	56,017.25	82,200.00	-26,182.75	68.1%
Gross Profit	56,017.25	82,200.00	-26,182.75	68.1%
Expense				
AIS Prevention Program				
4151M30 · Equip. Supplies -AIS Prevention	1,920.00	0.00	1,920.00	100.0%
4152M30 · Equip. Supplies- Master Plan	0.00	0.00	0.00	0.0%
4181M30 · Prof. Services - AIS Prevention	0.00	0.00	0.00	0.0%
4182M30 · Prof. Services- Master Plan	0.00	0.00	0.00	0.0%
4383M30 · ER Share AIS Prevent. Fica-Med	0.00	0.00	0.00	0.0%
4531M30 · Software & Hardware/Training	566.00	0.00	566.00	100.0%
4981M30 · Contingency - AIS Prevention	0.00	0.00	0.00	0.0%
Total AIS Prevention Program	2,536.00	0.00	2,536.00	100.0%
EWM Harvesting Program				
Equipment & Repair				
4150M30 · Equip. Supplies & Maint. - EWM	0.00	15,500.00	-15,500.00	0.0%
4160M30 · Fuel - Harvester/Wk Boats-EWM	0.00	3,300.00	-3,300.00	0.0%
4170M30 · Fuel/Supply - Van - EWM	0.00	2,500.00	-2,500.00	0.0%
4720M30 · Contract Mechanic Fees - EWM	0.00	8,000.00	-8,000.00	0.0%
4721M30 · Specialty Mechanic - EWM	0.00	700.00	-700.00	0.0%
Total Equipment & Repair	0.00	30,000.00	-30,000.00	0.0%
Office & Supplies- EWM				
4060M30 · Telephone - EWM	0.00	100.00	-100.00	0.0%
4080M30 · Postage - EWM	0.00	35.00	-35.00	0.0%
4100M30 · Printing/Advertising - EWM	0.00	225.00	-225.00	0.0%
4130M30 · Uniforms - EWM	0.00	100.00	-100.00	0.0%
4220M30 · Office Supplies - EWM	0.00	250.00	-250.00	0.0%
4350M30 · Ins./Equip. - EWM	365.00	400.00	-35.00	91.3%
Total Office & Supplies- EWM	403.50	1,110.00	-706.50	36.4%
Personnel Services- EWM				
4020M30 · Salaries - EWM	0.00	32,000.00	-32,000.00	0.0%
4021M30 · ER Share of EWM FICA/Medicare	0.00	1,600.00	-1,600.00	0.0%
4340M30 · Insurance W/C - EWM	269.75	3,300.00	-3,030.25	8.2%
Total Personnel Services- EWM	269.75	36,900.00	-36,630.25	0.7%
4740M30 · Truck Service - EWM	0.00	20,000.00	-20,000.00	0.0%
4980M30 · Contingency - EWM	0.00	0.00	0.00	0.0%
4990M30 · Equip. Rpl - Transfer Out - EWM	0.00	0.00	0.00	0.0%
Total EWM Harvesting Program	673.25	88,010.00	-87,336.75	0.8%
Total Expense	3,209.25	88,010.00	-84,800.75	3.6%
Net Ordinary Income	52,808.00	-5,810.00	58,618.00	-908.9%
Net Income	52,808.00	-5,810.00	58,618.00	-908.9%

Lake Minnetonka Conservation District

Save the Lake - Income & Expenses

January through September 2020

	Jan - Sep 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Contributions				
3001M20 · Donations (General) - S/L	19,964	44,000	-24,036	45%
3002M20 · Donations (Photograph) - S/L	269			
3003M20 · Donations (Safety Prog.) - S/L	4,000			
3004M20 · Donations (Solar Light) - S/L	0	1,000	-1,000	0%
Total Contributions	24,233	45,000	-20,767	54%
3080M20 · Interest - S/L	0	500	-500	0%
Total Income	24,233	45,500	-21,267	53%
Gross Profit	24,233	45,500	-21,267	53%
Expense				
Office & Supplies- STL				
4080M20 · Postage - S/L	283	600	-317	47%
4100M20 · Printing - S/L	0	1,000	-1,000	0%
4220M20 · Office Supplies - S/L	0	300	-300	0%
Total Office & Supplies- STL	283	1,900	-1,617	15%
Projects & Activities- STL				
4110M20 · Environmental- S/L	0	3,300	-3,300	0%
4111M20 · Public Service/Education - S/L	842	3,000	-2,158	28%
4160M20 · Public Safety - S/L	3,390	33,700	-30,310	10%
Total Projects & Activities- STL	4,232	40,000	-35,768	11%
4180M20 · Professional Services - S/L	82			
4980M20 · Contingency - S/L	0	0	0	0%
Total Expense	4,597	41,900	-37,303	11%
Net Ordinary Income	19,636	3,600	16,036	545%
Net Income	19,636	3,600	16,036	545%

ITEM 6

LAKE MINNETONKA CONSERVATION DISTRICT BOARD OF DIRECTORS

6:00 P.M., October 14, 2020
Virtual Meeting

Due to COVID-19 Guidelines, pursuant to a statement issued by the presiding officer (Board Chair) under Minnesota Statutes, section 13D.021, the meeting was conducted remotely through electronic means using Zoom. The LMCD's usual meeting room was not open or available to the public or the Directors.

WORK SESSION

6:00 p.m.

Members Present:

Gregg Thomas, Tonka Bay; Rich Anderson, Orono; Ann Hoelscher, Victoria; Ben Brandt, Mound; Gary Hughes, Spring Park; Michael Kirkwood, Minnetrista; Dennis Klohs, Minnetonka Beach; Apfelbacher Kroll, Excelsior; Denny Newell, Woodland; Nicole Stone, Minnetonka; Jake Walesch, Deephaven; and Deborah Zorn, Shorewood. Also present: Troy Gilchrist, LMCD Legal Counsel; Vickie Schleuning, Executive Director; and Matthew Cook, Environmental Administrative Technician.

Members Absent:

Bill Cook, Greenwood; and Dan Baasen, Wayzata.

Persons in Audience:

Mark Apfelbacher, Jorj Ayaz, Kathleen Daniels, Eric Evenson, Tom Frahm, Dennis Libby, Debra Netsch, and Neal Netsch.

1. AIS Grant Opportunities and Options Including Watercraft Cleaning Tools at Public Launches

Newell presented information regarding a CD3 station that provides tools to boaters to remove plants as part of AIS prevention. He has had reviewed some options and stated the County may assist in funding for purchase on ongoing maintenance. He referred to the board memo attachment.

Schleuning stated that staff will email information about previous submittals and the studies completed in 2006 if the Board wanted the information.

Chair Thomas commented that he has seen the CD3 units but has not used them.

Brandt commented that he has worked with the owners of both companies, noting that they do some great things for the lake. He stated that when the tools are installed there is a redesign of the launch, therefore it is a big project. He commented that he has used the CD3 at Long Lake. He noted that the tool is there to be used but that does not mean that everyone uses them. He commented that there are usage statistics for each tool on the CD3 machine which allows for the unit to gather that usage data.

Mark Apfelbacher provided an overview on the CD3 systems. He stated that he would like to see Lake Minnetonka take a stand to fight the spread of AIS. He noted that people need the tools in order to

properly clean their boats. He stated that the data shows that these machines are helping people to take the actions necessary to make progress against AIS. He stated that he would like to help empower the public and see LMCD help to put the tools in place to assist.

Hughes commented that he would like to see the tools open earlier in the spring.

Anderson asked why the MNDNR is there if the tools are already available.

Apfelbacher commented that the CD3 machines can be placed at all the MNDNR access locations. He explained that the MNDNR can see that having an inspector onsite helps, which it does, but an inspector can only be onsite during certain hours or when there are funds available for the position. He commented that it is similar to any other campaign, where having someone onsite to explain and assist helps in making this a normal procedure that people get in the habit of doing.

Hoelscher asked the cost that would be involved. She commented that it seems that LMCD should partner with the County and/or MNDNR.

Apfelbacher replied that the County is purchasing three to four units per year. He stated that the County is willing to take on operations and management of the equipment as part of a partnership with LMCD as the County is interested in preventing the spread of AIS. He stated that the DNR is also willing to allow the LMCD to place the equipment at a DNR owned access.

Chair Thomas stated that if there is interest from the Board, staff could then follow up with the County and DNR.

Schleuning stated that some of the main concerns last year were related to maintenance costs and noted that appears to have changed based on these comments. She stated that previously Hennepin County wanted to see matching funds but noted that she could follow up with the County. She noted that the designs, safety, and AIS tools vary for the public launches, therefore the machine sizes and locations would need to be reviewed for options. This was noted during the Lake Minnetonka Vegetation & AIS Master Plan and should continue to be reviewed further.

Apfelbacher replied that there are five different tool/size options.

Stone commented that she would not want the LMCD to be solely responsible, but would be interested in pursuing a partnership opportunity.

Klohs stated that it appears there is great potential but recognized that funding would be an issue. He noted that perhaps this should be considered after the next TAG meeting as this is one item that could potentially be funded given the limited budget. He asked for some type of cost estimate.

Apfelbacher replied that the purchase price of the large unit is \$30,000 and ongoing is about \$1,200 per unit, per year, noting that the County is in a position to handle the maintenance. He stated that the equipment can be leased to own through a program they have with a third party. He stated that the lease to own terms range from two to five years. He commented that the smallest machine is about \$2,000.

Zorn commented that she would agree that the LMCD needs to tag this in the greater scheme of options and allow the AIS consultant to assess this further. She stated that this should remain on the radar.

Chair Thomas stated that there is general interest with additional questions related to cost and partnership opportunities.

Klohs suggested that the Board hold on this until after the next TAG meeting rather than running in different directions before a global direction is known.

Newell stated that the Board does not know what it does not know. He suggested that a complete report be done with costs and partnership opportunities to present to the Board. He stated that there is a budget of \$80,000 and if a Lake Manager is added that simply takes some of those funds for administrative purposes rather than being able to put those funds into the lake.

Anderson asked for an update on when the TAG meeting is going to occur.

Chair Thomas commented that would be discussed at the regular meeting.

Brandt stated that Hennepin County is in the top 10 for the State and believed that anything the LMCD does towards AIS should be in partnership with the County. He suggested that staff reach out to potential partnership opportunities.

Chair Thomas stated that perhaps staff could look into this further when there is time available, noting that this would not need to be top priority.

Schleuning stated that staff has done research in the past and could gather more information. She commented on the timing of grant deadlines, which typically fall within December and February.

Newell volunteered to assist staff in the process.

Anderson provided background on the I-LID technology.

Erik Evenson, LMA, stated that there were a few units around the lake about ten or 15 years ago but noted that the technology has changed since then. He stated that this would go back to the issue of changing behavior related to AIS. He stated that these units have been installed in various locations throughout Minnesota and Wisconsin. He explained that I-LIDS are a video and audio system that play an audio message alerting vehicles to check for materials and records data. He stated that it is a good tool to help change behavior. He stated that this would also collect good information related to the types of boats going on and off the lake and the times the boats are coming on and off the lake. He stated that he would be interested in seeing a combination of the I-LIDS and CD3 machines as they would be complimentary to each other.

Schleuning provided background supporting much of the information being reintroduced noting that LMCD submitted grant applications the previous year but the County chose not to award any of these

grants. She stated that the LMCD could submit grant requests again.

Anderson stated that he would be willing to offer his services to assist with researching this possibility, similar to how Newell will assist with CD3. He noted that I-LIDS could assist with watercraft density without using additional staff time.

Brandt commented that the lake his family has a cabin on in Wisconsin has an I-LIDS and confirmed it is a visible deterrent. He asked if the message could be customized as to what it says.

Brandt asked who would manage/filter the video/data.

Evenson commented that is all done by the company in real time. He stated that it takes some skill to know what you are looking at and what you are looking for, therefore the company has that experience. He noted that is part of the annual cost, for that company to view the video and provide the reports. He confirmed that in Wisconsin the video is sometimes used for enforcement action as well.

Kirkwood commented that this sounds like a good idea and he would like more information on enforcement application.

Newell stated that he supports looking at anything that could improve the lake. He stated that this is not making a commitment and he supports gathering information that can help guide the Board in its decision. He noted that he would be happy to assist Anderson in gathering information.

It was the consensus of the Board that additional information will be gathered on both possible technologies to bring back for discussion.

2. Review of Lights, Reflectors, and Visibility Options for Multiple Dock and Mooring Facilities

Schleuning provided background information about the legal formatting to track changes for Code amendments such as the use of underline and strikeout. She provided an overview on lights, reflectors, and visibility options for multiple dock and mooring facilities. She reviewed the relevant code sections and indicated the history and basis of the implementation of lights and the alternative of reflectors for multiple docks and mooring facilities. She emphasized that the board had requested the same language to be used during the recodification clarification, which was done, and then she had followed up regarding the code standards as they have been applied in the past. She inquired if the Board wished to change the code language and how the code has been interpreted and applied in the past.

Chair Thomas referenced the first sentence in subdivision three and asked if the language should state lighted "or reflectorized?" He believed that would be clearer, rather than having to look in two different sections.

Gilchrist confirmed that to be true. He agreed that the sentence on its own is dependent on other sections of Code.

Anderson reviewed some of the changes that came through for these sections in the recodification. He

stated that initially he thought lighting the mooring field would be a bad idea but now believes it is a good idea. He provided photographs that he took at night of Excelsior Municipal Docks, noting that you cannot see the mooring field at night if it is not lit. He stated that reflectorized materials are only good if there is light to reflect. He stated that he does not believe the Code should be changed but instead enforced.

Chair Thomas stated that it appears that there is a difference in Anderson's interpretation of the Code. He stated that in the interest of time this discussion should close and noted that if desired a discussion could occur at an upcoming work session related to mooring areas and whether they should be lit.

There being no further business, the work session was adjourned at 7:05 p.m.

FORMAL MEETING

7:10 p.m.

1. CALL TO ORDER

Chair Thomas called the meeting to order at 7:10 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Gregg Thomas, Tonka Bay; Rich Anderson, Orono; Ann Hoelscher, Victoria; 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: Troy Gilchrist, LMCD Legal Counsel; Vickie Schleuning, Executive Director; and Matthew Cook, Environmental Administrative Technician.

Members absent: Dan Baasen, Wayzata; Bill Cook, Greenwood; and Deborah Zorn, Shorewood.

Persons in Audience:

Apfelbacher Apfelbacher, Jorj Ayaz, Kathleen Daniels, Eric Evenson, Tom Frahm, Lori Hays, Dennis Libby, Debra Netsch, and Neal Netsch.

4. APPROVAL OF AGENDA

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

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye

Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

Chair Thomas commented that Cook is still recovering from his accident and therefore the items on the agenda that he would typically provide an update on will not have discussion, such as the Treasurer's Report and AIS Task Force.

Chair Thomas announced that M. Cook is getting married this weekend and the Board congratulated him.

6. APPROVAL OF MINUTES- 09/23/2020 LMCD Regular Board Meeting

Kirkwood referenced the discussion related to slow and no wake during high water events. He noted that there were five instances where it referenced shutting down the bay and believed that those should be replaced with slow/no wake.

Walesch asked if the language could be changed, as the Board members actually used those words.

Gilchrist stated that the meaning of what was said cannot be changed but if someone misspoke or used the wrong terminology that could be corrected. He noted that a footnote could also be added with an explanation of the change.

Kirkwood stated that he is only concerned that the intent of the Board could be misinterpreted by the public. He stated that people can still use the lake under high water declaration, just under slow or no wake conditions.

Gilchrist commented that now reading those examples of where "shut down" was used, he would be inclined to recommend that those statements remain and if inclined, the Board could add an explanation that shut down refers to slow/no wake.

Chair Thomas stated that no one has ever seriously considered shutting down a bay in the manner that no boats are allowed. He suggested that the language stand as written.

MOTION: No motion made, but a roll call was taken to approve the 09/23/2020 LMCD Regular Board Meeting minutes as submitted.

VOTE: A roll call vote was performed:

Anderson	aye
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NOTE: Board ratified approval of minutes at 10/28/2020 Board Meeting.
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Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

7. APPROVAL OF CONSENT AGENDA

MOTION: Kroll moved, Brandt seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (10/01/2020 – 10/15/2020).

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	absent/lost connection
Kroll	aye
Newell	aye
Thomas	aye
Stone	aye
Walesch	aye

Motion carried unanimously.

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

Dennis Libby, 1000 Heritage Lane in Orono, commented on the summer seasonal treatment of flowering rush within Smiths Bay. He stated that the effectiveness of the treatment was demonstrable. He stated that he spoke with several of his neighbors about creating a LID for the bay and did not receive one negative response. He stated that he will attempt to form a LID and wanted to share that the treatment was effective against flowering rush.

Anderson thanked Mr. Libby for sharing his experience and input.

9. PUBLIC HEARING

A) Variance for Adjusted Use Area for Setback, 1657 Dove Lane, Mound, MN 55364

M. Cook presented a slide show regarding the application from 1657 Dove Lane in Mound related to a variance for adjusted use area for setback. He provided background information on the site and the requested setback from each side site line with three proposed BSUs. He provided an aerial photograph showing the existing dock along with the proposed site plan. He reviewed the variance standards for the Board to consider. He stated that notification was sent to the applicable public agencies and no responses were received. He noted that one public comment was received in favor of the application from a nearby resident and one comment in support if the dock remains within the site's extended side site lines. He confirmed that the proposed dock would remain within the site's extended side site lines. He reviewed some considerations for the Board to think about related to this request. He reviewed the minimum recommendations of staff for this request, should the Board choose to approve the request:

1. A minimum five-foot setback from the west side site line
2. A Zero-foot setback from the north side site line
3. Three BSUs with acknowledgment of potential limited sizes
4. Watercraft and other structures fit entirely within the boat storage units/side setbacks
5. Standard variance conditions reflecting environmental, nuisances, maintenance, etc.

M. Cook read the following language from LMCD Code Section 2-3.03, Subd. 3, paragraph (c):

"Sites with 50 feet of Width or Less – February 2, 1970. If a site in existence on February 2, 1970 has an authorized dock use area with a width of 50 feet or less, the authorized dock use area may be expanded to a side setback limitation of five feet, provided that such setback in no way impairs access to neighboring docks."

M. Cook explained that the property to the north is not guaranteed a minimized setback of 5 feet due to the wording of the Code excerpt: "...provided that such setback in no way impairs access to neighboring docks." He noted that the property to the north may need to meet a 10-foot setback from the applicant's site.

M. Cook noted that the LMCD has been in contact with the property owners of the applicant's property (1657 Dove Lane) and the property to the north (1649 Dove Lane) since 2019, and has discussed the interaction between the sites and how LMCD regulations apply to the dock use areas with both parties together and separately.

M. Cook underscored that the board is only considering the variance applied for, but the applicant's property and property to the north may be impacted by any decision.

Schleuning asked Cook to explain the illustration of the extended side site lines and the limited depth of land related to the property to the north. She also asked about previous conversations regarding dock use areas.

M. Cook stated that staff spoke with the applicant about a rotated approach and other options, but the applicant can provide details on why they chose this design.

Walesch asked for the opinion of the neighbor to the north and whether they have provided input.

M. Cook stated that staff has not received input but noted that the resident is in attendance at the meeting tonight and can provide input.

Walesch asked for details on BSU three and whether that would be approved without implying any sort of access or width of access.

M. Cook confirmed that is his understanding. He was unsure how that would be reflected in the legal document.

Kirkwood asked if the applicants proposed the dock configuration and BSUs, or whether staff assisted in the process.

M. Cook replied that staff does not codesign docks but attempts to provide input. He stated that it is still the decision of the applicant to propose their request to the Board.

Kirkwood stated that it appears the space on the left could be a potential BSU and asked why that was not considered.

M. Cook stated that he would assume it has something to do with navigation around the platform but noted that the applicant could provide that answer.

Kirkwood asked if the dock to the north is part of the City of Mound owned docks.

M. Cook replied that the dock to the north is privately owned. He identified the dock further north that is part of the Mound configuration.

Anderson stated that he would want to see that all the BSUs are owned by the property owner. He asked for details on the 50-foot rule.

M. Cook stated that the intent of the staff recommendation was not to meet the 50-foot code requirement but to provide additional space to the request as allowed for in other sections of the code.

Anderson commented that BSU three is wide open and would be a hinderance to the property to the north. He stated that he liked the suggestion that it be limited to something like a jet ski.

Brandt stated that he would be concerned with the BSU three location and whether it would make more sense to move that to the other side of the dock configuration. He stated that he drove by the site today and it is a tight space with the converging lot lines.

Newell agreed with the comments of Kirkwood. He stated that there would be a potential space for a jet ski or personal watercraft on the left side of BSU one. He stated that he likes the idea of moving the installation five or ten feet to the right and putting BSU three on the other side as that would be a cleaner approach and would cause less problems with the property to the north.

Schleunig asked Cook to explain the implication of moving the dock structure to the east in relation to the dock allowance to the north.

M. Cook referenced the idea of moving the configuration to the east. He stated that it is his understanding that if the dock structure is slid too far east, BSU would align with the dock to the north, which would make the turn into the slip more difficult. He stated that if BSU three were not relocated and the dock were moved to the east, that would make the access even more difficult.

Chair Thomas opened the public hearing and invited the applicant to address the Board.

Neil Netsch, the applicant, stated that if the configuration were moved to the east they would be backing right into the dock to the north. He stated that a jet ski is impractical in the bay because of the weeds. He stated that the water depth is also an issue in this area.

Debra Netsch stated that they are attempting to open the area up for everyone to navigate safely. She stated that the dock to the north is new and was placed last summer. She stated that this situation is not ideal for anyone, but they are attempting to open that navigation for everyone as it became problematic when the new dock was added to the north.

Mr. Netsch referenced the platform on the west edge, which he put in place for fishing. He stated that they are not opposed to shifting six inches to meet the five foot side setback, although he would like to keep the 11.5 foot platform. He stated that he never intended to park a boat on that side as it would not be practical.

Ms. Netsch stated that BSU three is only intended for guests and is not intended for long-term use.

Mr. Netsch provided dimensions on his boats, noting that he could place those in the ten and 11-foot BSUs. He agreed that it would be difficult to navigate into BSU three which is why they do not plan to use it often.

Walesch asked if the applicants understand that BSU three could be restricted and if approved, that could become more restricted.

Ms. Netsch stated that is a concern that they have because they would like access to their lakeshore.

Walesch stated that the applicants are asking for multiple variances and even if the neighbor to the north did something allowed by Code, that would further restrict the access to BSU three.

Ms. Netsch asked if the Board has recommendations.

Walesch replied that he does not but explained that it is important that the applicants understand that if the neighbor to the north proposing something in the future allowed by Code, that would further restrict access to BSU three.

Mr. Netsch commented that if the lot to the north made changes, it would make it harder to back out their boats and would decrease safety. He stated that there is no way they could slide that configuration to the east

because of that reason.

Chair Thomas suggested that the Netsch's continue to work with the neighbors because of the unique lot configurations in this area. He stated that there is only so much the LMCD can do as a governmental body. He stated that related to access, they do not have to provide access for multiple boats.

Jorg Ayaz, neighbor to the north, stated that his dock configuration does not currently show how it should be by Code. He stated that currently there are two boats parked, noting that the pontoon should be parked to the south of the speedboat, by Code. He stated that he was waiting for the applicant to bring forward a configuration that would allow them both to coexist in this area. He stated that if the pontoon were moved to the south of the speedboat and the Code specified setbacks were followed, he would fine with that layout, and he would meet the setbacks to the north and south. He feels he is entitled to a 5 foot setback. He commented that would definitely limit proposed BSU three. He stated that he cannot complete his configuration because of the existing layout of the applicant's dock. He stated that as he sees the shoreline of the applicant, the applicant is pointed direct north, but the dock configuration is slanted to the right, northeast. He stated that if the natural contour of the shore were followed, pointing to the deepest point of the lake, that would turn the entire dock system towards the bay. He stated that this proposed configuration follows the lot lines rather than the shoreline. He stated that the fishing platform added to the three BSU would then disappear. He stated that with the configuration he proposes, it would allow the applicant to navigate into his dock much easier. He again noted that his pontoon is currently located in the wrong spot because he cannot complete his dock configuration without interfering with the applicant's dock. He stated that the last L shaped section of the applicant's dock as it stands today, was built without permitting. He stated that he has a right to place his dock within his setbacks with the quantities and lengths allowed on his property. He stated that this should be designed simultaneously to ensure that both docks work together. He believed that the dock should be designed along the shoreline rather than the property line as that would perfectly point the applicant's dock north rather than northeast as proposed.

Ms. Netsch agreed that the configuration is drawn on the property lines and asked and received confirmation that Mr. Ayaz is proposing to simply turn the dock configuration.

Mr. Ayaz commented that he wants to work together and believes that the desired number of boats could be fit in this area. He confirmed that if the entire design were tilted and pointed towards the north it would provide benefit to both properties. He stated that if the fishing platform is switched with BSU three, it would be a better design. He believed that those changes would allow the applicant to have three BSU and a fishing platform and would also allow him to complete his dock and store his two boats.

Ms. Netsch stated that originally, they submitted a request to be grandfathered in as the dock has been there for six years.

Mr. Netsch stated that if the fishing platform were relocated and the dock were rotated, he does not believe BSU three would fit because of the narrow width. He stated that if the fishing platform were moved to the right, he would be fishing into the neighbor's boats.

Ms. Netsch asked why Mr. Ayaz would add more dock if there is already space to park two boats.

Mr. Ayaz commented that he put the straight section in five feet from the property line and commented that the boat to the north encroaches into the do not park area because that is not his land. He commented that there is plenty of space to the north of his pontoon and he is okay with that but acknowledges that this encroaches to the north. He stated that if staff approves of that encroachment, he would be fine with this parking arrangement, but recognized that the pontoon is currently encroaching. He stated that out of respect for the applicant, he is currently illegally parking the pontoon.

Ms. Netsch stated that she believed that the setback only applies to the dock.

M. Cook replied that the setback applies to both structures and boats.

Mr. Netsch stated that it is his understanding that the property to the north is City owned property and therefore the pontoon is hanging over on the City property. He stated that perhaps permission could be granted to allow Mr. Ayaz to park on that side as that would open the corner for everyone.

Walesch stated that it seems that both parties are knowledgeable about this area and are reasonable. He stated that it seems that the applicant and neighbor can work together and work with the City. He suggested that the applicant and Mr. Ayaz work together with staff and the City to find a proposal that would work for everyone. He stated that it would be impossible for everyone to make a decision that everyone is happy with tonight. He stated that it seems that there could be cooperation that would present something that works for everyone.

Mr. Netsch agreed that if the City agreed to that encroachment that would make things easier for everyone.

Mr. Ayaz agreed as well. He stated that this would provide one more option to expand the footprint of where the boats sit. He suggested that he and the Netsch's provide a proposed diagram that could be compared and reviewed for overlaps to find the best option.

Mr. Netsch suggested that the first step be reaching out to the City to determine what it will or will not allow.

Walesch commented that he appreciates the cooperative attitude of the neighbors and hope that they can come to a solution.

Gilchrist asked if this should be continued to the next meeting.

No additional comments were offered, and the public hearing was closed.

MOTION: Walesch moved, Klohs seconded to continue this request to such time the applicant comes back to the LMCD with a revised layout or with the same layout following attempts to work with the neighbor and City.

Further discussion: M. Cook stated that the notice period may need to be restarted because of the potential involvement of another property.

Gilchrist stated that he would be more worried about the 60-day rule. He stated that staff will need to be aware and work with the applicant to secure an extension, if necessary. He confirmed that a re-notice may be necessary but that would not be a large issue.

M. Cook stated that one extension has already been granted and believed the 120-day Apfelbacher would approach early in November. He confirmed that the applicant can grant further extension.

Anderson asked for clarification related to shoreline area and BSU designation.

M. Cook provided additional explanation.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Thomas	aye
Stone	aye
Walesch	aye

Motion carried unanimously.

10. OTHER BUSINESS

There was no other business.

11. OLD BUSINESS

There was no old business.

12. NEW BUSINESS

A) Draft City Letter of Appointment of 2021 LMCD Board Members

Schleuning stated that this is the process completed each year in order to verify continuation of Board members or appointment of new Board members. She reviewed the information within the letter and thanked the Board members for the time they serve and service they provide as a member of the Board. She recognized the challenges and complexities of lake issues and expressed appreciation to the Board.

Chair Thomas commented that he believes that the use of Zoom has provided the ability of increased attendance of

the Board members. He stated that he has only been elected by his city on a yearly basis and his term is not three years.

Schleunig encouraged Board members to alert her to any other corrections that should be made.

MOTION: Walesch moved, Kirkwood seconded to authorize staff to send a letter to member cities regarding LMCD Board appointments for 2021.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

B) Bylaw Amendment – Conflict of Interest

Gilchrist provided background information on the previous work session discussions the Board held on this topic. He reviewed the proposed language to be added related to conflict of interest.

MOTION: Thomas moved, Hughes seconded to adopt the resolution amending the bylaws of the Lake Minnetonka Conservation District.

Further discussion: Gilchrist provided additional input on conflict of interest.

Walesch commented that perhaps there should be language that there be concurrence with legal counsel rather than just letting the Board decide whether there is conflict of interest. He noted that on multiple occasions someone has raised a potential conflict of interest for a Board member that is clearly not a conflict of interest.

Gilchrist commented that the Board can take this action right now, the bylaw does not give it greater authority and is instead spelling out the process. He stated that while he would like to think the Board would follow his advice, it does not have to. He stated that he could add the language that the Board seek the opinion of legal counsel rather than concurrence.

Walesch stated that he would feel more comfortable with the statement added.

Chair Thomas stated that if a member declares that they have a conflict of interest, or if the Board votes that the member has a conflict of interest, that does not make that member a bad person or say anything about their character. He stated that he has faith that with a majority of a 14-member Board required, that the right decision would be made.

MOTION: Walesch moved, Anderson seconded to amend the motion to add the language “before voting on the motion to prohibit someone from participating the opinion of the LMCD attorney shall be obtained”.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

Chair Thomas stated that the amendment was approved and requested the roll call vote be performed for the original motion.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

13. TREASURER REPORT

No comments.

14. EXECUTIVE DIRECTOR UPDATE

Schleunig provided the following information:

- Information was sent to the TAG meeting facilitator and was hoping to provide an update soon.
- Changes were made to the Board packet formatting and she provided an overview
- Solar lights are in the process of being removed and the County will be removing the buoys during the next month
- Special thanks to those that install the lights on the buoys and assist with maintenance
- The annual report was released regarding boating accidents and drownings

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: No report.

Budget Workgroup: No report.

Communications and Legislative Relations: Kirkwood reported that the group has engaged a writer that could assist with adding to publications, both electronic and print media. He stated that currently the woman is working on a Save the Lake campaign brochure and may assist with an interview/profiling of people important on the lake such as Shane Magnuson.

Hoelscher commented that Kirkwood took on this task and found this great writer, who has reasonable rates and is excited to work with the group.

Schleunig provided an update on the website update. She stated that the consultant agrees to the multi-year agreement proposed by the Board.

Save the Lake Committee: No report.

Strategic Plan Subcommittee: Hoelscher stated that Zorn is asking for feedback from the Board. She asked for input from staff.

Schleunig commented that there are a lot of tasks staff completes that are not captured. She stated that the process can begin now, and staff can provide feedback as to whether it is working and whether the Board finds it helpful.

Kirkwood commented that he wants to ensure that the tracking is easy for staff.

Hoelscher stated that she does not want the Board to get in the business of micromanaging staff and therefore wants to ensure that this will be a helpful tool.

16. ADJOURNMENT

MOTION: Kirkwood moved, Walesch seconded to adjourn the meeting at 9:15 p.m.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye

Motion carried unanimously.

Gregg Thomas, Chair

Dan Baasen, Secretary

11:12 AM
10/22/20

Lake Minnetonka Conservation District
Check Detail
October 16 - 31, 2020

ITEM 7A

Date	Num	Name	Memo	Account	Class	Paid Amount
10/29/2020	EFT-20-125	ADP		Alerus Checking		
			Salaries - Admin	4020M10 · Salaries-002 - Admin	Admin.	-10,644.24
			P.E.R.A.	2020 · Payroll Liabilities -	Admin.	1,487.61
			ER PERA	4022M10 · ER PERA - Admin	Admin.	-796.94
			ER/FICA Medicare - Admin	4021M10 · ER Share of Admin FICA/Medi...	Admin.	-812.89
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	Admin.	54.17
TOTAL						-10,712.29
10/29/2020	EFT-20-126	ADP Service Fee		Alerus Checking		
			Payroll 10/16/20 - 10/31/20	4180M10 · Professional Services - Admin.	Admin.	-80.53
TOTAL						-80.53
10/29/2020	EFT-20-127	Frontier Communications		Alerus Checking		
			Phone and Internet 10/4/20 - 11/3/20	4060M10 · Telephone - Admin.	Admin.	-200.16
TOTAL						-200.16
10/29/2020	EFT-20-128	SelectAccount Group Service ...		Alerus Checking		
			HSA Administrative fee for November 2020	4380M10 · Employee Benefits - Admin.	Admin.	-2.85
TOTAL						-2.85
10/29/2020	EFT-20-129	Health Partners		Alerus Checking		
			Dental Insurance, November 2020	4380M10 · Employee Benefits - Admin.	Admin.	-170.85
TOTAL						-170.85
10/29/2020	EFT-20-130	P.E.R.A		Alerus Checking		
			Payroll 10/16/20 - 10/31/20	2020 · Payroll Liabilities -	Admin.	-1,487.61
TOTAL						-1,487.61
10/29/2020	EFT-20-131	SWWC Service Cooperatives		Alerus Checking		
			Health Insurance, November 2020	4380M10 · Employee Benefits - Admin.	Admin.	-2,164.50
TOTAL						-2,164.50

11:12 AM

10/22/20

Lake Minnetonka Conservation District
Check Detail
October 16 - 31, 2020

Date	Num	Name	Memo	Account	Class	Paid Amount
10/29/2020	EFT-20-132	US Bank		Alerus Checking		
			Credit for Sales Tax on NBF Office Chairs	4520M10 · Furniture & Equip - Admin.	Admin.	48.61
			NBF Office Chairs (2)	4520M10 · Furniture & Equip - Admin.	Admin.	-694.61
			City of Excelsior - Parking	4220M10 · Office Supplies -Admin.	Admin.	-32.17
			Amazon Refrig	4520M10 · Furniture & Equip - Admin.	Admin.	-165.00
			Al & Alma's - Boat	4230M10 · Meeting Exp. - Admin.	Admin.	-823.55
			Consumer Cellular - LMCD Cell Phone	4060M10 · Telephone - Admin.	Admin.	-28.02
TOTAL						-1,694.74
10/29/2020	21867	City of Mound		Alerus Checking		
10/29/2020	Inv.#00002452		Rent, November, 2020	4320M10 · Office Rent - Admin.	Admin.	-1,649.96
TOTAL						-1,649.96
10/29/2020	21868	ECM Publishers, Inc.		Alerus Checking		
10/29/2020	Inv.#798479		Ordinance 238	4110M10 · Public Info./Legal - Admin.	Admin.	-226.10
			Ordinance 239	4110M10 · Public Info./Legal - Admin.	Admin.	-65.45
TOTAL						-291.55
10/29/2020	21869	Innovative Office Solutions LLC		Alerus Checking		
10/29/2020	Inv.#In3121232		Office Supplies	4220M10 · Office Supplies -Admin.	Admin.	-78.07
TOTAL						-78.07
10/29/2020	21870	Kennedy & Graven		Alerus Checking		
10/29/2020	September 2020		Legal Fees September 2020	4620M10 · Legal Fees - Admin.	Admin.	-2,940.00
TOTAL						-2,940.00
10/29/2020	21871	LMCC		Alerus Checking		
10/29/2020	Inv.#1383		VOD Services for Meeting 10/14/20	4182M10 · Media (Cable/Internet) - Admin.	Admin.	-100.00
TOTAL						-100.00

11:12 AM
10/22/20

Lake Minnetonka Conservation District
Check Detail
October 16 - 31, 2020

Date	Num	Name	Memo	Account	Class	Paid Amount
10/29/2020	21872	University of Minnesota Found...		Alerus Checking		
10/29/2020	SAFL Healthy ...		SAFL Healthy Waters Initiative Fund #23587	5000M10 · Admin Reserve Expense	Admin.	-5,000.00
TOTAL						-5,000.00



LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: October 28, 2020
TO: Board of Directors
FROM: Vickie Schleuning, Executive Director
SUBJECT: Ratification of September 23, 2020 LMCD Board Meeting Minutes

ACTION_____

Board ratification verifying previous approval from the October 14, 2020 LMCD Board meeting for the minutes from the September 23, 2020 LMCD Board meeting.

BACKGROUND_____

At the October 14, 2020 LMCD Board meeting, a roll call vote to approve the minutes of the September 23, 2020 LMCD Board meeting was taken and passed, but a motion was not made to prompt the roll call vote.

Board approval of the action above ratifies the previous approval of the minutes for the record.

BUDGET_____

N/A

STRATEGIC PRIORITIES_____

☐ Operational Effectiveness ☐ Clear & Timely Communications ☐ Effective Governance ☐ Lake Protection ☒ Other

ATTACHMENTS/SUPPLEMENTARY INFORMATION_____

- N/A



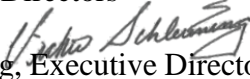
ITEM 12A

LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: October 28, 2020 (Prepared October 22, 2020)

TO: LMCD Board of Directors

FROM: Vickie Schleuning,  Executive Director

RE: Appointment of Nominating Committee for 2021 Officers

ACTION

Board consideration to appoint board members to the Nominating Committee through a motion and formal approval.

The following motions are offered depending on whether the Board wishes to approve or deny the request.

Approval:

I make a motion to appoint <Director names> to the Nominating Committee for selection of candidates for Officers in 2021.

Denial:

I make a motion to deny the appointment of the Nominating Committee for 2021 Officers.

BACKGROUND

The LMCD is required by state statute to annually elect officers from among Board members. Further, the LMCD Bylaws indicate the Board is to annually elect a Chair, Vice Chair, Secretary, and Treasurer in February. The Nominating Committee is charged with assisting in the election process by recommending a slate of officers to the Board at the February 10, 2021 Board Meeting.

On September 14, 2016, the Lake Minnetonka Conservation District (LMCD) Board of Directors approved attached Resolution 150, Approving and Ratifying a Nominating Process for Board Officers. This process was utilized in 2015 at the recommendation of the LMCD Attorney Troy Gilchrist. The Board desired to formally approve and ratify the process for the annual selection of its officers. This Committee is a temporary committee that will extend until the officers are elected.

CONSIDERATIONS_____

- Is the current nomination process sufficient to meet the timeframes and governance requirements?
- Do the previous nominating committee members have any suggestions to the process or committee makeup?

BUDGET_____
N/A

STRATEGIC PRIORITIES_____

<input type="checkbox"/> Operational Effectiveness	<input type="checkbox"/> Clear & Timely Communications	<input checked="" type="checkbox"/> Effective Governance	<input type="checkbox"/> Lake Protection	<input type="checkbox"/> Other
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ATTACHMENTS/SUPPLEMENTARY INFORMATION_____

- Recommended Nomination Process
- Nominating Committee Resolution

ATTACHMENT- **RECOMMENDED NOMINATION PROCESS**

Nominating Committee

1. The Committee develops a recommended slate of officers for presentation to the full Board.
2. The Committee develops a recommended procedure the Board may use to address any nominations at the meeting.

Nomination Procedures

1. The Board Chair asks the Chair of the Nominations Committee to present the recommended slate of officers.
2. The Chair asks the Board if there are any other nominations for any of the positions.
 - a. The member making the nomination must state the name of the person being nominated and the position to which the person is being nominated.
 - b. Nominations do not require a second.
 - c. No member shall be nominated for more than one position.
 - d. A Board member may not nominate himself or herself.
 - e. A nominated member may reject the nomination by the person announcing he or she does not accept immediately after the nomination is made. A member who does not accept a nomination for a position remains eligible to be nominated for another position.
3. If there are no additional nominations, the Board Chair calls for a motion and a vote on the recommended slate of officers.
4. If there are any additional nominations made “from the floor”, the positions for which there were additional nominations are pulled from the recommended slate and the Board Chair calls for a motion and a vote on the remainder of the recommended slate of officers (if any positions remain unchallenged).
5. The challenged officer positions must be voted on individually, which is conducted by the Board Chair identifying the officer position and announcing the name of the member recommended for the position by the Nominating Committee and the names of those nominated for the position from the floor. Each of the nominated members may be allowed up to three minutes to provide background on themselves and why they are interested in the position.
6. The Board Chair announces that voting will be conducted by a show of hands with each member voting only once for each officer position. The nominated members are eligible to vote. The nominee with the most votes at the end of the voting wins the position. If the vote ends in a tie between the two highest vote getters, another vote shall be conducted between just those two members (any other nominees for the position are dropped from the voting) until a winner is selected.
7. The Board Chair then calls for a vote for the position by calling each of the names and then asking members to raise their hand if voting for that person for the position (“All those in favor of Bill Smith for Secretary raise your hands. [count votes] All those in favor of Cindy Jones for Secretary raise your hand. [count votes]” Etc.)
8. The person with the highest number of votes for the position is then announced as being selected for the position.
9. The Board Chair then moves onto to the next challenged position, announces the nominees, and proceeds with voting in the same manner until all of the positions are filled.



**STATE OF MINNESOTA
LAKE MINNETONKA CONSERVATION DISTRICT**

RESOLUTION NO. 150

**A RESOLUTION APPROVING AND RATIFYING A
NOMINATING PROCESS FOR BOARD OFFICERS**

WHEREAS, the Board of Directors ("Board") of the Lake Minnetonka Conservation District ("LMCD") is required by Minnesota Statutes, section 103B.615 to annually elect officers from among the Board members;

WHEREAS, Article II, Section 2.4 of the Bylaws of the Lake Minnetonka Conservation District ("Bylaws") indicates that the Board is to annually elect a Chair, Vice Chair, Secretary, and Treasurer in February;

WHEREAS, the Board has utilized a nominating committee ("Committee") to assist in the election process by recommending a slate of officers to the Board as is permitted by Section 2.4 of the Bylaws; and

WHEREAS, the Committee, with input from the LMCD civil attorney, created and utilized a nominating process for the 2016 election that the Board desires to formally approve and ratify as the standing nominating process for its elections.


NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves and ratifies the attached nominating process as the official process to be followed by the Committee and the Board in the annual selection of its officers.

BE IT FINALLY RESOLVED, that the Committee and Board members may make recommendations for amendments to the nominating process, but the process may only be amended by resolution adopted by a majority vote of all Board members at least 30 days before the date of the election at which the amended process is to be used.

Adopted this 14th day of September, 2016 upon a majority vote of all members.

BY THE BOARD OF DIRECTORS


James Jay Green, Chairperson

Attest: 
Gregory J. Thomas, Secretary



LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: October 28, 2020 (Prepared October 22, 2020)

TO: Board of Directors

FROM: Vickie Schleuning,  Executive Director

SUBJECT: 2021 LMCD Employee Benefits Package

ACTION

Board consideration of the 2021 Employee Benefits Package.

The following motions are offered depending on whether the Board wishes to approve or deny the employee benefit package.

Approval:

I make a motion to approve the employee benefit package as recommended with the employer paying up to \$850 per single coverage and up to \$1,300 family coverage for health insurance; and continuing the other portions of the current benefit package <or with the following changes>.

Denial:

I make a motion to deny the proposed health insurance coverage and employee benefit package and direct staff to ...

BACKGROUND

The Lake Minnetonka Conservation District is required to confirm the contract for benefits for 2021. As such, the following information is being brought forward for consideration of approval by the Board. The benefit package is based on the current Personnel Policy.

The quotes for 2021 for health and dental insurances indicate no increase based on the organization and groups experience and ongoing claims. During the budget preparation period in May, estimates are sought from the providers. However, it is challenging to obtain precise quotes since the providers typically do not have that information yet available.

The health insurance rate quoted for 2021 for the current health plan is \$721.50 per employee per month, with a \$1,400.00 annual deductible (same as last year). The rate quoted for 2021 for a family plan is \$1,769.00 per employee per month, with a \$2,800.00 annual deductible. The dental insurance rate quoted for 2021 for the current plan is \$56.95 per employee per month, with a \$25.00 annual deductible (same as last year).

In 2018, the LMCD transitioned to a new high deductible health plan since the rate of the long-standing low-cost plan was projected to increase 43%. The high deductible health plan is a consumer-directed health plan that theoretically facilitates consumer consideration of health care options prior to use and provides the opportunity for payment of pretax healthcare expenses through a health savings account (HSA).

The Board wanted to ensure the LMCD would continue to be competitive with other government agencies for its benefit package. In comparing benefits and rates with some other cities and small organizations, this benefit package seems competitive. This plan had the least amount of increase to include a family coverage option.

Options – Health Insurance

For health insurance, the base premium rate stays the same at \$721.50 per month for a single coverage, and \$1,769, per month for family coverage. The deductibles are \$1,400, for single plan and \$2,800 for family plan.

Option 1 – Current Plan Including Family Coverage Option

- If the employer continues to cover the premium and deductible, the rate would be \$838.17 per month for a single plan. For family coverage, the employer amount of contribution would be up to \$1,300.00 per month of the total coverage costs of \$2,002.34 per month. The remainder of family coverage and any single option coverage would be covered by the employee.

Option 2 – Current Plan for Single Coverage Only

- If the employer continues to cover the deductible, the rate would be \$838.17 per month for a single plan. The added amount for a family plan would be paid for by the employee.

Option 3 – Current Plan Not Including Deductible Coverage

- Another option would be for the employees to incur out-of-pocket expenses for all or a portion of the of \$1,400 deductible for single coverage and \$2,800 for family coverage. The added amount for a family plan would be paid for by the employee.

HISTORY

The LMCD is part of the Southwest West Central Service Cooperative (SWWC), which provides a larger pool of employees to provide a more consistent, competitive benefit package. The SWWC facilitates a member committee to research benefit packages and pricing earlier in the year. Since 2011, the LMCD has obtained benefit packages that have been fairly consistent, with minor increases or decreases in the single digits. In 2018, the quote was 43% increase for the previous type of health insurance plan, prompting the move to a high deductible plan. The quote in 2019 for the current high deductible plan was 14.3% higher than 2018. For 2020, an increase of 3.54% was quoted. For 2021, no increase is quoted for the existing plan. A comparison of the annual benefit rates since 2011 is provided in Attachment I.

RECOMMENDATION

Option 1. Employees of the LMCD (regularly work 30 hours or greater on a weekly basis) are provided the following employee benefits:

- Health Insurance
- Dental Insurance
- Life Insurance
- Disability Insurance

Permanent employees (including one permanent part-time employee that regularly works less than 30 hours per week) are provided a public pension through the Public Employee Retirement Association (PERA). Additionally, LMCD provides Long-Term Disability Insurance to permanent employees (salaries and hourly rates are grossed up).

CONSIDERATIONS

- Are the benefits provided sufficient to maintain or compete with our member cities or other agencies?
- What options are available?
- Are sufficient funds available for the recommendations?

BUDGET

The employee benefit package for single coverage was considered in the adopted 2021 budget and the plan fits within the budget for personnel. The additional family coverage allotment would add approximately \$5,400 of increase.

STRATEGIC PRIORITIES

<input type="checkbox"/> Operational Effectiveness	<input type="checkbox"/> Clear & Timely Communications	<input type="checkbox"/> Effective Governance	<input type="checkbox"/> Lake Protection	<input checked="" type="checkbox"/> Other
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ATTACHMENTS/SUPPLEMENTARY INFORMATION

- 2011 – 2021 LMCD Benefit Package Summary

2011 - 2021 LMCD BENEFIT PACKAGE SUMMARY – BASED ON MONTHLY RATES

PERA (Coordinated Plan)					
Year	Employee Rate	Employer Rate	Employer Additional	Employer Total	Staff Participation
2011-2014	6.25%	6.25%	1%	7.25%	4
2015-2016	6.50%	6.50%	1%	7.50%	4
2017	6.50%	6.50%	1%	7.50%	3 (1 vacant)
2018	6.50%	6.50%	1%	7.50%	4 (1 vacant)
2019	6.50%	6.50%	1%	7.50%	3 (1 vacant)
2020	6.50%	6.50%	1%	7.50%	4 (0 vacant)
2021	6.50%	6.50%	1%	7.50%	4 (0 vacant)

HEALTH PARTNERS (DENTAL)			
Year	Rate	Percent Increase	Staff Participation
2011	\$45.64	4.00%	3
2012	\$47.48	4.00%	3
2013	\$49.16	3.50%	3
2014	\$51.09	3.90%	3
2015	\$52.11	2.00%	3
2016	\$53.46	2.60%	3
2017	\$53.46	0.00%	2 (1 vacant)
2018	\$53.99	0.99%	2 (reorganized)
2019	\$55.88	3.50%	2
2020	\$56.95	1.90%	3
2021	\$56.95	0.00%	3

BLUE CROSS/BLUE SHIELD (SWWC Service Coop)			
Year	Rate	Percent Increase	Staff Participation
2011	\$365.00	3.00%	3
2012	\$394.00	8.00%	3
2013	\$417.50	6.00%	3
2014	\$417.50	0.00%	3
2015	\$407.00	-2.50%	3
2016	\$478.00	17.50%	3
2017	\$533.00	11.50%	2 (1 vacant)
2018	\$722.00	35.46%	2 (reorganized)
2019	\$809.50 (Prem 697.00, HSA 112.50)	14.30%	2
2020	\$838.17 (Prem 721.50, HSA 116.67)	3.54%	3
2021 TBD	\$838.17 Single, (Prem 721.50, HSA 116.67) Family \$1,300 contrib.	0%, but family coverage not reflected in past	3

NCPERS Group Life Insurance			
Year	Rate	Percent Increase	Staff Participation
Life Ins Policy	\$16/Participant	N/A	3

UNUM Long Term Disability Insurance (Premium based on age and monthly earnings)			
Employee	Current Monthly Prem	Percent Increase	Staff Participation
2020	\$160.74	age/earnings	3