

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., January 13, 2021

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

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

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: Troy Gilchrist, LMCD Legal Counsel; Vickie Schleuning, Executive Director; and Matt Cook, Environmental Administrative Technician.

Members Absent: None

Persons in Audience:

John Bendt, Eric Evenson, Carol Larsen, Shane Magnuson, Debra Netsch, Neal Netsch, Jill Sims, and Joel Stone. Username "bruce" was also present.

1. Draft Ordinance Making Corrective Changes

Gilchrist commented that as anticipated when adopting the recodification ordinance there would be additional tweaks needed. He stated that the Board had expressed a desire to seeing these proposed changes in a work session prior to the item coming forward on a regular session agenda. He reviewed the proposed ordinance changes.

Kroll commented that this looks great and makes sense. He suggested that all numbers under ten not be spelled out and instead use the numeric value.

Gilchrist stated that in uniformity throughout the code he spelled out any number under 10, as is common practice, and therefore deviation from that would be inconsistent with the remainder of the code.

Chair Thomas commented that he finds it grammatically correct as presented. He also agreed that it is desirable to be consistent throughout the code.

Kirkwood commented that he found it helpful in the presentation that the width of the dock area is not the same as the width of the lot. He asked if that sentence could be added in subdivision three after the word width.

Gilchrist confirmed that the change would be proposed for subdivision three, width, adding that additional statement.

Anderson asked how many sites would pertain to this rule.

Schleuning commented that this rule would pertain to almost all sites.

Anderson asked the number of 50 foot lots had a dock in that location in 1970.

Schleuning commented that there are quite a few.

Anderson if those docks have been in place since February 2, 1970.

Schleuning commented that this states that sites that have been in existence, meaning the parcel, not the dock was in existence. She stated that the existence of the dock would be in reference to the date of May 3, 1978.

Anderson asked the number of docks that were in existence on May 3, 1978 that are still around.

Schleuning commented that there are not too many but there are inquiries periodically.

Chair Thomas asked if an inventory has ever been done on the number of docks per site width or on Lake Minnetonka overall.

Schleuning commented that there have been estimates and stated that she could check into it further.

Chair Thomas stated that he would not suggest staff put a lot of time into it. He stated that whether it is one site or 1,000 sites that meet that criteria it still needs to be addressed in the ordinance.

Anderson agreed and noted that he was just curious.

Cook commented that he happens to own a lot less than 50 feet that was established in the 1930's, noting there are plenty along his bay. He stated that he has an eight-foot-wide boat, and this language would allow an overhang into the neighboring property line. He stated that he would not want to pursue that and asked the ease at which the five feet is applied without any underlying rationalization or suggestion that this would need to happen. He stated that he would be favor of placing more conditions in subset C. He commented that this is a low bar, and the Board should consider whether it should be higher.

Chair Thomas asked if Cook would have concerns with making the addition suggested by Kirkwood and the Board consider these two amendments proposed by Gilchrist. He stated that he would not have a problem with Cook then working with Gilchrist to review the ordinance as a whole.

Cook confirmed that he would support the changes proposed and then could work with Gilchrist to review the ordinance as a whole.

Schleuning stated that it might be helpful to review examples and how it is applied, noting that there are

situations where the five feet is not allowed.

Gilchrist confirmed that he would add the clarifying sentence proposed by Kirkwood related to width. He stated that these changes are non-substantiative changes. He stated that there are policy issues embedded throughout the code that may be appropriate for the Board to review and the issue suggested by Cook could come forward during that overall discussion.

The work session was adjourned at 6:51 p.m.

FORMAL MEETING

Persons in Audience:

John Bendt, Eric Evenson, Carol Larsen, Shane Magnuson, Debra Netsch, Neal Netsch, Jill Sims, and Joel Stone. Username "bruce" was also present.

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, Deeplaven; and, Deborah Zorn, Shorewood. Also present: Troy Gilchrist, LMCD Legal Counsel; Vickie Schleuning, Executive Director; and Matt Cook, Environmental Administrative Technician.

Members absent: None.

4. APPROVAL OF AGENDA

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

VOTE: A roll call vote was performed:

Anderson	aye
Baasen	aye
Brandt	aye
Cook	aye
Hoelscher	aye

Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye
Zorn	aye

Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

There were no Chair announcements.

6. APPROVAL OF MINUTES- 12/09/2021 LMCD Regular Board Meeting

MOTION: Baasen moved, Hughes seconded to approve the 12/09/2021 LMCD Regular Board Meeting minutes as submitted.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

7. APPROVAL OF CONSENT AGENDA

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

included: **7A)** Audit of Vouchers (12/16/2020 – 12/31/2020) (01/01/2021 – 01/15/2021); **7B)** Resolution Accepting Save the Lake Contributions (11/24/2020 – 12/31-2020); and **7C)** Variance Request for Adjusted Dock Use Area, Side Setbacks, 1657 Dove Lane, Mound.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

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

John Bendt, Tonkawa Road resident and President of Citizens for Sharing Lake Minnetonka, stated that he recently sent a communication to the members of the Board outlining the position of his organization related to wake boats. He stated that they completed an analysis of public comments made through different platforms. He stated that related to a Facebook post, there are 1,520 comments that support the various things his organization supports related to concerns from wake boats. He stated that total includes comments made on Facebook as well as the reactions (likes) to the post. He stated that the comment was related to impact on other lake recreation, music and loud noise, and environmental concerns. He stated that demonstrates that there is widespread concern on this matter, which he believes falls upon the LMCD to deal with.

Jill Sims, National Marine Manufacturers Association, stated that as discussed at a previous work session they were able to convene a group of stakeholders including Hennepin County Sheriff's Office, the DNR, Citizens for Sharing Lake Minnetonka, NMMA, and others to begin creating a draft model that could be used for education. She stated that that she sent the initial draft to the stakeholder group and Schleuning and it will be presented to the Board hopefully at the next meeting. She stated that they continue to advocate for fair access to all users and thanked the Board for being willing to listen to all sides of issues.

9. PUBLIC HEARING

A) Continued Public Hearing for Variance Request for Dock Use Area, Length and Setbacks, 435 Lakeview Avenue, Tonka Bay

M. Cook presented a brief review noting that since the last meeting the LMCD was sent an excerpt from the Tonka Bay City Council meeting at which the Council voted in support of the request. He stated that Tonka Bay staff has stated that the City's fire land is not used as part of the City's multiple dock site. He reviewed a summary of the applicant's proposal and reviewed the staff recommendation.

Anderson asked what would happen in the case that this is approved, and Tonka Bay wants to use the fire lane in the future. He recognized that Tonka Bay does not use this in its calculation for community docks but noted that this seems very similar to the situation in Minnetonka Beach, but in reverse.

Chair Thomas commented that the City of Tonka Bay provided its materials to the LMCD and at the December meeting the Tonka Bay City Council voted to approve this request and project as presented.

Anderson asked if staff would be recommended a five-foot setback.

M. Cook stated that the staff recommendation included a five-foot setback from the side setback of the fire lane unless there is consent from the neighbor. He stated that neighbor offered support of the application prior to the December meeting. He confirmed that staff still supports the five-foot setback as stated in the staff report.

Schleunig provided clarity, noting that the dock structure as shown is in the fire lane and the setback in discussion would be from the neighboring property owner on the other side of the fire lane. She stated that the recommendation would be to either require that five-foot setback or leave as requested if there is continued consent from the private property west of the fire lane.

Anderson commented that he would like to see the five-foot setback.

M. Cook provided clarity on what would happen if one of the neighboring property owners were to remove their consent in the future.

Baasen commented that this would be a double exemption as the applicant would go outside of their dock use into the fire lane and would also encroach into the setback for the neighboring property owner on the other side of the fire lane. He did not believe that LMCD needs to be the group to make a concession to this extreme. He believed that the setback should be implemented in order to remain consistent.

Chair Thomas commented that there would not be encroachment on the residential property owner to the west, the structure would be five feet from that extended property line. He stated that the recommendation of staff has not changed from the recommendation in December.

Baasen referenced the platform and noted that it crosses the property line.

Chair Thomas noted that staff recommends that the platform be moved or shortened to ensure a five-foot setback can be provided. He recognized that the aerial photograph shows that portion extending.

Baasen stated that he also heard the comment that staff was willing to waive that five-foot setback because the neighboring property owner is okay with it.

M. Cook clarified that like most other sites on the lake, the property owner could continue to obtain neighbor consent for setback encroachments. He noted that the five-foot setback would be the distance supported by the LMCD but is all neighbors consent, that would be acceptable.

Baasen stated that he would not like to see the option to allow further encroachment contingent upon ongoing neighbor consent in the finding of fact.

Anderson agreed with the comments of Baasen. He stated that he would like to stick to the five-foot setback. He stated that he would also ask that the applicant provide an after the fact as-built. He stated that the issue of neighbor consent is an issue. He noted that neighbors often do not complain because they have to live next to the applicant and do not want to cause problems.

Walesch commented that he believed that this should move along and asked the applicant if they support the recommendations of staff.

Thomas invited the applicant to address the Board.

Carol Larson, applicant, stated that she is happy with the recommendation of staff and would follow it. She appreciated the help she has received from staff as they have been working on this for the past few years. She stated that she has moved her dock to the east and hoped that a resolution could be reached tonight. She confirmed that she would be fine with the five-foot setback.

Anderson recognized that an as-built would cause additional cost.

Walesch stated that perhaps an updated site plan would be satisfactory.

Anderson confirmed that he would be satisfied with that.

Schleuning commented that the Dove Lane installation is left in the water even though it is not considered a permanent dock installation. She noted that this dock is taken in and put out each year.

Thomas opened the public hearing at 7:35 p.m. No comments were offered, and the public hearing was closed at 7:35 p.m.

MOTION: Walesch moved, Zorn seconded to direct LMCD legal counsel to prepare Findings of Fact and Order approving the variance application from Carol Larsen for the property located at 435

Lakeview Avenue in Tonka Bay for final approval at the January 27, 2021 LMCD Board meeting with the recommendations of staff to include a five foot setback from the far west edge of City fire lane, that final location and dimensions of a 2nd BSU be provided by applicant and put on official site plan, and that the 2nd BSU (west side of dock) can have lift cover only, no canopy.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

10. OTHER BUSINESS

There was no other business.

11. OLD BUSINESS

A) AIS Prevention Grant Applications

Schleunig reported that this is a follow up to the Board work session in October, noting that grants became available for AIS prevention in December. She noted that since that time staff and some Board members have been following up to review various options. She stated that grant applications are due for submission the following day. She stated that the first opportunity would be related to CD3 AIS Cleaning Stations and provided a summary of the request. She stated that the suggestion is an application for a grant of \$46,000 where LMCD would fund \$15,000 to \$20,000 and Hennepin County would fund the remaining amount. She noted that future maintenance would be funded by Hennepin County.

Zorn thanked staff for putting this information together. She asked if the Board is being asked to make decisions tonight and whether the AIS Task Force has reviewed the request and made a recommendation.

Schleuning commented that Directors Cook and Newell have been involved in this review, along with Anderson. She stated that staff would like a decision on which items the Board would like to fund as well as the amount.

Cook commented that LMCD would be submitting the application for the CD3 unit would be one action and the agreement for supplemental funding on the other items would be another action. He stated that the action tonight would be whether to submit the grant application, noting there would also need to be support for the funding associated with the requests. He stated that the deadline for all the grant applications is the following day, therefore the decisions must be made tonight in order to take action.

Walesch asked if the LMCD would be submitting the grant application for the \$46,000 for the cost of the unit and whom the grant would be submitted to.

Schleuning commented that the grant would be submitted to Hennepin County. She stated that the grant would be in the amount of \$46,000 minus the contribution from the LMCD.

Walesch commented that he does not have an issue with the cleaning station. He stated that this is really not a grant application submitted by LMCD but is the opposite where Hennepin County is asking the LMCD for funds.

Schleuning commented that the County also wants to have AIS prevention tools at this launch and the City and MN DNR would receive the benefits of the CD3 unit.

Walesch commented that Hennepin County is in essence asking the LMCD for \$15,000 to \$20,000 in order to go forward with this.

Schleuning commented that the Hennepin County grants require a funding match. She stated that the City and MN DNR are not in a position to provide the match.

Walesch commented that it seems like a good project but is interested in the reverse roles of the County coming to the LMCD to contribute funds on projects. He stated that while it is great to have collaboration on partnerships, the LMCD should review its priorities and come forward with how the overall budget for AIS would be spent and how that aligns with the LMCD priorities. He stated that comments were made previously from Jabbour stating that the County should have funds available for the LMCD.

Schleuning commented that the State provides the County funds based on the number of launches.

Walesch asked if the full \$46,000 could be requested for the grant.

Schleuning commented that could be done but it would be denied as the grant requires some type of matching funds. She reviewed some of the things that improve the ranking of the application such as matching funds and collaboration.

Walesch commented that it does not seem like the Board would need to make a decision on the I-LIDS right now and to him, if the LMCD can complete a physical survey for \$800, it would not seem the drone would be a better

option because of the cost. He asked for clarification on the watercraft inspection item.

Schleuning commented that the LMCD previously contracted with Three Rivers Park District for that function but is no longer because that was pass-through grant funds. She stated that this current group has worked in the area and this could expand the inspection area for Lake Minnetonka.

Walesch asked if the contribution from the LMCD for inspection help the private company obtain the grant.

Schleuning confirmed that to be true as it would show a collaborative partner and additional matching funds and in return there would be more service provided on Lake Minnetonka.

Walesch asked if there are details on the additional hours that would be provided.

Schleuning estimated about 400 hours or more additional hours if the grant is approved.

Walesch commented that this seems to lack a significant amount of detail when making a decision that involves a five-figure contribution. He stated that it would be great to have more discussions on AIS once the Officers are set for this year. He stated that the LMCD will be again asking the cities for their contributions and he believes that it is important to have a clear idea of how the AIS funds will be spent before asking for those funds.

Newell commented that the discussion on CD3 units came to the area years ago and the company has existed for a number of years with installations throughout the Midwest and in Hennepin County. He stated that Hennepin County likes this equipment very much. He stated that the LMCD has a commitment towards AIS, whether that is done through prevention or treatment. He stated that there have been a number of years since the termination of the harvesting program and funds for AIS continue to accumulate without being directed into a cause. He stated that this would be a cause that could use funds as it is quite possibly the launch with the most activity in the State, and certainly on Lake Minnetonka. He commented that a matching grant would essentially provide the funds not to the County but back to the City of Minnetonka where the launch is located. He commented that this would be used to help prevent the transmission of AIS. He stated that he would like to see the LMCD find ways to use the AIS funds that benefit the cities that contribute to the budget. He stated that the drone idea was presented to him from someone at Hennepin County and they dug into the idea further. He stated that once they got to the pricing, he felt that it was too much and agreed that item should not move forward.

Baasen commented that he agrees with the comments of Newell related to the CD3 Cleaning Stations. He advised that the stations already installed at other locations are used all the time and help to keep the lake clean. He stated that he would support that item. He stated that he would also not be ready to support the drones.

Anderson asked and received confirmation that the MN DNR would not be contributing funds towards the CD3 units. He commented that this appears to be an opposite grant, where the LMCD is providing funds to Hennepin County. He stated that at the Finance Committee meeting the previous night the priorities went in a different direction. He stated that this information was sent late this afternoon and did not believe that was proper practice. He stated that these items were introduced to the Board for discussion purposes a few months prior and the Board is now being asked to take action tonight without the proper background information. He stated that he is hopeful that the other

members of the Board would recognize that this is a very short amount of time and limited information to request over \$35,000. He stated that he would make a motion to deny these actions until the AIS plan can be established with priorities adopted by the Board.

Chair Thomas stated that he would like to provide an opportunity for people to speak before accepting a motion.

Brandt asked if the LMCD would have jurisdiction above the high water mark to do something like the CD3 machine.

Schleuning replied that the LMCD would be partnering with the other agencies and therefore there would be jurisdiction. She stated that this was discussed at the October Board meeting with the direction for staff to work with certain Board members when grants become available. She stated that grants became available in December and staff worked since that time with the intention to present this to the Board with all these options discussed at that time. These grants are time sensitive.

Brandt commented that Hennepin County has a short turnaround time for grants and thanked staff for working quickly. He stated that the State allocates funds for AIS prevention which is sent to counties based on the number of public access site launches and parking stalls. He stated that Hennepin County has \$316,000 to spend on AIS prevent efforts in 2021 and believes that the County should be funding this themselves out of that budget.

Cook commented that these are all requests that have come forward. He stated that he would support participation in the CD3 unit as proposed. He stated that he would be less inclined to participate in the drone flights and watercraft inspections as the drones are an expensive way of gathering information that can be done at a lesser cost. He also did not believe that those funds would be purchasing that many watercraft inspections and did not believe that was the best way to attack that problem. He stated that he would support the CD3 application and not the other applications.

Stone commented that she was also at the Finance meeting the previous day where this was discussed. She stated that she has also spoke with Newell about this between meetings. She felt that the LMCD should take advantage of matching funds and feels that the Board has missed opportunities because of timing. She stated that she has been frustrated that the LMCD has not been able to gain matching funds for projects because of timing. She stated that burden has been placed on staff to find matching funds. She commented that this is a busy launch and therefore she would consider this request because of the matching funds available. She stated that during the Finance meeting there was discussion to be clearer on how funds would be spent. She stated that she can support the CD3 request but recognized that this is quick timing.

Newell commented that he reviewed the report for water inspections when this was done with Three Rivers Park District and the average boats inspected was 2.5 boats per hour and therefore finds that ineffectual for the cost.

Eric Evenson, Lake Minnetonka Association Director, stated that the LMCD and Chair had contacted them in the past about grant opportunities. He stated that they did not receive funding and was told that the County sets aside funds each year for CD3 units, and they just need to work together to find locations for those units, so they did not apply. He commented that this year the LMA is applying for funds for I-LIDS. He stated that the LMA would like to partner with grant applications if requested as in the past.

Schleuning asked Mr. Evenson if the MNDNR and City of Minnetonka agreed to the I-LID for the LMA application.

Evenson commented that they are using the original locations, that have been agreed upon in the past. He noted that is the process they have followed in the past.

Newell referenced the data from the CD3 unit on North Arm Bay. He suggested perhaps putting the I-LID unit at North Arm as those uses could be complementary.

Chair Thomas suggested that discussion occur offline and the discussion focus on this matter tonight.

Brandt commented that there were watercraft inspections conducted on Lake Minnetonka this year, based on publicly available data, and noted that at least 10,000 inspections took place. He asked who conducted the inspections on the lake this year.

Schleuning commented that the MN DNR completes inspections on certain sites, Three Rivers Park District inspects on its site, and understands there was a contractor for other sites. She confirmed that the grant application would increase the inspections from the private company.

Walesch stated that he will be voting against all of these requests. He stated that the CD3 idea is good and appreciates the work that went into it. He commented that perhaps it would have been helpful if the decision of the Board had been to provide that direction on how the AIS funds are to be used. He stated that he is uncomfortable that this is presented as a grant request from the LMCD when he thinks it is really this is an idea from Hennepin County. He stated that the Board is basically in a situation where the County is asking the LMCD for money rather than the LMCD asking the County for money. He commented that the technology could be great in that location but has a problem with the timing and process and believes that the County may install the technology in that location with or without the help of the LMCD.

Cook stated that he is interested in moving this along and gaining approval.

MOTION: Cook moved, Newell seconded to apply for a grant from Hennepin County for AIS Prevention in the amount of \$20,000 for the installation of a CD3 unit at Grays Bay launch.

Further discussion: Walesch asked for clarification as the motion states to request \$20,000 and asked if the LMCD would then be funding \$26,000.

Cook stated that he would accept that as an amendment, noting that the LMCD would be asking for \$26,000 and asked if Newell would agree.

Newell stated that Hennepin County staff told him that they would have \$26,000 available but would want it to be matching.

Anderson stated that it would seem that the earlier discussion stated that the request would be for \$46,000.

Walesch commented that it was his understanding the full cost for the unit would be \$46,000 with the LMCD contributing up to \$20,000, which would leave \$26,000 to be requested from the County.

Anderson stated that the email from staff stated a grant of \$46,000 and asked if that is not true.

Cook repeated his motion to be as follows:

MOTION: Cook moved, Newell seconded to apply for a grant from Hennepin County AIS in the amount of \$26,000 for the installation of a CD3 unit a Grays Bay, recognizing that the LMCD would provide a match of \$20,000.

Further discussion: Kirkwood asked the AIS budget and what percentage this \$20,000 would be.

Cook replied that the AIS budget is about \$80,000 and therefore this would be about 25 percent of the annual budget.

VOTE: A roll call vote was performed:

Anderson	nay
Baasen	aye
Brandt	nay
Cook	aye
Hoelscher	nay
Hughes	aye
Kirkwood	aye
Klohs	nay
Kroll	aye
Newell	aye
Stone	abstain
Thomas	aye
Walesch	nay
Zorn	nay

Motion carried (7 Ayes, 6 Nays, 1 Abstention)

Anderson asked if action would be taken on the other items.

Chair Thomas stated that it was his position that the items would just be left as unapproved as there did not appear to be support for those items.

Cook commented that he would not be making any further motions tonight.

B) Public Comments and Considerations Regarding Wakes

Chair Thomas provided a brief update which included work between NMMA and other stakeholders to develop educational materials that could be used related to shared lake use. He stated that once the information is received from the University of Minnesota Study, perhaps a listening session or multiple sessions, could be scheduled in order to obtain public input and determine if the Board should consider additional actions.

Kroll commented that previously there was a motion to stop all information gathering on wakes as it applied to high water and was unsure if the Board believed this was the same situation. He encouraged the Board to be consistent.

Chair Thomas asked staff for input. He did not believe he said anything that would violate the previous actions.

Schleuning stated that she would need more clarity as she believed that actions mentioned by Kroll were related to the high water work group which was then rolled into discussion by the entire Board and this situation has evolved after that.

Kroll commented that a survey had been drafted and it was his interpretation that the Board was not interested in gathering information on this topic.

Schleuning commented that she believed these are two separate actions, related to high water and wake. She stated that she was not a part of the original development of the survey. She stated that at the meetings of the work group the discussion was intended to be high water and not general wakes at that time.

Chair Thomas commented that at the time the Board was not doing any surveys. He commented that people have been sending information to staff on this topic.

Anderson commented that he recalls that the previous motion was not to have any more discussion to include more bays as no wake during high water, because the Water Patrol stated that they supported the high water ordinance as it stands.

Kroll stated there is a difference between legislation and enforcement. Kroll congratulated Magnuson for his promotion to Captain.

Schleuning invited Lt. Magnuson to make some comments and provide an update about Water Patrol.

Magnuson commented that he has been promoted to Captain and will be taking over patrol services. He stated that his replacement has been with the Sheriff's Office for 22 to 23 years and is the Dive Team Commander but will be new to Water Patrol. He stated that he appreciates the community on the lake noting that although those members may not always agree with each other, everyone cares for the lake. He thanked the Board and Schleuning for their support over the years. He stated that he had been in law enforcement for 21 years and found Water Patrol to be a very different experience. He thanked certain individuals such as Bret Niccum, Jay Soule, Richie Anderson, and Gabriel Jabbour in the Lake Minnetonka community for their assistance during his time on Water Patrol.

Chair Thomas offered congratulations on the promotion and stated that the Board looks forward to working with him in his new capacity.

Anderson stated that he appreciated working with Magnuson and that group on the Own Your Wake campaign.

Schleuning thanked Magnuson and commented that they will continue to work together in some fashion.

12. NEW BUSINESS

There was no new business.

13. TREASURER REPORT

Cook commented that the first draft of the year end financials was received, noting that there was not much that was not expected. He provided a brief overview related to administrative, AIS and Save the Lake funds and noted transfers would be made to each of those reserve accounts.

14. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- LMCD 2021 Public Meeting Calendar was updated and will be posted on the website, understanding some committees still need meeting dates.
- Charter Boat License Renewals are underway.
- Ice thickness: The ice is unpredictable this year and some open areas are still reported. Be Safe.
- There has been some fish kill near Grays Bay Dam and staff will follow up with the MN DNR to review possible options. It has been reviewed with the state and no options were available, but maybe new options may be available.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: Cook commented that the Board discussed the grant applications tonight. He stated that the group will hold the TAG meeting in February.

Anderson commented that AIS was not included on the list of Committees that were previously approved by the Board. He commented that it would seem to make sense that this group be setup like the other Committees going forward.

Gilchrist commented that his recollection was that the action of the Board kept the AIS group alive. He did not believe that the Board spoke to how the Committee is to operate.

Anderson commented that he would like the AIS Taskforce to be a Committee similar to the others.

Cook stated that he would support that action.

Gilchrist asked if the suggestion of Anderson would be to make it a standing Committee.

Anderson confirmed that he would like that to be the same as the other Committees with Chair, Vice Chair, and minutes available.

Gilchrist stated that a standing Committee needs to be adopted through resolution, therefore if action is desired a motion could be made directing him to prepare such resolution.

Kroll commented that there is no new business tonight and therefore he was unsure that action could be taken.

Gilchrist stated that it would be the opinion of the Chair.

Chair Thomas stated that he does not see a problem with answering this question tonight.

MOTION: Anderson moved, Cook seconded to direct staff to prepare a resolution establishing an AIS Standing Committee.

VOTE: A roll call vote was performed:

Anderson	aye
Baasen	nay
Brandt	aye
Cook	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye
Zorn	absent

Motion carried.

Communications: Hoelscher reported that the group met on December 10th and will meet again on January 28th. She stated that they continue to work with a local journalist to develop articles about Save the Lake and the LMCD. She stated that they are also working to make contacts with newly elected legislators.

Finance: Cook reported that the group met the previous day to establish priorities and provided a brief overview. The group will meet in the beginning of March and will use the information from the audit to begin the budget

process.

Anderson referenced the goal to sell the harvesters and asked if there could be a motion to sell that equipment now in order to move that forward.

Cook stated that he would suggest that topic be added to the next agenda which would allow for additional discussion. He agreed that this early time of the year is the best time to sell that type of equipment and noted that the item could appear on the next agenda which would allow information to be prepared that could be reviewed by the Board.

Operations: Chair Thomas reported that the first meeting was held on December 15th. He stated that full attendance was not gained, therefore election of the Chair was postponed. He stated that the group will be rescheduling its next meeting and it conflicted with the Nominating Committee meeting.

Save the Lake: Baasen reported that the group met the previous day and noted that a Chair and Secretary were appointed. He noted that Save the Lake financials were reviewed. He reported that there was a highly successful fourth quarter appeal, but the group came in under budget for the amount of funds raised for the year. He stated that they are working with the Communications Committee in order to increase publicity for Save the Lake. He stated that the group will be working to develop a list of priorities and reviewed some of the suggestions the group will be working on.

Anderson asked for input on the process for outside members being a part of this Committee noting that he would like to see that move forward in February.

Baasen confirmed that would be good timing and noted that he will work with Anderson and the group to bring the non-Board members of that Committee forward for Board approval.

Nomination: Walesch commented that the deadline for self-nominations is Friday, January 15th. He reviewed the current list of self-nominations which includes Thomas, Hoelscher, Baasen, Cook and Anderson. He stated that if anyone else is interested in self-nominating they should do so before the deadline and advised that interviews will take place on January 19th.

Schleunig commented that the floor nominations for additional candidates would occur at the first meeting in February.

Walesch confirmed that the Committee will also offer its slate of recommendations at that meeting. He stated that if people do not self-nominate, they will not be a part of the interview process and will not be included in the recommended slate of Officers.

16. ADJOURNMENT

MOTION: Baasen moved, Kroll seconded to adjourn the meeting at 9:22 p.m.

VOTE: A roll call vote was performed:

Anderson	aye
Baasen	aye
Brandt	aye
Cook	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	absent
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye
Zorn	absent

Motion carried unanimously.

Gregg Thomas, Chair

Dan Baasen, Secretary