

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M. March 10, 2021
Virtual

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.

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; 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: Dennis Klohs, Minnetonka Beach

Persons in Audience: John Bendt, John Breyer, Bill Bushnell, Dr. Kristine DeVinck, Eric Evenson, Erik Forsberg, Rep. Jerome Hertaus, Elizabeth Hustad, Mike Jones, Bryan Ophaug, Kristen Ophaug, Jim Ronning, Joe Shneider, Jill Sims, Jeff Sisk, Jay Soule, Andy Weigman, John Wooden, and Jake Youngren.

The following usernames were also present, but the person(s) did not identify themselves: Ben iPhone, DL, Galaxy S10, Jim, and The Rose Law Firm LLC.

1. Discussion of Proposed Minnesota State Legislation Regarding Wake Surfing

Hoelscher provided a summary of proposed legislation at the Minnesota State Legislature regarding wake surfing.

Hoelscher provided the draft letter the Communications Committee composed in response to the proposed legislation for the group to review. She commented that it is not the job of the LMCD to solve this issue but simply to respond to the proposed legislation.

Walesch commented that the LMCD should continue to have discretion and the ability to make policy. He stated that he believed the proposed bill would allow a wakeboarder to only use a mirror and the LMCD would not have the ability to further regulate that. He stated that the LMCD should keep as much local control as possible. He stated that referencing 200 feet, that may be adequate, or it may be not. He stated that it is broadly known that the study used for reference was perhaps not based on up-to-date data. He recognized that the University of Minnesota is currently completing a study that will provide more up-to-date data to review. He stated that the Communications Committee attempted to articulate those points in the draft letter.

Kirkwood agreed with the comments of Walesch. He noted that the most contentious issue would be related to wave height and energy and hoped that the ongoing study will provide more data on the impact to lakes and shoreline.

Hughes agreed with the comment made thus far. He expressed concern with the Summer Rules brochure and wanted to ensure there is consistency between the law and the document.

Baasen agreed with the comments thus far as well. He stated that the drafted Bill would preempt the ability of the LMCD to enact local rules. He stated that the Committee was concerned with some rules that are specific to Lake Minnetonka. He noted that in order to have a water skier, a boater must have a spotter and not rely simply on a mirror for safety reasons. He stated that the Committee would like to see an expansion of those local rights. He applauded someone for drafting this bill as this appears to come right out of the wake boat manufacturer handbook. He did not believe this would solve the problems on Lake Minnetonka but could make an effort towards them statewide

Kroll commended the group for their draft. He agreed with Baasen that this is giving up nothing as wake boats typically stay 200 feet from shore because the water is not deep enough. He stated he believed that the Bill would not provide benefit to the citizens of any lake. He stated that noise is not addressed nor water depth.

Newell thanked the group for the work it has done. He stated that the more he reads, the more he agrees with Kroll that depth should be considered. He was excited to learn more from the ongoing study.

Stone agreed with the comments of the Communications Committee. She did not agree with Kroll related to noise pollution as that would not be specific to wake boats.

Cook commented that he supports opposition to the legislation and suggested redrafting so harder hitting and more focused. He opposed the legislation based on the lack of science and taking authority from local lakes that are unique.

Brandt agreed that this is the right direction and looks forward to a broader discussion on the topic involving the cities and residents.

Zorn echoed the comments made thus far and supported the draft, thanking the Committee for their work.

Anderson clarified that the language is 200 feet from objects rather than shore. He believed there should be additional reference to wake from big boats. He expressed concern that the group uses the language that it is gathering additional information from stakeholders. He believed that wake boats are being singled out, noting that big boats continue to be a presence on the lake and cause damage.

Chair Thomas thanked the Communications Committee for their work on the draft letter. He asked if the Board would need to formally approve the position, should the Committee further wordsmith the document or whether the Committee can submit the letter once amended.

Gilchrist commented that by consensus the Board can direct the Committee to amend and submit the letter. He noted that if the Board waits until the next meeting it could be too late.

Chair Thomas confirmed the consensus of the Board to direct the Committee to amend the letter as discussed and submit the letter on behalf of the LMCD.

Gilchrist commented that the Board should provide a motion of support at the regular meeting tonight.

Chair Thomas suggested that occur under Chair Comments.

Walesch commented that he did not believe that this issue will receive a hearing during this session but agreed that the letter should still be sent into the legislature.

Baasen agreed that the letter should be sent out with simple and direct comments from the LMCD.

The work session was adjourned at 6:55 p.m.

FORMAL MEETING

7:00 p.m.

1. CALL TO ORDER

Chair Thomas called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Gregg Thomas, Tonka Bay; Rich Anderson, Orono; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Dan Baasen, Wayzata; Ben Brandt, Mound; Gary Hughes, Spring Park; Michael Kirkwood, Minnetrista; Mark Kroll, Excelsior; Denny Newell, Woodland; Nicole Stone, Minnetonka; Jake Walesch, Deephaven; and, Deborah Zorn, Shorewood. Also present: Troy Gilchrist, LMCD Legal Counsel; Vickie Schleunig, Executive Director; and, Matt Cook, Environmental Administrative Technician.

Members absent: Dennis Klohs, Minnetonka Beach

Persons in Audience: Chuck Becker, John Bendt, John Breyer, Bill Bushnell, Dr. Kristine DeVinck, Eric Evenson, Erik Forsberg, Michael Harter, Rep. Jerome Hertaus, Elizabeth Hustad, Gabriel Jabbour, Sen. Ann Johnson Stewart, Mike Jones, Brian Martell, Katie Martell, Bryan Ophaug, Kristen Ophaug, Jim Ronning, Joe Schneider, Jill Sims, Jeff Sisk, Jay Soule, Dave Spatafore, John Wall, Andy Weigman, John Wooden, Tim Connelly, and Jake Youngren.

The following usernames and phone numbers were also present, but the person(s) did not identify themselves: 6123943059, 6127160251, Ben iPhone, DL, Galaxy S10, Good Neighbor, iPad, Jim, PC, The Rose Law Firm LLC, Tom's iPad, and User.

4. APPROVAL OF AGENDA

Chair Thomas noted that the applicant has requested to remove Item 10B from the agenda.

MOTION: Baasen moved, Stone seconded to approve the agenda as amended, making the change noted by Chair Thomas above.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

Chair Thomas commented that the Board held a workshop prior to this meeting and had discussion related to House file 1606 and Senate file 1639 regarding wake boats. He stated that it was the recommendation of the Communications Committee that the LMCD oppose the legislation for a number of reasons and it was the consensus of the Board to support that recommendation.

MOTION: Kroll moved, Baasen seconded to direct the Communications Committee to amend the draft response letter opposing the proposed legislation in House file 1606 and Senate file 1639 and authorize the Committee to submit the letter.

VOTE: A roll call vote was performed:

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| Anderson | abstain |
| Baasen | aye |
| Brandt | aye |
| Cook | aye |
| Hoelscher | aye |
| Hughes | aye |
| Kirkwood | aye |
| Klohs | absent |
| Kroll | aye |
| Newell | aye |

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| Stone | aye |
| Thomas | aye |
| Walesch | aye |
| Zorn | aye |

Motion carried unanimously.

Chair Thomas extended thanks to Hoelscher and the Communications Committee for their work.

6. PUBLIC PRESENTATIONS

A) Senator Ann Johnson Stewart

Stone introduced Senator Johnson Stewart who was elected to the Senate in 2020 and represents District 44. She provided background information on Senator Johnson Stewart professional experience and her committee appointments.

Senator Johnson Stewart stated that she and her husband have lived in the community for the past 25 years. She provided background information on herself, her education and career experiences, professional experiences, her committee appointments, and her interest in water quality. She stated that she would be interested in meeting with the Board on a more ongoing basis in order to develop a working relationship related to issues pertaining to water.

Kroll stated that more mining is needed in order to support electric vehicles. He stated that if mining is not being done here, it is being outsourced to other countries that do not have environmental and child labor laws.

Senator Johnson Stewart agreed that it is a complicated issue. She commented that daily people in Minnesota throw away 7,500 cell phones. She agreed that minerals are needed but there is also a huge opportunity to challenge people to repair and recycle cellular phones.

Kroll noted that his comment was related to electronic vehicles and solar panels which are huge consumers of the minerals.

Senator Johnson Stewart understood that those things take larger amounts of resources than a cell phone but believed that there are multiple solutions to the problem. She believed that better ways can be found without going into the Boundary Waters or using child labor. She recognized that there are no simple answers and possibly multiple solutions and that there are values she would like to protect.

Baasen commented that there are 14 communities on Lake Minnetonka and the LMCD was created to govern the activity of that lake. He commented that Lake Minnetonka is unique, busy, and it is important to keep the lake safe. He asked that the Senator be proactive with the LMCD and allow them an opportunity to provide input when issues come up that could impact the safety and well-being of the lake and its residents.

Senator Johnson Stewart encouraged continuous communication, noting that her Senate email should be used to ensure response. She commented that she is a periodic user of the lake but acknowledged that she does not have the same knowledge as those that live on the lake or use the lake more frequently. She recognized that the lake has many user groups that bring different points of view.

Chair Thomas commented that the LMCD was originally created in part to deal with pollution on Lake Minnetonka. He stated that focus has evolved from just water quality to safety and wellbeing of the lake and its users as well.

Senator Johnson Stewart commented that she does have experience related to water quality and again encouraged input from anyone in the future.

B) Representative Jerry Hertaus

Kirkwood introduced Representative Jerry Hertaus who was elected to the House in 2021 and represents District 33A. He provided background information Representative Hertaus and reviewed his current committee assignments.

Representative Hertaus introduced himself and provided background information on himself, his educational and career experience, his experience with lakes and Lake Minnetonka, and his experience at the legislature and through his committee assignments.

Representative Hertaus commented that the Bill mentioned during the Board workshop regarding wake surfing has not had a hearing in the House and it appears will most likely not go too far during this session. He commented that relationships are important in government and hoped that they would soon be able to put the challenges of COVID behind them and return to in person interaction. He provided background information on a bill he authored in his freshman year to allow dentists to provide influenza vaccinations as most rural communities do not have a Walgreens or CVS. He stated that bill has been amended to allow dentists to administer the COVID vaccination. He expressed frustration with the lack of response from the Governor and his office during this past year, noting that he has attempted communication using multiple methods of delivery related to the COVID response that continue to be unanswered. He did not believe the Governor is likely to relinquish his powers until the vaccination rate is above 70 percent.

Chair Thomas asked if committees are meeting in person or virtually.

Representative Hertaus stated that House staff members are operating virtually while some assistants are allowed to come in once per week. He stated that a limited number of members can attend on the floor, therefore sessions are being conducted virtually through a secure network system. He commented that approximately 95 percent of the legislature is operating virtually.

Senator Johnson Stewart provided input on the in person, remote and hybrid formats that the Senate is using.

Chair Thomas thanked both Senator Johnson Stewart and Representative Hertaus for participating tonight.

He stated that the intent is simply to begin a relationship and keep open lines of communication in the future.

7. APPROVAL OF MINUTES- 02/10/2021 LMCD Regular Board Meeting

MOTION: Baasen moved, Kirkwood seconded to approve the 02/10/2021 LMCD Regular Board Meeting minutes as submitted.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

8. APPROVAL OF CONSENT AGENDA

MOTION: Kroll moved, Zorn seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (02/10/2021 – 02/28/2021) and (03/01/2021 – 03/15/2021).

VOTE: A roll call vote was performed:

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| Anderson | aye |
| Baasen | aye |
| Brandt | aye |
| Cook | aye |
| Hoelscher | aye |
| Hughes | aye |
| Kirkwood | aye |
| Klohs | absent |
| Kroll | aye |
| Newell | aye |

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| Stone | aye |
| Thomas | aye |
| Walesch | aye |
| Zorn | aye |

Motion carried unanimously.

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

Jim Ronning referenced the observer rule on Lake Minnetonka. He commented that Minnesota law allows for a wide-angle mirror to be used when pulling someone on a boat. He stated that there are a few other lakes in the metro area that differ from State law related to the observer rule but none as strict as Lake Minnetonka. He stated that he submitted proposed changes to the LMCD related to the observer rule and reviewed his proposed changes. He stated that he would like to work with the Board to review these proposed changes.

Anderson stated that this has been listed as a tentative future business item for some time. He asked if this could be included on the workshop agenda for the next meeting as he would be open to considering some of those ideas.

Chair Thomas noted that he will discuss that with staff following tonight's meeting.

Jill Sims, National Marine Manufacturers Association, thanked the Board for considering their education efforts at the last meeting. She welcomed any additional comments from the Communications Committee and the Board. She recognized that the Board is undertaking a difficult task to obtain stakeholder information related to wakes. She stated that NMMA could bring someone to explain the data they use. She stated that the observer/mirror requirement is within the existing statute and recommended that the Board check with legal counsel or Senate counsel, but did not believe the proposed bill would impact the LMCD ordinance.

10. PUBLIC HEARING

A) Public Hearing for Variance Request for 5310 Eastview Avenue for Adjusted Dock Use Area; Length, Minnetrista

M. Cook presented a variance request related to adjusted dock use area for length for the property at 5310 Eastview Lane in Minnetrista. He provided background information on the request noting that the proposed dock is within conformance for side setbacks and the variance would be for the length. He displayed an aerial image of the property and the proposed site plan. He reviewed the variance criteria the Board must consider for this request. He stated that no comments were received from the DNR, the MCWD stated that their approval was not necessary, and the City of Minnetrista commented that the proposed dock would require a variance from the City. He noted that several comments were received in opposition of the request and have been distributed to the Board. He stated that staff inspected the site on February 26, 2021 and it seems that there is deeper water within the site that would provide navigable depths. The need for the variance may be reduced or avoided by relocating the dock to the west. He stated that staff recommends denial of the

variance request as proposed since it appears the proposed length may not be necessary. Other navigable areas appear present in the dock use area that would reduce or eliminate the need for the variance. He commented that the platform size of 8 feet by 46 feet also seems unnecessary for a reasonable use of the lake, given the requested length variance.

Kirkwood asked if staff had a reaction to the videos provided and whether those measurements have relevance to this application.

M. Cook confirmed that he reviewed the information submitted via video. He stated that the measurements staff took demonstrated the same point that there are greater depths available at shorter distances from shore if the dock were located to the west.

Chair Thomas stated that he also watched the videos. He noted that staff took measurements which were comparable and therefore the Board can rely on staff measurements rather than the measurements provided by the neighbor.

Kirkwood commented that he was impressed with the effort of the neighbor. He also agreed that the staff measurements should be used. He stated that from the video it appears the current dock terminates at a pathway that goes up the hill, whereas the area to the west would have more of a vertical cliff where the dock would terminate. He asked if that was a variable in the dock location considered by the property owner. He agreed that at minimum the dock should be moved.

M. Cook commented that may well be the case as to why the existing dock location was chosen. He stated that LMCD Code would not prohibit a property owner from being creative in their dock alignment, noting that the applicant could start the dock in the existing location and create a dock that wraps around towards the deeper water.

Schleuning commented that it will be important for the Applicant to gather different water depths within the dock use area to determine what could or could not be possible to achieve reasonable navigation and use.

Chair Thomas commented that the Board is not present to design the dock system but to consider whether to approve or deny the variance request.

Thomas invited the applicant to address the Board.

Jake Youngren, Tonka Built, spoke in representation of the applicant noting that they helped to design the dock which reaches the proper water depth for the applicant's boats. He stated that the most glaring thing the Board should keep in mind was not the accuracy of the measurements taken in the video submitted by the neighbor, but the area in which the videos were taken. He stated that if the dock were moved 100 feet to the west, the relative use space into the bay would be equivalent to 120 feet out in the existing location as the property goes further into the bay as you move west on the property.

Thomas opened the public hearing at 8:10 p.m.

Bryan Ophaug, 5360 Eastview Avenue, stated that he submitted the videos being discussed. He stated that he used an auger to drill through the ice and take measurements. He commented that he believes the dock could be dramatically shortened. He commented that the 157-foot dock cuts off the creek and abuts a large association dock. He stated that the dock also blocks the views of the bay for the other residents on Eastview. He stated that perhaps the dock location was chosen as it does not obstruct the property owner's line of sight, but it obstructs the views of the neighbors. He commented that there is topography on properties, and it is not uncommon for property owners to deal with that. He believed there is a much simpler way to provide depths for the owner's boats without cutting off the creek. He stated that if the property owner did not want to change their access to the dock, the existing access could be kept, and the dock could wrap around to the west. He stated that the dock is large, and they have been staring at it all winter in the method it is stored.

Schleuning stated that there are other layout options that could be considered, such as flipping the dock arrangement, but again, it is important to gather water depths throughout the dock use area.

Mr. Youngren commented that he did not mean to convey that the actual OHW is further out into the bay relative to where they are starting the dock.

No additional comments were offered, and the public hearing was closed at 8:15 p.m.

Anderson commented that this property has 435 feet of lakeshore frontage. He stated that the size of the platform is legal under LMCD standards. He stated that staff stated that their measurements were consistent with the measurements taken by the applicant. He commented that the bluff would be an issue. He recognized that others may need to build into a bluff but that is because they do not have additional lakeshore whereas this property owner does have additional lakeshore. He stated that storage of the dock was brought up but that does not apply to the LMCD jurisdiction and perhaps that storage should be referred to the City. He referenced other dock length variances the LMCD has issued noting that the LMCD did not provide input as to whether those docks could be located or how they could be designed.

Kirkwood commented that he is not interested in telling someone where to put a dock, but the current location does not justify the length requested as it poses a safety risk. He commented that if the property owner is attempting to find more depth, there is evidence that additional depth is available to the west. He commented that the design and stairway would not be the decision of the LMCD. He stated that he would not support additional length.

Schleuning noted that a member of the public has raised their hand to speak.

Chair Thomas noted that the public hearing was closed. He asked if the dock were to remain in its current location would it need to be 157 feet to reach navigable water.

M. Cook replied that may be the case.

Schleuning noted that it would also depend on the type and size of the watercraft.

MOTION: Anderson moved to direct LMCD legal counsel to prepare Findings of Fact and Order approving the variance application from Shayne Ernzer of 5310 Eastview LLC for the property located at 5310 Eastview Avenue for final action at the March 24, 2021 LMCD Board meeting.

The motion died for lack of second.

Walesch asked what would be allowed for a platform.

M. Cook replied that LMCD Code includes maximum dimensions for dock structures and does not include dimensions for platforms.

Walesch asked and received confirmation that the platform size itself would be legal as proposed.

Walesch asked if this should be continued to receive additional information. He stated that he feels that someone should have reasonable use of their property and reasonable selection of dock location but noted that there appears to be a lot of open questions related to the options that would be available. He stated that he did not get the sense that the Board would provide the votes needed to pass this request. He stated that perhaps it would be better to continue this and gather additional information related to depths, locations, and options.

Chair Thomas stated that the applicant has asked the Board to make a decision on this variance request and has not asked the Board to review other options or designs. He stated that the only way he would feel comfortable continuing this would be if the applicant stated they would be open to considering other options.

MOTION: Walesch moved, Newell seconded to continue the review of this application to a future date.

Further discussion: Chair Thomas asked if this would cause a problem with the 60-day review window.

Schleuning commented that there would be an issue with that review period but the LMCD could extend that review window and/or work with the applicant related to the timeframe.

VOTE: A roll call vote was performed:

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| Anderson | nay |
| Baasen | aye |
| Brandt | nay |
| Cook | aye |
| Hoelscher | aye |
| Hughes | aye |
| Kirkwood | nay |
| Klohs | absent |

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| Kroll | aye |
| Newell | aye |
| Stone | aye |
| Thomas | nay |
| Walesch | aye |
| Zorn | aye |

Motion carried.

Chair Thomas asked the information the Board would like from staff.

Walesch commented that he would like to see the list of things staff mentioned as things that should be checked.

Schleunig stated that staff will work with the applicant on the direction they would like to take and the information that will be provided.

Stone asked why the applicant was not present tonight.

Chair Thomas commented that an applicant does not have to attend.

Stone commented that she feels she does not have enough information related to the motive behind this request that she feels the applicant might have been able to provide answers.

~~B) Public Hearing for Variance Request for Parcel ID# 1711722210090, Trustees of 17009 Grays Bay Boulevard, for Adjusted Dock Use Area, Side Setbacks and Length, Minnetonka~~

11. OTHER BUSINESS

There was no other business.

12. OLD BUSINESS

None.

13. NEW BUSINESS

A) Board Member Expectations

Chair Thomas stated that this information was included in the Board packet. He stated that he would like to include these expectations within the Board Member Guide. He asked for input on the document.

Baasen commented that it is an interesting document. He stated that it is a good document but only if embraced by

the Board. He suggested that members not adopt the document without reading it as the items are behavioral items. He recognized that the Board is effective because of the different opinions of the Board. He stated that it seems the intent of the document is that even though there are differing opinions, once a decision is made, it should be supported by the Board.

Chair Thomas stated that the Board could choose to adopt the document tonight or delay consideration to the next meeting to allow additional review time.

MOTION: Hoelscher moved, Baasen seconded to adopt the Board Member Expectations and place that in the Board Manual.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

14. TREASURER REPORT

Anderson provided an update on the most recent Finance Committee meeting. He noted that while there are some fixed costs for the organization there seems to be some costs which could be reduced. He highlighted some of the budget topics which were considered as well as potential marketing strategies for Save the Lake solicitations being geared more towards safety and a potential budget amendment. He stated that they continue to focus on sale of the harvesters. He stated that the Committee agrees that 35 percent would be a healthy level of reserve fund balances. He requested that the Board consider that be the healthy level for reserves. He noted that there would be plenty of time in the future to discuss how those funds be used.

Hoelscher stated that she may be in favor of that but was having trouble following the presentation by Anderson. She stated that she would prefer to have documents with those figures in front of her before making a motion or supporting a motion of that nature.

Anderson stated that he would like to set the healthy reserve balance at 35 percent and additional work could be done to delve into the details.

Kirkwood agreed with Hoelscher that he was having trouble following that presentation. He asked that the Treasurer's Report be provided in writing and include any potential Board action for consideration. He asked if there are minutes available from the Finance Committee meeting.

Anderson confirmed that he could provide those to the Board. He stated that the numbers are not related to whether the Board would support a policy that the reserve balance should be set at 35 percent, which was unanimously recommended by the Finance Committee. He was unsure why more than 35 percent would be needed in reserves.

Schleunig stated that the LMCD does have a policy that outlines the reserve balances and that should be reviewed as part of the review.

Chair Thomas agreed with the comments of Kirkwood that proposed action should be included in the Board packet along with supporting documentation for the Board to review prior to the meeting.

Newell commented that during the January Finance Committee meeting staff provided a bar graph showing month to month expenses and revenue. He noted that shows the LMCD is a stable organization. He stated that the need for reserves is related to unexpected expenses that may arise or cashflow issues, which the LMCD does not have. He recognized that reserves are needed but 50 percent or more seems excessive. He stated that perhaps staff could provide that bar graph which supports how well run the organization is and could help to make the Board comfortable with adjusting that reserve cap to 35 percent.

Walesch commented that this is a discussion that many members of the Board have wanted to have for a long time. He stated that could perhaps be a good number but finds it difficult to vote on something when there are no supporting materials, and nothing has been presented as far as the reserve balances and what would be done with the funds. He stated that if a policy is going to be changed or created there should be information supporting that for the Board to review.

Anderson provided estimates on different fund balances. He stated that the Strategic Plan outlines a goal to have 30 to 50 percent within the reserve funds.

MOTION: Anderson moved to set the reserve fund balance goal at 35 percent of annual expenditures.

The motion died for lack of second.

Anderson commented that it is interesting that the Committee supported this recommendation but did not express support for his motion.

Hoelscher commented that the Board may support the request as well but simply wants the information to review

before making that decision.

Schleuning suggested that she work with Anderson to put together information for the Board to review and present on an upcoming agenda.

Chair Thomas agreed that the recommendation may be appropriate, but the Board would simply like information to review in order to make a knowledgeable decision.

15. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- MAISRC is planning to hold an online event on Tuesday April 6th to provide an update on the copper research related to zebra mussel AIS management
- The website developer remains on schedule to launch the new website in early April
- The aquatic plant harvesting equipment is listed for sale on the LMCD website with a deadline of March 31st for bids
- There are several potential legislative bills related to watercraft equipment. Information will be placed on the website with links to the bill.
- The University of Minnesota is offering a non-native invasive earthworms webinar that will be held on March 17th. The live presentation is free for those who register.

16. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species: No report.

Communications: Hoelscher thanked the Committee members for the work they have contributed over the past few weeks.

Finance: No additional report.

Operations: Zorn reported that the Committee met on February 16th and discussed potential changes to Board meeting frequency. The Chair will work with staff during the spring and summer to determine if two meetings per month are needed, or whether one would be sufficient in order to save staff time. She stated that there was a request to change the time of the meeting to daytime, but the decision was made not to change the time as that would restrict the amount of public input that could be made. She stated that feedback is needed related to the Strategic Plan items that relate to each of the Committees. The group will meet again the following week, but that meeting could be delayed in order to gather additional input related to the Strategic Plan items.

Save the Lake: Baasen reported that the Committee met the previous day noting that six Board members have chosen to participate on the Committee to help make the lake a better place. He stated that the lake is going to continue to see increased usage and there will be pressure to provide safety and supervision. He stated that the Committee proposed increasing the budget from \$45,000 to \$60,000 for this year in order to provide additional funds to Water Patrol to provide additional supervision on the lake. He stated that the concept of fund a need has

been successful in fundraising for other organizations and Save the Lake could use that concept in its solicitation to focus on safety and supervision. He stated that there were nominations to add several non-Board members to the Committee who are well known stakeholders on the lake who are passionate about the lake. He asked the Board to approve the three nominees as 2021 members of the Save the Lake Committee.

Chair Thomas stated that Schleuning is preparing a slate with the membership of each Committee and can bring that back for the Board to adopt at the next meeting.

Anderson stated that he would like the vote to occur for Save the Lake tonight. He stated that all three individuals are interested in serving.

MOTION: Baasen moved, Anderson seconded to approve the appointment of Gabriel Jabbour, Jay Soule, and David Gross to the Save the Lake Committee.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

Baasen thanked the Board for taking that action, noting that Save the Lake has a big job ahead this year and did not want to delay that action.

17. ADJOURNMENT

MOTION: Walesch moved, Hughes seconded to adjourn the meeting at 9:11 p.m.

VOTE: A roll call vote was performed:

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

Motion carried unanimously.

Gregg Thomas, Chair

Dan Baasen, Secretary