



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, August 12, 2020

Join Zoom Meeting

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Meeting ID: 847 6451 3920

Password: 097515

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 at least two hours 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. Public Input Regarding Proposed De-Icing Code Amendment
2. Topic Highlights- Board of Directors' Guide

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** (07/22/2020) LMCD Regular Board Meetings
- 7. APPROVAL OF CONSENT AGENDA**
 - A)** Audit of Vouchers (08/01/2020 – 08/15/2020)
 - B)** Resolution Accepting Save the Lake Contributions (07/02/2020-07/31/2020)
 - C)** June Financial Summary
- 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 may 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**
- 10. OTHER BUSINESS**
- 11. OLD BUSINESS**
 - A)** Vegetation Management for Black, Seton, and Emerald Lakes
- 12. NEW BUSINESS**
- 13. TREASURER REPORT**
- 14. EXECUTIVE DIRECTOR UPDATE**
- 15. STANDING LMCD COMMITTEE / WORKGROUP UPDATE**
 - Aquatic Invasive Species Taskforce
 - Budget Workgroup

- Communications & Legislative Relations
- Deicing and Permanent Dock Workgroup
- Save the Lake Committee
- Strategic Plan Subcommittee

16. ADJOURNMENT

Future Items – Tentative

- Lake Use Vision and Policy Discussion Continuing Series
 - Slow and No Wake Regulations
 - Watercraft Density
 - Lake Sales and Services
 - U of M Wake Study- Jeff Marr- August 26, 2020
 - De-Icing Code Amendment- August 26, 2020
- Conflict of Interest Review- August 26, 2020
- Strategic Plan Update

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CHARTERED

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MEMORANDUM

To: LMCD Board of Directors

From: Troy Gilchrist, LMCD Attorney

Date: August 7, 2020 (August 12, 2020 Work Session)

Re: Update on Deicing Amendment

I wanted to provide the Board an update on the deicing amendment the deicing work group prepared and that I have been working on with them to convert it into a formal ordinance. I had a very productive discussion with the work group on the goals it was working to achieve with the amendments, which helped greatly in preparing the attached draft ordinance. The work group also provided valuable review and feedback on the original drafts of the ordinance.

The work group agreed it was important to seek input on the proposed ordinance from stakeholders and so the office sent the draft ordinance to its stakeholder groups, including the cities. The office did receive some comments back from stakeholders, which are attached, but it is still waiting on some of the member cities to hold their meetings so they have an opportunity to provide comments if they chose. We anticipate receiving those comments and having an opportunity to make any needed edits to the ordinance in time for consideration and action by the Board at its August 26, 2020 meeting.

The following are highlights of the amendments in the draft ordinance, which are predominately to Section 6-5.09. The waiver provision that was in an earlier draft of the ordinance was removed.

- Changed references to “authorized deicing area” to “authorized fence area.”
- Added language requiring the use of a floating baffle when the structure being deiced is within 10 feet of, or over, the extended property line.
- Updated the minimum standards for deicing operations, including:

- Requiring the use of 2x4 posts to support the fence, which must be located at least every 12 feet;
 - The thin ice signs must be visible from 50 feet, with a sign required every 50 feet;
 - Makes clear deicing operations must cease if there is open water within 10 feet of the fence until sound ice is restored;
 - Requires lighting to be used from ½ hour before sunset to ½ hour after sunrise and authorizes the use of photocells to turn the lights on and off;
 - Removes the requirement to guard against waterfowl in the deicing area;
 - Requires licensees to notify the LMCD of the on-off switch;
 - Requires written authorization from the Executive Director to resume deicing activities if there is a violation; and
 - Changes the date when licenses expire from April 20th to three days after DNR requires fish houses to be removed from the lake (which is also the date deicing can occur without a license).
- Authorizes the Executive Director to place additional conditions on a license if the licensee is not in full compliance, including the authority to require the use of a floating baffle.
 - Changes the date on which deicing activities can occur without a license from March 1 to three days after the DNR indicates fish houses must be removed from the lake.
 - Those deicing in the spring without a license must install a fence along their shoreline with thin ice signs every 50 feet until ice is out for the season.
 - Removes the general deicing license exemption for permanent dams and replaces it with an exemption for the Gray's Bay dam.
 - Revises the hazard provision by indicating any failure to comply with the standards constitutes a prohibited hazard.
 - Adds a definition of floating baffle.

Again, some additional edits will likely be needed to address public comments and other corrections before the ordinance is presented for action by the Board.

**LAKE MINNETONKA CONSERVATION DISTRICT
STATE OF MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE LAKE MINNETONKA CONSERVATION
DISTRICT CODE OF ORDINANCES REGARDING DEICING**

THE BOARD OF DIRECTORS OF THE LAKE MINNETONKA CONSERVATION
DISTRICT ORDAINS:

Article I. Deicing Equipment License. Article 6, Chapter 5, Section 6-5.09 of the LMCD
Code is hereby amended as follows:

6-5.09. Deicing Equipment License. An applicant for a deicing equipment license shall be
submitted, processed, and acted on in accordance with this Section.

Subd. 1. Application. An application for a deicing equipment license shall, in addition to
the information required in Section 6-1.03, contain the following information:

- (a) A general description of the deicing equipment, its location, and general purpose;
and
- (b) Identify the proposed authorized ~~deicing~~ fence area.

Subd. 2. Issuing Authority.

- (a) Generally. The Board determines whether to issue a deicing equipment license. A
public hearing is not required, but the Board may elect to hold a public hearing
regarding the requested license.
- (b) Municipal License. Where a person has been issued a license to install and operate
deicing equipment by a municipality, and satisfactory proof thereof is presented to
the Executive Director, the application shall so state. The Executive Director shall
thereupon issue a license and attach whatever additional conditions the Executive
Director deems necessary to ensure compliance with this Section and Article 10,
Chapter 3.

Subd. 3. Review Criteria. When considering an application, the Board shall consider,
together with any other factors it determines are relevant, the following:

- (a) The proximity of public access points;
- (b) The size and configuration of adjacent and nearby properties;
- (c) The use of the surface of the Lake in the vicinity of the deicing equipment by the
general public and other riparian owners;

- (d) The proximity of channels;
- (e) The effect on the public and adjacent riparian owners of any failure to confine deicing to the authorized ~~deicing~~ fence area; and
- (f) The past history of deicing operations by the applicant.

Subd. 4. Authorized ~~Deicing~~ Fence Area. All licenses issued under this Section shall identify the authorized ~~deicing~~ fence area, which must be within the extended side site lines of the site as adjusted by variance or other Board approvals, and less than 100 feet beyond the end of the dock structure at the site. If the approved dock structure is within 10 feet of the extended property lines or extends over the extended site line, the boundary of the authorized fence area shall be 10 feet from the dock structure, with a baffle installed two feet from the dock structure. All deicing and safety materials and equipment must be located entirely within the authorized fence area. The issuing authority may establish a smaller authorized ~~deicing~~ fence area than requested if it deems such adjustment reasonable or prudent in the interest of public safety or protection of reasonable access to, and use of, the Lake by the public and other riparian owners. An authorized ~~deicing~~ fence area larger than the dimensions established in this subdivision may only be allowed through the issuance of a variance in accordance with Section 6-5.01.

Subd. 5. ~~Limitations~~ Minimum Standards and Requirements. In addition to any conditions imposed by the Board at the time of issuing a deicing equipment license, all such licenses issued under this Section are subject to the following conditions:

- (a) ~~The area to be deiced~~ open water resulting from deicing shall be no greater than is necessary to prevent damage to the installation dock structure and shall not extend nor affect areas beyond be controlled so there is no open water within 10 feet of the perimeter fence and sound ice is maintain at the limits of the authorized ~~deicing~~ fence area;
- (b) ~~The area to be deiced shall be enclosed by a snow fence or approved alternative four feet in height and a minimum of six reflectorized "Thin Ice" signs and at least one sign for every 50 feet. The signs must be in a form approved by the Executive Director~~ The authorized fence area shall be enclosed by a snow fence, or an alternative approved by the Executive Director, four feet in height, with at least 2 x 4 wooden posts anchored vertically into the ice at least every 12 feet. Fence fabric shall be mounted to the posts with metal wire ties. There shall be a minimum of six reflectorized "Thin Ice" signs, each containing at least eight inches of reflectorized surface that is visible from 50 feet, around the perimeter of the authorized fence area, with at least one sign every 50 feet;
- (c) Deicing shall only occur within the fenced area;
- (d) If open water or weakened ice occurs within 10 feet of the fence line or outside of the authorized ~~deicing~~ fence area, or if water is pumped by deicing equipment onto the surface of the ice outside of the authorized ~~deicing~~ fence area, all deicing

equipment shall be turned off until sound ice is reestablished ~~outside at the boundary of the authorized deicing fence area, and~~ During the reestablishment of sound ice, all open water or weakened ice is shall be enclosed by the fence required by this subdivision;

- (e) The licensee ~~will~~ shall maintain fencing and signs around all open water or weakened ice at all times. Fencing installed temporarily outside of the authorized ~~deicing fence~~ area shall be removed when sound ice is reestablished outside of the authorized fence area;
- (f) The ~~installation including the perimeter fence and the entire fenced area~~ will shall be adequately lighted from one-half hour before sunset to one-half hour after sunrise to protect the public. Use of a photocell switch to control the lighting is allowed if it provides for lighting during approximately the same period;
- (g) The ~~applicant~~ licensee shall maintain liability insurance covering claims for death, injury or damage to property arising out of the operation of the deicing equipment. Such insurance shall be in the amount of at least \$1,500,000 for persons and \$50,000 for property. In the case of insurance for commercial facilities, the insurance shall name the LMCD as additional insured and shall provide that the insurance will not be amended or canceled without first giving 30 days' written notice to the LMCD;
- (~~h~~) The ~~applicant will, by the installation of adequate screening, signing, or other means, effectively prevent the feeding and congregation of waterfowl and other animals and the creation of conditions constituting health hazards or public nuisances within the authorized deicing area~~;
- (~~h~~)(h) The installation ~~will~~ shall be supervised ~~at all times daily~~ and the ~~applicant~~ licensee ~~will~~ shall provide the LMCD with a primary telephone number and a 24 hour emergency telephone number;
- (~~h~~)(i) The installation shall include an easily identifiable on-off switch located near the deicing unit on the dock and the licensee shall notify the LMCD of its location;
- (~~j~~) (j) During the entire period of deicing, the licensee shall maintain all fencing, posts, warning signs, lighting, and other materials and equipment required by this Section in a good condition, properly functioning, and as otherwise may be required to accomplish their intended purposes;
- (k) The ~~applicant~~ licensee shall consent to permitting officers and agents of the LMCD to shut off or remove the equipment if deicing extends beyond the authorized ~~deicing fence~~ area or if water is pumped by deicing equipment onto the surface of the ice outside of the authorized ~~deicing fence~~ area. Deicing activities shall not resume at the site unless authorized in writing by the Executive Director; and

- (1) The license shall terminate on the date indicated in the license, but in no event shall it extend beyond ~~April 20th~~ three days after the Minnesota Department of Natural Resources requires fish houses to be off the ice in any year.

Subd. 6. Additional Conditions. Notwithstanding anything to the contrary in this Code, if the LMCD determines a licensee is not fully complying with the requirements of this Section, the Executive Director may place additional conditions on the license. The Executive Director shall provide the licensee written notice of the additional conditions and may require the licensee to comply with a performance plan to bring the site back into compliance. One of the additional conditions the Executive Director may impose is to require the use of a floating baffle to contain the open water area. If a floating baffle is required, it shall be installed in a fixed position, perpendicular to the shoreline, extending to the bottom of the Lake, all mechanical equipment shall be installed within the boundaries of the baffle, and the deicing equipment at the outer edges of the baffle shall be turned toward the deicing area. Nothing in this subdivision shall limit the authority of the LMCD to suspend or revoke a deicing equipment license.

Subd. ~~67~~. License Renewals. Deicing equipment license shall be renewed annually in accordance with this Subdivision.

- (a) Submission Deadline. An application for a renewal of a deicing equipment license shall be submitted no later than October 1st of the year of the beginning of the winter season during which the applicant wishes to operate the deicing equipment. The Executive Director shall not accept a renewal application received after October 1st unless it is accompanied by the required late fee.
- (b) Issuing Authority. For docks that were issued deicing license for the winters of 2002/2003, 2003/2004, or 2004/2005, any renewal licenses requiring an enlargement of a proposed authorized ~~deicing fence~~ area or license for deicing enlarged or reconfigured docks may be granted only by the Board. In other cases, the Executive Director may issue renewal licenses administratively without action by the Board, provided there were no violations or alleged violations during the term of the prior seasonal license and a full deposit refund was given for the prior seasonal license. The Executive Director may issue new licenses without action by the Board upon determining that the applicant agrees through the application process to comply fully with the requirements of this Section and Article 10, Chapter 3. In the case of all other applications, and in cases in which the Executive Director declines or fails to issue a license for any reason, the application shall be referred to the Board.
- (c) Conditions. Additional or modified conditions may be imposed upon the renewal of a deicing equipment license. If the applicant objects to any additional or modified conditions placed on the license by the Executive Director, the Executive Director shall refer the license to the Board for review and a final decision.

Article II. License Exceptions. Article 10, Chapter 3, Section 10-3.05 of the LMCD Code is hereby amended as follows:

10-3.05. Licensing Exceptions.

Subd. 1. Use After March 1st Fish House Removal. No license shall be required for installation and operation of deicing equipment during that part of the winter season ~~occurring after March 1st~~ starting three days after the Minnesota Department of Natural Resources requires fish houses to be off the ice, provided warning signs ~~with the message "Thin Ice", of a size and type approved by the Executive Director,~~ and fencing consistent with the standards established in Section 6-5.09 are installed and maintained at least each 50 feet along the affected shoreline with warning signs at least every 50 feet along the fence. After that date, licensees may remove the perimeter fence, but must continue to maintain the fencing and signs along the shoreline. Shoreline fencing is no longer required once ice is out for the season. ~~Anyone initiating the operation of deicing equipment between March 1st and March 15th under this exception shall, prior to such operations, entirely enclose the area to be deiced with snow fence that is at least four feet in height and place at least six reflectorized "Thin Ice" signs on the fence with a minimum of one sign for every 50 feet.~~

~~Subd. 2. Permanent Dams. Permanent dams which are licensed by the Department of Natural Resources and operated by a municipality or political subdivision of the state shall not be required to secure a special license under this Section providing the following conditions are met:~~

- ~~(a) — A snow fence four feet in height shall be provided which encloses all open water or dangerously thin ice in the vicinity of the dam;~~
- ~~(b) — A minimum of six reflectorized warning signs shall be provided at intervals not exceeding 75 feet; and~~
- ~~(c) — Appropriate steps shall be taken, either by obtaining insurance or otherwise to hold the LMCD and its officers and employees harmless from any damage or injury arising out of the operation of the dam.~~

Subd. 2. Gray's Bay Dam. A deicing equipment license is not required for deicing operations conducted by the Minnehaha Creek Watershed District at the Gray's Bay Dam.

Article III. Hazards. Article 10, Chapter 3, Section 10-3.07 of the LMCD Code is hereby amended as follows:

10-3.07. Hazard. It is unlawful for any person to install, operate, maintain, or use deicing equipment on the Lake, with or without a license therefor, which constitutes a hazard to the safety of persons on the Lake. For purposes of this Section, any failure by a licensee to comply with the minimum standards and requirements in Section 6-5.09, Subdivision 5, the conditions placed on a deicing equipment license, any additional conditions imposed by the Executive Director, or failure to comply with any other requirement in Section 6-5.09 regarding deicing operations shall constitute a hazard to the safety of persons on the Lake and is a violation of this Code. ~~deicing equipment shall be deemed to constitute such hazard whenever any of the following circumstances exist without being specifically authorized in a current or valid license for the facility:~~

- (a) ~~Except as provided in paragraph (d) of this Section, the entire area of open water or weakened ice is not enclosed by a semi opaque fence which is at least four feet in height;~~
- (b) ~~The entire fence, the area enclosed by the fence and the area deiced is not lighted from one half hour before sunset to one half hour after sunrise;~~
- (c) ~~The entire fenced area is not marked by reflectorized warning signs at least every 50 feet around the perimeter of the fence; or~~
- (d) ~~During the periods prior to the generally accepted total Lake freezeover in the fall and following the beginning of the final thaw in the spring, the shoreline along the area deiced is not fenced with a semi opaque fence which is at least four feet in height and marked by reflectorized warning signs visible from 50 feet and installed every 50 feet along the shoreline.~~

Article IV. Definitions. Article 1, Chapter 3, Section 1-3.01 of the LMCD Code is hereby amended by adding the following definition and renumbering the subdivisions in the section as needed:

Subd. ____ . Floating Baffle. “Floating baffle” means a flexible, impermeable curtain extending down from floats in the water and weighted at the bottom, which is used to encircle and contain the open water resulting from deicing operations. This device is sometimes referred to as a turbidity curtain.

Article V. Incorporation of Amendments. The LMCD Attorney is authorized to incorporate these amendments into the LMCD Code and is authorized to make such corrective changes as may be needed to correct formatting, maintain internal consistency, renumber sections, and as may otherwise be needed to implement the changes intended by this ordinance.

Article VI. Declaration. This enactment is adopted by a majority vote of all the members of the Board, has the effect of an ordinance, and is in effect on the first day of publication after adoption.

Adopted this 22nd day of July 2020.

BY THE BOARD OF DIRECTORS

Gregg Thomas, Chair

ATTEST:

Dan Baasen, Secretary

Date of Publication: _____, 2020.

New material is double-underlined and removed material is ~~stricken~~.

De-icing Operations Suggested Code Amendments
Public Comments Received as of 08/07/2020

Date Received	Comment
7/27/2020	I have an issue with section 10–3.05. If I don't put my bubblers in until three days after fish houses are removed, I don't feel I should have to fence in the shoreline because my property is private property with no access to the public. Perhaps this requirement should only apply to public areas like marinas, etc.
7/27/2020	Thanks for the opportunity to review. Having done so, the recommended ordinance seems fair and appropriate.
7/23/2020	The requirement that fencing be at least 10 ft outside the open water area is a big change. I have a dock on the property line, and in the past I was told I could not put the fence outside the property line area. Now you are going to tell me I have to do just that. I have no problem changing the requirement, just that there are no restrictions on where the fencing goes.
7/31/2020	What concerns me is issuing a deicing permit to a private residence and the concern is we have done this since 1968 and it is an every day task to check the deicing area and believe me it changes EVERY DAY. When the ice cracks it allows the running water from the deicers to get into the crack and over a period of time this will open up a large area. Good luck on monitoring this!!!!
	On agenda for 8/10 city of Minnetonka Beach council meeting.
	On agenda for 08/05 city of Greenwood council meeting.
2/26/2020	Would like to see the eligibility expanded for deicing licenses to larger permanent multiple dock facilities such as outlot associations.



LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: August 12, 2020

TO: LMCD Board of Directors

FROM: Vickie Schleuning, *Vickie Schleuning* Executive Director

SUBJECT: Topic Highlights - Board of Directors' Guide

ACTION

A few topics in the Board Directors' Guide will be reviewed. Given routine updates to the document and the addition of new board directors, it useful to periodically review the Board Directors' Guide.

The guide provides information regarding LMCD regulations, business operations, legal topics, and other common topics associated with service on the board. The purpose of the Guide is to assist with the orientation and on-boarding process for new board members, as well as be a useful reference tool for all board members and staff.

There have also been some discussion and questions regarding the topic of conflict of interest. A separate discussion regarding this topic is tentatively scheduled to be presented by Attorney Gilchrist at the August 26, 2020 LMCD Board Meeting.

A copy of the Board of Directors' Guide is attached. The code has not been included due to the size of the document, but is available upon request.

ATTACHMENT

- Board of Directors' Guide

Board of Directors' Guide

Lake Minnetonka Conservation District (LMCD)



An overview of the organization, legal requirements, roles, and business operations to help guide you in your successful leadership role in protecting Lake Minnetonka and all those who use it.



LMCD | 5341 Maywood Rd, Ste 200 | Mound, MN 55364 | 952.745.0789 | lmcd@lmcd.org
www.lmcd.org | Facebook/LakeMinnetonkaConservationDistrict | Twitter.com/LakeMtnkaCD

LMCD Board Director

How it all happens

Congratulations on your appointment to the LMCD Board. The Lake Minnetonka Conservation District is governed by a voluntary Board of Directors composed of one member appointed by the City Councils of the 14 municipalities that border Lake Minnetonka. The Board provides direction for the organization, develops policies and initiatives, and helps build partnerships to carry out the mission of preserving and enhancing the “Lake Minnetonka experience”.

Serving on the Board is a great way to guide the future of Lake Minnetonka; and help protect the Lake, the communities, and all those who enjoy it.

This guide is intended to provide an overview of the organization, member roles, legal requirements, and other operational information to help orient you in your important leadership role. Please note that this handbook is not all inclusive and may be updated periodically.

Your work makes a difference and is important to the residents, businesses, lake enthusiasts, cities, and all the agencies who are involved in its protection. We anticipate you will find your service meaningful and rewarding. Staff looks forward to your participation on the team. If you have questions, please contact the Executive Director. **Thank you and welcome aboard!**

Table of Contents

Section 1 About the LMCD (*So much to know, so little time*)

State of Minnesota Enabling Legislation Vision
Mission
Overview of Functions

Section 2 About the Board (*Just the basics*)

Board Term
Board Member Role Staff
Role
Officers
Committees & Workgroups
Administrative, Prosecution, and Litigation Counsel Contracts for
Services and Volunteers

Section 3 LMCD Strategic Plan (*Choosing the right path on the road*)

Section 4 Budget (*The buck stops, and starts, here*)

Section 5 Meetings (*The place to be, or not to be*)

Overview Special
Meetings
Emergency Meetings
Executive/Closed Meetings Public
Hearings
Open Meeting Law

Section 6 Communications (*How to explain that thingamajig*)

Board Member Information
Communication Avenues Report
to Cities

Section 7 Understanding State Law *(How to stay out of jail)*

Open Meeting Law (Under Meeting Section)

Public Gift Law

Conflict of Interest Law Data

Practices Law

Section 8 Regulatory Functions *(Protecting public health, safety and welfare)*

Overview of LMCD Code

Section 9 Appendix *(Just have to have)*

Board and Staff Public Contact Information

Oath of Office

Annual Operations Calendar

Budget

LMCD Bylaws

LMCD Code LMCD

Policies

Financial, Nominating Committee, Farewell Recognition, Social Media, Save the Lake Grants

Key Definitions- TBD

Lake Minnetonka Maps- MCWD, Hennepin County, City and Bays Public

Education Materials

Summer Rules brochure, Winter Rules brochure, Residential

Dock/Watercraft/Structure Handout, SAVE the LAKE flyer, Electric Shock

Drowning

Lake Resources & Contacts- TBD

Section 10 Additional Resources *(Just can't get enough)*

Pending LMCD Report

Pending 2017 EWM Harvesting Program Report

Pending 2017 Watercraft Inspection Program Reports (LMCD and MN DNR) 1986

Quiet Water Policy

1991 Lake Access Task Force Report

2014 Lake Minnetonka Shoreline Storage Count

2014 Proactive Residential Code Enforcement Program

Section 1: About the LMCD

So much to know, so little time

The LMCD is a regional governmental agency consisting of fourteen-member cities with a boundary on Lake Minnetonka. Each city appoints a representative to serve on the Board, not only to represent the interest of the City, but keeping the short-term and long-term needs of Lake Minnetonka in mind.

The LMCD was created under Laws 1967, chapter 907 and Laws 1969, chapter 272 and is currently governed by Minn. Stat. §§ 103B.601 to 103B.645. The LMCD is a corporate and political body and a political subdivision of the state, Minn. Stat. § 103B.605. The LMCD is governed by a board composed of members appointed by the governing bodies of the municipalities under Minn. Stat. § 103B.611.

Member Cities Include:

Deephaven, Excelsior, Greenwood, Minnetonka, Minnetonka Beach, Minnetrista, Mound, Orono, Shorewood, Spring Park, Tonka Bay, Victoria, Wayzata, and Woodland.

“The LMCD provides a coordinated, balanced approach to managing Lake Minnetonka, providing consistent standards throughout the lake and eliminating duplication of services for the fourteen-member cities.” It provides a unique governance for a unique lake.

Mission Statement

The mission of the Lake Minnetonka Conservation District is to preserve and enhance the “Lake Minnetonka experience”. This is accomplished by providing leadership in protecting, improving, and managing lake use.

Vision Statement

Lake Minnetonka is a highly valued year-round asset with vibrant aesthetic, recreational, commercial, and natural qualities. These qualities and values will be protected and preserved for present and future generations.

Our Core Values

Accountability | Collaboration | Integrity | Leadership | Quality Results | Stewardship of the Lake

Expectations At-A-Glance

The following list is an at-a-glance view of the basic board member time and commitments:

- Takes the Oath of Office at the new Directors first meeting, typically the first meeting of February. Completion of the new board of director orientation checklist will establish the preferred communications information;
- Attend two board meetings per month, generally the second and fourth Wednesdays of the month, at the City of Wayzata Community Room. Typically, there is no second meeting in November and December due to holidays. Other meetings may be cancelled during the year if agenda items can be batched to save time and money;
- Prepare for the meetings by:
 - Reading all agenda items and be ready for discussion at the meetings; and
 - Participating in discussions as appropriate and vote on agenda items;
- Participate on Committees and Workgroups as needed;
- Review and respond to license and permit applications and projects in your city;
- Respond to public inquiries regarding Lake concerns and refer to LMCD as appropriate;
- Provide periodic updates to city about LMCD activities;
- Contact public officials regarding actions, initiatives, and legislation;
- Represent the LMCD's position for inquiries;
- Be an ambassador for Lake Minnetonka and LMCD; and
- Respond to staff regarding any inquiries, notice of attendance, or other business



NEW MEMBER ITEMS

Each new board member will take and sign an **Oath of Office** at the member's first meeting.

In addition, the new board member will complete the LMCD New Board Member **Communications Preference Form**. This will establish the preferred public contact information and method of receiving official materials. A copy of the form is included in the Appendix.

A **photo** will be taken for the LMCD website and communications.

Overview of Functions

The board has authority and responsibility over several functions. The following is a highlight of those major functions.

1. **Self-governance.** Establishing policies and rules over its own governance such as meeting protocol, communications, appointment of committees and workgroups, etc.
2. **Legislation.** Developing and interpreting ordinances and policies on behalf of Lake Minnetonka. The Board also has the authority to direct the enforcement of these regulations.
 - a. Approval of codes and amendments.
 - b. Review of licenses, permits, variances and similar actions.
 - c. Review of scientific data, legal information, economic, environmental, or other supporting materials and information for decision making.
3. **Personnel.** Appointment of the Executive Director and other administrative personnel.
4. **Finances.** Oversee and direct the organization's finances in consult with staff such as revenues, expenditures, contributions.
5. **Business Transactions.** Oversee general business transactions such as contracts, agreements, and general work activities.
6. **Community Leadership.** Providing leadership in representing the organization to cities, legislators, public agencies, special events, with individuals, and the general public.

“LMCD guides the use and the future of Lake Minnetonka in order to protect the Lake and all those who enjoy it.”

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Section 2: About the Board

Just the basics...

This section is intended to provide the basic information to help with your orientation and transition to the board member role. If you have questions about functions that are not addressed, please contact the Executive Director or Chair.

Board Term

Each of the fourteen cities appoints a Board member to serve the interest of the Lake. The term of the Board Member is three years starting February 1 through January 31st. The city has the ability to rescind and reappoint throughout a term if needed.

Board Member Role

- Act as an ambassador for the LMCD and the Lake area community with regard to the mission of the LMCD (usage, enjoyment, preservation of the Lake).
- Communicate effectively in all directions: with the LMCD staff; with the Board itself; with the member cities; with the public; other agencies; legislators; and the press when authorized, etc.
- Help strengthen relationships with all Lake area constituents and stakeholders.
- Actively and regularly communicate with your city (city council, mayor, planning commission, city manager/administrator, clerk) to keep them informed and solicit their ideas.
- Attend Board meetings, come prepared, arrive on time, etc.
- Participate actively in Board meeting discussions.
- Step into leadership roles in regular and special projects, as needed.
- Participate in District activities where possible.
- Avoid any conflicts of interest that may arise.
- Encourage monetary or volunteer contributions to the Save The Lake.
- Comply with confidentiality requirements and judiciously with sensitive information.



EVOLUTION

As changes occur with the ecology and use of Lake Minnetonka, LMCD initiatives will also evolve to meet the needs of Lake and its stakeholders. As a result, this guide will also be updated periodically to reflect any changes.

Your perspective is important as we establish initiatives to guide the future of Lake Minnetonka. If you have questions or suggestions, please do not hesitate to contact the Chair or Executive Director.

Staff Role

One role of the Executive Director and other staff is to carry out the execution of the applicable laws and policies for the organization. In cases where a potential violation could occur, staff will take preventive actions to make sure a violation does not occur. Please note that while the intentions are good-- to protect board members and the organization-- written communications have a tendency to sound less personable so contact the Executive Director if you ever have concerns.

Another role of the staff is to ensure sufficient information is provided for the Board to make a reasonable decision about the matter. Depending on the complexity of the situation (environment, atypical shoreline, navigation, etc.), the agenda item may be large. Additional staff time may be requested in order to provide the Board the requested information. At times, legal counsel will be required to provide a legal opinion. As you know, communication can be challenging with the various ways individuals process information. If you have suggestions, please inform the Executive Director.

At times, an item needs to be completed in a prompt manner prior to the next available Board meeting. Staff may check with the Board Chair, Committees, or Workgroups for a timely recommendation. Where imminent health and life safety hazards exist, staff will consult with legal counsel and determine the best to approach to address the situation in a way to minimize damages. In those situations, contacts will be made with the Chair and information will be provided to the Board as soon as possible. Further, all efforts will be made to keep the Board informed of sensitive or potentially sensitive issues.

Board Officers

There are four officers of the Board - Chair, Vice Chair, Secretary, and Treasurer. Each officer has certain responsibilities as established by the Bylaws and other policies.

- **Chair.** The Chair generally runs the meetings and works with the Executive Director on the Agenda items. The Chair works with the Executive Director to ensure the organization is operating smoothly and meeting its obligations. The chair also mentors Board members and acts as a primary Board spokesperson in external LMCD communications.
- **Vice Chair.** The Vice Chair will assume the duties of the Chair in the Chair's absence or upon request including leading Board Meetings. The Vice Chair may also be charged with special projects.
- **Secretary.** The Secretary reviews documents of the LMCD to ensure they are in general compliance with LMCD mission. The Secretary may also assist in reviewing the minutes prior to Board review. The Secretary is back up to the Treasurer and will sign checks and assume other duties as needed.
- **Treasurer.** The Treasurer reviews general financial recordkeeping for revenues and expenditures. The treasurer signs the checks along with the Executive Director twice a month.

in order to ensure bills are paid within 30 days as required by GASB accounting standards. Further, the Treasurer works in consult with the Executive Director on financial matters, including budget and investments.

In February, the Board chooses Officers. A nominating committee, in accordance with Policy, is established in January to present their recommendations to the Board for consideration. It is dissolved after the officers are elected.

Committees & Workgroups

In the past year, the Board has generally moved away from establishing formal committees to establishing volunteer workgroups in order to facilitate communication and better engage the whole Board. When the Board desires to have additional information gathered on a particular issue or a specific task performed, the Chair may ask for volunteers to gather the information or assist to perform the particular tasks. Workgroups undertake ministerial or administrative tasks to assist the LMCD mostly in response to the fact the LMCD has only limited staff. This small group of volunteers are not formally established, and are focused on completing a particular task, are not delegated any authority, are purely advisory back to the Board, and typically dissolve once the task is completed.

However, there are certain situations where a Committee is preferred since it entails more formal processes and procedures. For Committees, the open meeting law must be followed regarding notification procedures and conducting its business, which is reviewed later in this handbook. If you would like to participate on a Committee or Workgroup, please contact the Board Chair or the committee chair. While appointments are typically made during the beginning of the year, requests and adjustments may be made throughout the year or as needed. Other Committees or Workgroups may be created as needed. A summary of the current Committees and Workgroups is provided below.

Save the Lake (STL) Committee. The Save the Lake Committee is an active Committee comprised of Board Members and various members of the public. The purpose of Save the Lake is to further advance the mission of the LMCD by engaging residents and businesses in fundraising and functions to ensure a safe and properly managed lake.

Contributions have been used for navigation channel solar lights, lake photos, boater safety classes, dedicated emergency response services and grants. Grants are typically requested at the end of the year to be used for the next year in areas such as environment, education, or safety. The board determines the amount of funds that can be used in a

given year.

Aquatic Invasive Species (AIS) Committee. With the occurrence of Eurasian Milfoil and recently Zebra Mussels and other regional and national threats, the prevention and management of AIS is important to the preservation and future of Lake Minnetonka. Several agencies are involved in AIS prevention and management, and the AIS Taskforce is one way to share ideas, resources, and best practices. The AIS Committee is comprised of the LMCD, Minnesota Department of Natural Resources (MNDNR), Minnehaha Creek Watershed District (MCWD), Three Rivers Park District, Hennepin County Environment and Energy, Lake Minnetonka Association (LMA), and various lake stakeholders.

Nominating Committee. The Nominating Committee members are appointed in December or early January of each year. The Nominating Committee will make requests for names of members who are interested in serving as a Board Officer. A slate of officers will be recommended to the Board for the election the first meeting in February. Then the Nominating Committee dissolves for that year.

Financial/Budget Workgroup. The Financial Workgroup assists in developing the annual budget and reporting to the Board. Further, the Budget Workgroup consults with the Executive Director and provides feedback for general budget issues and special projects. The Treasurer is one of the members.

Strategic Planning Committee. The Strategic Planning Workgroup assists in the development of the Strategic Plan and Business Plan. It also advises the Executive Director in the implementation of the plans.



Benefits Workgroup. The Benefits Workgroup assists in the review of the employee benefits package for recommendation to the Board.

Communication Workgroup. A Communication Workgroup was established in 2018 to facilitate the creation of an LMCD communication plan, one of the initiatives of the 2017/2018 Strategic Plan. It continues to be called upon for special projects and initiatives.

Administrative, Prosecution, and Litigation Counsel

The LMCD receives legal counsel and services through contracts with various firms or agencies. These entities help the LMCD to carry out the overall functions of the Board.

- **General Civil Counsel.** The civil attorney attends Board meetings, advises the Board and staff on legal matters associated with regulations, policies, and general operations.
- **Prosecution Attorney.** The prosecuting attorney prosecutes cases through the Hennepin County Court System associated with citations issued for violations of LMCD ordinances or other violations on the Lake, mostly misdemeanors and some petty misdemeanors. Formal Complaints may be issued by LMCD staff and the Hennepin County Sheriff's Office Water Patrol. In addition, the Water Patrol may issue citations for behavior on the Lake for County or State Law as well. Prosecution cases include but are not limited to dock related violations, navigational hazards such as speeding or no wake violations, boating while intoxicated, littering, noise, and other LMCD code violations. Felony cases are handled by the Hennepin County Attorney's Office.
- **Litigation Counsel.** The LMCD uses the services of the League of Minnesota Insurance Trust (LMCIT) to process insurance claims regarding claims made against the LMCD.

Contracts for Services and Volunteers

With limited staffing, the LMCD depends on contracts, agreements and volunteers to help achieve its mission. Contracts have included, but are not limited to, Hennepin County Water Patrol, trucking and maintenance for harvesting, watercraft inspections, and building and room leases. Volunteers help with the installation and maintenance of solar lights, boater safety education, review of public education documents, temporary storage of harvesting equipment, and assistance in installing public signs.

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Section 3: The Strategic Plan

Choosing the right path on the road

Organizations often have a variety of paths that can be taken as part of doing business. Strategic plans are created to provide direction and ensure organizational alignment so the goals can be accomplished efficiently and effectively by focusing resources. They are useful tools to communicate the organization's goals and actions needed to achieve desired results, providing guidance to leadership and staff.

The LMCD adopted a Strategic Plan for 2019/2020 that builds upon the 2017/2018 Strategic Plan. The LMCD adopted the Business Plan that includes the organization's Mission, Vision, Core Values, Strategic Priorities, and Outcomes. The Business Plan portion provides the performance measures and action plans established to meet the Strategic Plan. A Dashboard with percentages and coordinating color is to provide a high-level view of the progress made on the strategic priorities. These documents are provided in the Appendix and also posted on the LMCD website.

We love the Lake—Keep up the good work! Jack, resident

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Section 4: The Budget

The buck stops, and starts, here

The LMCD budget is based on a calendar year, January 1st through December 31st. However, the planning begins in March of the previous year and is adopted and sent to the member cities by July 1st for the following year. It can be challenging to obtain accurate estimates of costs of services, grants, insurances, and other operational costs since many organizations do not begin their budget process until later in the year. The process includes significant financial analysis by the financial workgroup, staff and board throughout the year. A copy of the budget is included in the Appendix as well on the LMCD website.

The overall budget consists of three account funds- general, Aquatic Invasive Species (AIS), and Save the Lake (STL) briefly described as follows:

- **General.** This fund account includes the overall administrative duties such as strategic planning, lake initiatives, public education, emergency response, contracts, grants, licenses, permits, service requests, inquiries, and general business operations.
- **AIS.** This fund account includes revenues and expenses related to programs specific to AIS such as harvesting program and watercraft inspection program. It includes personnel, service contracts, equipment and maintenance.
- **STL.** This fund account includes revenues from contributions. This fund account supports public education such as the boater safety classes, solar lights navigation program, supplementary public safety for water patrol, and special projects to promote safety and lake ecology.

Revenues

The primary sources of revenue are from a levy from the fourteen-member cities as prescribed by (and much lower than allowed by) state law, license and permit fees, grants, contributions, and miscellaneous revenue. The amount of grants for AIS programs has decreased substantially the past few years, yet the need continues to grow.

Expenses

The organization is a service organization providing for administrative expenses. Other expenses include capital expenses for harvesting program, solar lights, contracts for inspections, and other projects.

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MEETING PARTICULARS

HEAR YE, HEAR YE

Meetings are typically held at the Wayzata City Hall. Every audio/visual system has its quirks. To be heard clearly, please speak 8 to 12 inches in front of the microphone. The room audio is quieter than the video broadcasted so if you are too close to microphone, the video is loud and fuzzy.

BOARD PACKETS

Internet access is available to LMCD members at Wayzata City Hall during the meeting. The passcode will be provided to you during orientation and upon request.

Packets are typically available on the website and the link emailed to the Board the Friday before the board meeting. Some prefer to download the packet materials to a mobile device prior to the meeting. Some members also receive a hard copy in the mail.

Section 5: Meetings

The place to be, or not to be

This section provides a brief summary of the types of meetings you may experience during your service on the Board. It also provides a summary of the do's and don'ts according to public meeting laws, when you should and should not be participating in a meeting, and some consequences.

Overview

The LMCD meetings have been restructured to better meet the needs of the customer and LMCD business. Two meetings are typically held each month. The public meeting dates for the year are approved by the Board at the beginning of the year. A copy of the Public Meeting Calendar is included in the Appendix.

Meeting Dates. Regular board meetings generally occur the second and fourth Wednesday of each month. Meeting schedules may change during holidays such as in November and December where one meeting is typically held each month. At times, agenda items may be clustered to eliminate a few meetings to save time and money.

Meeting Times. The meetings are comprised of two parts, each of which is technically considered a separate meeting. The first is a work session that starts at 6:00 pm. The purpose of this meeting is to discuss matters informally, receive updates and training, for staff to seek direction from the Board, or to allow a more in-depth discussion of a topic. The Board may give staff direction, but the Board does not take formal action at a work session. Work sessions are not videotaped, but minutes are recorded for public information.

The second part is the formal business meeting that starts at 7:00 pm. The purpose of this meeting is for the Board to conduct the business of the LMCD. The business meeting is videotaped and aired.

Board packets are generally emailed and/or provided by a hard copy mailed upon request the Friday before the meeting. In some cases, agenda items may be delivered after the main Board packet. Work session materials may be provided at the meeting. Some informational items may be provided in the board meeting folders for convenience, but are not part of the board meeting materials.

Special Meetings

If the Board needs to meet at a different date, time, or place other than scheduled, or if one of its Committees that does not schedule regular meetings needs to meet, a special meeting is called of the Board or the Committee.

These meetings may only occur after at least three-days posted notice and the scope of these meetings are limited to the specific purpose or purposes identified in the notice. Notice for these meetings are placed on the LMCD website and posted in the lobby at the LMCD Office.

Emergency Meetings

In the case of a natural disaster or other threats to public health, safety, or welfare, the Board may hold an emergency meeting to allow it to respond to the emergency. Fortunately, the Board has not often encountered the need to hold emergency meetings and can usually address even urgent matters by calling a special meeting.

Executive/Closed Meetings

In limited circumstances the Board may hold a closed meeting to discuss issues that are confidential and nonpublic. The Board is only allowed to hold a closed meeting when specific statutory authority is identified to allow the meeting to be closed under the particular circumstances. These meetings are closed to the public, but usually must be recorded and the recording kept for eight years. Closed meetings are typically limited to attorney-client discussions when there is litigation (these meetings are not recorded), or for certain personnel matters.

Public Hearings

By LMCD code, certain licenses and activities require a public hearing. Conducting public hearings is part of the due process that must be afforded applicants and the public as part of the licensing and enforcement actions taken by the Board. A notification is published in the official newspaper at least 10 days prior to the Board meeting of the public hearing and in some cases notice is also mailed to owners within a certain distance from the applicant's property. The purpose of the public hearing is to allow the applicant to present its request, afford an opportunity for the public to state their support or concerns, and for the Board to ask questions of the applicant. The Board has the option to continue a hearing if needed, otherwise it will often vote to give the staff direction to prepare an order either approving or

denying the application for review and action at the next meeting. There is a time limit on when the LMCD must take final action on an application (60 days, but that may be extended up to 120 days) so there is only a limited opportunity to continue the consideration of an application before needing to make a decision.

Open Meeting Law

The Open Meeting Law (OML) provides legal requirements for the notification and public access to public meetings. The main premise is that public business must be conducted in public. Most meetings must be open to the public and include public notice. There are a few exceptions such as discussing litigation, attorney/client confidentiality, personnel matters, and similar. The OML applies when there is a quorum or more of the board or committee to discuss, decide, or receive information regarding LMCD business whether by phone, email, in person or other communication. Violations of the OML may result in personal fines, removal from the Board, public relation issues, and/or organizational fines. LMCD staff will often blind copy the Board to prevent accidental “reply all” incidents. If an individual emails the entire or multiple members of the Board, it is recommended that any response is sent only back to the individual and copied to the Executive Director. Depending on the situation, the Executive Director may compile the responses for Board review.

Meeting Notification

The regular meetings of the Board are set out in a schedule that is available in the office and on the website. Committee meetings not occurring on a regular schedule and all special meetings of the Board must be posted for at least three days. These notices must include the date, time, place and purpose of the meeting. For situations where several Board members may be in attendance at a Committee meeting or at an event, additional notice may be required to ensure the OML violation does not inadvertently occur.

Information that Board Members wish to share should be distributed through the Executive Director to ensure the OML is not violated. The following information from the LMCD attorney relates to situations where the Open Meeting Law may apply to the exchange of emails among Board Members.

Phone or Email Messages Among Board Directors

The OML requires that discussions occurring among a quorum or more of members about LMCD business occur at a properly noticed public meeting, with some limited exceptions. While the OML focuses on gatherings of a quorum or more, it is generally recognized that a gathering of a quorum can occur just as easily through electronics means as through the proverbial smoky backroom meeting. What this means is that a quorum or more of the Board, or of any of its committees, must avoid “discussing”, through the exchange of emails, LMCD business. To avoid incidental quorums, the

following recommendations relate to this issue:

1. If a director would like to share something with the entire Board, it should be sent to the Executive Director so it can be distributed by staff to the Board.
2. Do not “reply all” to messages sent to the entire Board. If there is a comment to be made, send it to the Executive Director and a decision can be made about how best to address the comment (e.g., schedule a discussion for an upcoming Work Session). The Executive Director will typically discuss options with the Board Chair.
3. An exchange of messages between less than a quorum of the Board or Committee is ok, as long as the exchange does not turn into a serial meeting (which is discussed next). However, this is generally frowned upon since emails can inadvertently become serial.
4. The forwarding of messages to other Board members with the idea that the message will then be forwarded on to other Board members can result in a violation if the communication ends up involving a quorum or more of the Board. This type of “pass it on” message can constitute a serial meeting that violates the OML because it results in a group trying to form a consensus outside of a meeting even though a quorum is not communicating together at any one time.
5. Serial meetings may be described as two types: (1) domino type of meetings where one person talks to another, who in turn talks to another, etc. about the same topic; and (2) wheel and spoke meetings where one person contacts each member individually to talk about an issue. Both of these types of exchanges need to be avoided, whether they occur by email, phone, or in person.



SHARING INFO

Internal. If you would like to share information with the board, send the information to the Executive Director for distribution, communicating any requested time frame or urgency.

Attendance. Let staff know if you are unable to attend a Board meeting. It is important to have a quorum, especially when a customer or the public is depending on a decision.

Specific Items. At times, prompt response is required from a board member in order to meet deadlines and/or achieve the desired results. This is often indicated by “high priority” designation or a requested by date. If schedules are conflicting, please let staff know.

Section 6: Communications

How to explain that thingamajig

Effective communications, including engagement of stakeholders, is an important part of creating a high-performance organization. Communicating that *thingamajig* is more challenging than ever due to the multiple communication venues and various stakeholders. A brief highlight of some communication avenues is provided below. Please note that some initiatives are new and evolving resulting in periodic changes.

Board Member Contact Information

Certain Board Member information is included in the LMCD materials such as website, handouts, etc. The name, photo, representative city, and contact information is required. A new Board member will receive an LMCD email address, with various options for accessing. An address and phone number may also be published. LMCD staff will request this information during the orientation. Board Members need to report any changes in their information to the staff during their term.

Communication Avenues

The LMCD has several ways to communicate to its stakeholders. Methods include the website, www.lmcd.org; a newsletter; presentations; on demand videos of the Board Meetings; special events; and social media established in 2016 including a Facebook page www.facebook.com/lakeminnetonkaconservationdistrict; Twitter page www.twitter.com/LakeMtkCD, handouts, reports, media releases, and often through day to day customer contacts.

Report to Cities

It is recommended to meet periodically with your city, to present budget, materials, events, activities, and specific items to the city. Periodically, reports will be made available by LMCD to share with your city.

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Section 7: Understanding State Law

How to stay out of jail

While you may not end up in jail for most violations (larger contracts maybe), violations of state law may result in fines to the organization, individual fines, and negative public relations. Therefore, it is important to understand some of the most common types of concerns associated with the LMCD business operations. The following is a summary of these items.

Open Meeting Law

Refer to Meeting Section

Public Gift Law

While the LMCD is not expressly named as being subject to the range of laws that apply to cities, it often makes sense to abide by those requirements. As such, the gift law is an area that should be considered from both a legal and public relations perspective. The following is a legal opinion based on the gift law for local government agencies.

Under the gift law, an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city is prohibited from accepting a gift from an interested person. (Minn. Stat. § 471.895, subd. 1 and 2) This prohibition likely applies to the appointed members of the LMCD because they are appointed by a city. Much like a planning commission member would be prohibited from receiving a gift as they are appointed by the city council, a member of the LMCD is also appointed by a city council and therefore is an appointed official. In addition, the members are subject to recall by the cities. The ability to remove sitting members creates a stronger link between the LMCD and the cities, suggesting the members are appointed city officials.

As an appointed official under the gift law, LMCD members are prohibited from receiving gifts from an “interested person.” An interested person is defined as “person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make.” For the LMCD this would include any person or organization that could possibly have business before the LMCD. For the gift law to apply, an interested person does not need to have a matter pending before the LMCD. Rather, if the interested person could at any time have a direct financial interest in a decision or recommendation of the LMCD, that individual would likely be considered an interested person under the gift law.

There are a few limited exceptions to the gift law. The following types of gifts are

permitted under the Minn. Stat. § 471.895, subd. 3:

- Political contributions.
- Services to assist an official in the performance of official duties.
- Services of insignificant monetary value.
- A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause.
- A trinket or memento costing \$5 or less.
- Informational material of unexceptional value.
- Food or a beverage given at a reception, meal or meeting away from the recipient's place of work by an organization before whom the recipient makes a speech or answers questions as part of a program. (This exception probably permits only the principal speakers at meetings to receive gifts of food or beverage.)
- Gifts given because of the recipient's membership in a group, a majority of whose members are not local officials, if an equivalent gift is offered to or given to the other members of the group.
- Gifts between family members, unless the gift is given on behalf of someone who is not a member of that family.
- Food or beverages given by a national or multi-state organization of governmental organizations or officials at a reception or meal to attendees at a conference sponsored by that organization if a majority of the dues to the organization are paid from public funds and an equivalent gift is given or offered to all other attendees.

There are further limitations on gifts from lobbyists for appointed or elected officials from cities with a population of greater than 50,000 and are located within the seven-county metropolitan area. Minn. Stat. §§ 10A.071, 10A.01, subd. 22 and 24. Essentially, for those metropolitan governmental units, the same gift restrictions apply to lobbyists as apply to interested persons under the gift law.

In conclusion, while the gift law does not expressly limit gifts to LMCD members, a conservative reading of the statutes suggest that the members are subject to the gift law. Because the members are appointed by a city, the LMCD members are likely considered a local official under the statute. Therefore, receiving gifts from "interested persons" should be avoided. While an argument could be made that because the LMCD is a separate political entity the gift law does not apply, the legal opinion is that LMCD members should refrain from receiving gifts from any person that would have an interest in a potential action that would come before the LMCD. There is simply no way to know how the courts would rule on such an issue, but they generally will rule in favor of the public and to preserve integrity of local governments.

Therefore, it is best for the LMCD members to presume the gift law applies to them.

Conflict of Interest Law

There are essentially two types of conflicts of interest that need be avoided. If you think there might be a potential conflict of interest, please contact the Executive Director or the LMCD attorney for clarification. If there is a conflict of interest, you must not participate in the vote for that particular item. A summary of the types of conflicts are provided below.

1. **Statutory Conflicts:** Any official who is authorized to take part in making any sale, lease, or contract on behalf of a public agency is prohibited from having a direct or indirect personal financial interest in the sale, lease, or contract. A simple example of this type of conflict is the LMCD contracting with a business owned by a Board Member.
2. **Common Law Conflicts:** A Board Member needs to avoid participating in making a decision for the Board when the Member has a direct interest in the matter. A list of factors is considered in determining whether there is a direct interest such as nature of the decision, nature of the pecuniary interest, and whether there are a sufficient number of officials to make the decision. A simple example of this type of conflict is a Board Member submitting a license application to the LMCD. These conflicts do not always involve a financial interest, but reflect the idea that if a Board Member has a direct interest in a matter before the Board (not merely the general interest that all Board Members have in protecting the Lake), then that Board Member needs to abstain from voting on that matter.

If a potential or actual conflict of interest exists:

1. Disclose the interest as soon as possible.
2. Seek guidance from the Executive Director and LMCD attorney if needed.
3. Do not participate as a member of the Board in discussions leading up to the decision. You may be allowed to speak about the issue in your personal capacity at a public hearing, but not from the Board dais.
4. Do not attempt to influence other members regarding the decision.
5. Do not vote or take any other official action relating to the decision.

Exceptions. There are limited exceptions to the conflict of interest rules. The following exceptions are permitted under certain circumstances:

1. Designation of a bank or savings association.
2. Designation of an official newspaper.
3. A contract for goods or services that is not required to be competitively bid.
4. A contract with a volunteer fire department for payment of wages or retirement benefits to its members.
5. A contract for construction materials or services, if the contract is let by a sealed bid process and the city has a population of 1,000 or less.

6. A contract to rent space in a public facility to a public officer at a rate similar to that paid by other renters.
7. An application for a grant offered by a local development organization.

There are several additional limited exceptions under Minn. Stat. § 471.88.

Identifying potential conflicts of interest can become complicated so do not hesitate to ask for assistance from the Executive Director and the LMCD attorney.

Violation. A contract that has been made by or with a conflicted member or members is void. In addition, every public officer who violates the conflict of interest law can be found guilty of a gross misdemeanor, be fined up to \$3,000, and imprisoned for up to one year. Minn. Stat. § 471.87.

Data Practices Law

The Minnesota Data Practices Act regulates the collection, creation, storage, maintenance, dissemination and access to government data in government entities. Government data is defined broadly to include all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use. Data classified as public must be available for inspection or copying as appropriate. Data is classified as either public or various forms of nonpublic. The maximum amount that can be charged for processing data is prescribed by state law.

What Qualifies as Government Data?

Data generated or received by Board members will be considered government data subject to the DPA if:

- It was created or used in the person's capacity as a board member; and the data relates to LMCD business; and
- Government data can include e-mails, text messages, notes, information on personal computers, cell phones, and in personal note pads.

Purely personal (i.e., non-LMCD business) communications are not government data. However, LMCD related information stored on a personal device or system can be searched and considered public. Therefore, board members should store all LMCD information on public information systems such as the LMCD email system.

What is the Records Retention Act?

The records retention act requires the retention and preservation of government records according to a specified time frame. Government records include all data, regardless of physical form or characteristics, made or received by a board member pursuant to law or in connection with the transaction of public business by the board member.

It prohibits the destruction of government records except in accordance with a records retention schedule approved by the state. It does not include personal messages, multiple copies of the same documents, and other records not related to official business (e.g. junk mail).

What is a Litigation Hold?

In case of a lawsuit, the LMCD, including its Board Members, will need to retain data related to the suit and any scheduled destruction of such data must be suspended. The Executive Director will send information to the Board if any litigation hold is implemented.

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Section 8: Regulatory Functions

Protecting public health, safety and welfare

The LMCD Board adopts a code of ordinances to protect Lake Minnetonka, as well as the public's health, safety, and welfare. A copy of the code is included in the Appendix, along with any current policies.

To supplement the code, public education materials and internal documents are developed to educate stakeholders about the requirements and ensure consistent interpretation and application. Some current public educational materials are included in the Appendix.

*I would like to express my gratitude for working with us on this project...
This is a great example of working collaboration between the LMCD and the
community. Tom, Multiple Dock Representative*

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Section 9: Appendix

Just have to have

The following materials are frequently referenced and are items you should have in your LMCD library. These are included in the Guide and some are also available on the LMCD website.

- LMCD New Board Member Oath of Office
- LMCD New Board Member Orientation Checklist
- LMCD Public Meeting Calendar
- LMCD Annual Operations Calendar
- LMCD Board and Staff Roster
- LMCD Strategic Plan
- LMCD Budget
- Minnesota State Enabling Legislation
- LMCD Bylaws
- LMCD Code
- LMCD Policies
 - Farewell Recognition, Financial, Nominating Committee, SAVE the LAKE, Social Media
- Key Definitions- TBD
- Public Education Materials
 - Summer Rules Brochure, Winter Rules Brochure, Residential Dock, Watercraft, and Structure Handout, Save the Lake Flyer, Newsletter, Electric Shock Drowning
- LMCD Organization General Presentation
- Lake Minnetonka Maps
 - Hennepin County; MCWD; Bays, City Boundaries, Public Accesses, etc. (TBD)
- Lake Resources & Contacts- TBD

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Section 10: Additional Resources

Just can't get enough

At times, the Board or public may make reference to studies or reports. If you wish to know more history and information, the following documents and reports are available on the LMCD website.

- 1986 Quiet Water Policy
- 1991 Lake Access Task Force Report
- Approved LMCD Personnel Policy
- Annual LMCD Report
- Pending 2017 EWM Harvesting Program Report
- Pending 2017 Watercraft Inspection Program Reports (LMCD and MN DNR)
- 2014 Lake Minnetonka Shoreline Storage Count
- 2014 Proactive Residential Code Enforcement Program

We hope you find the information in this guide useful. This is only a highlight of the roles, regulations, and responsibilities of an LMCD member. Please contact the LMCD Board Chair or Executive Director if you have questions or suggestions.

Thank you for your service and we look forward to working with you on initiatives to preserve and enhance the “Lake Minnetonka experience.”



LMCD | 5341 Maywood Rd, Ste 200 | Mound, MN 55364 | 952.745.0789 | lmcd@lmcd.org
www.lmcd.org | [Facebook.com/LakeMinnetonkaConservationDistrict](https://www.facebook.com/LakeMinnetonkaConservationDistrict) | [Twitter.com/LakeMtnkaCD](https://twitter.com/LakeMtnkaCD)

LAKE MINNETONKA CONSERVATION DISTRICT BOARD ROSTER - Prelim2020

(PUBLIC COPY)

Board Member	Contact Numbers	Email	Rep. City	Term	
				Begin	End
Rich Anderson		randerson@lmcd.org	Orono	11/13/2019	1/31/2023
Dan Baasen (Secretary)	Home: 952-474-7700 Cell: 651-270-7500	dbaasen@lmcd.org	Wayzata	1/31/2018	1/31/2021
Ben Brandt	Cell: 507-269-4881	bbrandt@lmcd.org	Mound	1/9/2019	1/31/2022
Bill Cook (Treasurer)	Cell: 612-805-0424	bcook@lmcd.org	Greenwood	1/31/2020	1/31/2023
Ann Hoelscher (Vice Chair)	Cell: 612-965-6645	ahoelscher@lmcd.org	Victoria	1/31/2020	1/31/2023
Gary Hughes	Cell: 612-889-5706	ghughes@lmcd.org	Spring Park	1/31/2019	1/31/2022
Michael Kirkwood	Cell: 612-532-7161	mirkwood@lmcd.org	Minnetrista	1/22/2020	1/31/2023
Dennis Klohs	Home: 952-471-0589 Cell: 612-867-2972	dklohs@lmcd.org	Mtka. Beach	1/31/2019	1/31/2022
Mark Kroll	Cell: 805-428-1838	mroll@lmcd.org	Excelsior	1/8/2020	1/31/2023
Denny Newell	Cell: 612-596-5116	dnewell@lmcd.org	Woodland	1/8/2020	1/31/2023
Nicole Stone	Cell: 651-274-0025	nstone@lmcd.org	Minnetonka	2/12/2019	1/31/2022
Gregg Thomas (Chair)	Home: 952-474-1851 Cell: 480-797-6012	gthomas@lmcd.org	Tonka Bay	1/31/2020	1/31/2023
Jake Walesch		jwalesch@lmcd.org	Deephaven	1/31/2019	1/31/2021
Deborah Zorn	Cell: 612-889-3767	dzorn@lmcd.org	Shorewood	2/1/2020	1/31/2023

LMCD OFFICE INFORMATION

Staff	Title	E-Mail
Vickie Schleuning	Executive Director	vschleuning@lmcd.org
Matt Cook	Env. Admin. Technician	mcook@lmcd.org
Tammy Duncan	Admin. Assistant	lmcd@lmcd.org
Andrea Rehm	Admin. Clerk	arehm@lmcd.org
Office	952-745-0789	
Fax	952-745-9085	
Web	www.lmcd.org	

OATH OF OFFICE

LAKE MINNETONKA CONSERVATION DISTRICT

Do you solemnly swear or affirm that you will support the Constitution of the United States and the Constitution of the State of Minnesota, and that you will discharge faithfully the duties as a member of the Board of Directors of the Lake Minnetonka Conservation District to the best of your judgment and ability. If so, indicate by saying I do.



Lake Minnetonka Conservation District

2020 Public Meeting Calendar

January

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

LMCD Regular Board Meetings

Wayzata City Hall, 600 Rice Street
 2nd and 4th Wednesday of Each Month *
 6:00 p.m. - 7:00 p.m. (Work Session- not televised)
 7:00 p.m. - Adjourn (Formal Agenda- televised)
 *No Meeting Scheduled for 4th Wednesday in Nov / Dec
 *November Meeting will be held on Thursday the 12th
 Televised on LMCC: <http://www.lmcc-tv.org/lmcd.html>

March

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Aquatic Invasive Species (AIS) Task Force

LMCD Office, 5341 Maywood Road
 Suite 200, Mound
 2nd Friday of February & quarterly thereafter as needed
 8:30 a.m.

May

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June

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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Save the Lake Committee

City of Minnetonka, 14600 Minnetonka Blvd
 Burwell Room, Minnetonka
 Typically 2nd Tuesday every other month
 5:00 p.m.

July

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

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						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

LMCD Observed Holidays

Office Closed

September

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	*11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

*November 11th is VETERAN'S DAY, LMCD CLOSED
 The LMCD Regular Board Meeting will be held on
 Thursday, November 12th

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.



LAKE MINNETONKA CONSERVATION DISTRICT 2020 BUDGET AND LEVY (Approved)

City	2010 U.S. Census Population Data	2018 Estimated Market Value	2018 Net Tax Capacity	% of Total Net Tax Capacity (Note 1)	Share of Admin. Levy in 2020	Share of AIS Levy in 2020	Share of Total Levy in 2020	Share of Total Levy in 2019	Increase in Total Levy from 2019	% of Increase from 2019
DEEPHAVEN	3,642	\$ 1,333,004,600	\$ 15,200,500	5.2%	\$20,058	\$5,741	\$25,798	\$25,011	\$787	3.1%
EXCELSIOR	2,188	\$ 516,736,300	\$ 6,478,840	2.2%	\$8,549	\$2,447	\$10,996	\$10,705	\$291	2.7%
GREENWOOD	688	\$ 357,528,800	\$ 4,169,912	1.4%	\$5,502	\$1,575	\$7,077	\$7,090	-\$13	-0.2%
MINNETONKA	49,734	\$ 9,753,137,900	\$ 119,368,272	40.7%	\$57,300	\$16,400	\$73,700	\$72,000	\$1,700	2.4%
MTKA BEACH	539	\$ 349,429,200	\$ 4,129,486	1.4%	\$5,449	\$1,560	\$7,009	\$7,072	-\$63	-0.9%
MINNETRISTA	6,384	\$ 1,721,304,900	\$ 18,429,850	6.3%	\$24,319	\$6,960	\$31,279	\$30,006	\$1,273	4.2%
MOUND	9,052	\$ 1,343,543,500	\$ 13,917,172	4.7%	\$18,364	\$5,256	\$23,620	\$22,231	\$1,389	6.2%
ORONO	7,437	\$ 3,028,344,800	\$ 34,672,468	11.8%	\$45,752	\$13,095	\$58,846	\$58,275	\$571	1.0%
SHOREWOOD	7,307	\$ 1,766,719,600	\$ 19,513,805	6.7%	\$25,749	\$7,370	\$33,119	\$32,858	\$261	0.8%
SPRING PARK	1,669	\$ 296,511,500	\$ 3,539,464	1.2%	\$4,670	\$1,337	\$6,007	\$5,804	\$203	3.5%
TONKA BAY	1,475	\$ 589,670,500	\$ 6,730,124	2.3%	\$8,881	\$2,542	\$11,422	\$11,641	-\$219	-1.9%
VICTORIA	7,345	\$ 1,538,972,100	\$ 15,947,289	5.4%	\$21,043	\$6,023	\$27,066	\$25,554	\$1,512	5.9%
WAYZATA	3,688	\$ 2,082,362,500	\$ 27,221,786	9.3%	\$35,920	\$10,281	\$46,201	\$45,392	\$809	1.8%
WOODLAND	437	\$ 318,203,900	\$ 3,746,561	1.3%	\$4,944	\$1,415	\$6,359	\$6,362	-\$3	-0.1%
	101,585	\$ 24,995,470,100	\$ 293,065,529	100.0%	\$286,500	\$82,000	\$368,500	\$360,001	\$8,499	2.4%

Maximum Levy Per MN statute 103B.635 (Total Taxable Market Value * 0.00242%):

\$604,890

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

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

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

BYLAWS
OF THE
LAKE MINNETONKA CONSERVATION DISTRICT

ARTICLE I - THE DISTRICT

Section 1.1 Establishment. The Lake Minnetonka Conservation District was established under Laws 1967, chapter 907, and Laws 1969, chapter 272, and is currently governed under Minnesota Statutes, sections 103B.601 through 103B.645.

Section 1.2 Name of District. The name of the district is the “Lake Minnetonka Conservation District” and shall be referred to herein as the “LMCD.”

Section 1.3 Type of Entity. The LMCD is a corporate and political body, and a political subdivision of the State of Minnesota. The LMCD is also an employer for the purposes of Minnesota’s workers’ compensation laws and is a public corporation within the definition of Minnesota Statutes, section 466.01 for the purposes of the limitations and exemptions on liability provided under Minnesota Statutes, Chapter 466.

Section 1.4 Municipal Members. The municipalities that are members of the LMCD are the Cities of Deephaven, Excelsior, Greenwood, Minnetonka, Minnetonka Beach, Minnetrista, Mound, Orono, Shorewood, Spring Park, Tonka Bay, Victoria, Wayzata and Woodland (collectively the “Municipalities” or individually the “Municipality”).

Section 1.5 Board of Directors. The LMCD is governed by a Board of Directors (“Board”) with one appointed representative from each of the Municipalities.

Section 1.6 LMCD Office. The office of the LMCD shall be at the Mound Centennial Office Building, 5341 Maywood Road, Suite 200, Mound, MN 55364, or such other place as may be designated by the Board.

Section 1.7 Bylaws and Board Procedures. The Board is required by Minnesota Statutes, section 103B.611, subdivision 4 to adopt a seal, bylaws for regulating the affairs of the LMCD, and rules of procedure to govern the Board actions. This document constitutes the LMCD bylaws and rules of procedure. The rules of procedure established herein are in addition to those established in the rules and regulations set out in the LMCD Code of Ordinances.

ARTICLE II - BOARD OF DIRECTORS

Section 2.1 Composition. The Board is composed of 14 members, one from each of the member Municipalities. The governing body of each Municipality appoints its member to the Board.

Section 2.2 Term. The term for each Board member is three years, unless the appointing Municipality recalls the member and either appoints another member for the balance of the term

or leaves the Board appointment vacant for the balance of the term. The annual term for each Board position runs from February through January.

Section 2.3 Code of Conduct. The Board expects of itself and its members ethical and respectful conduct. This commitment includes proper use of authority and appropriate decorum when acting as Board members during meetings and while interacting with the public.

Section 2.4 Election of Board Officers. The Board shall elect from its members a Chair, Vice Chair, Secretary, and Treasurer annually in February. This election can take place through a nominating committee, with a recommended slate of officers presented to the Board, or the Board can determine an alternative process for electing Board officers, provided such alternate process is approved by a majority vote of all members of the Board at least 30 days before the date of the election at which the process is to be used. Board officers serve at the pleasure of the Board and the Board may set compensation for Board officers.

Section 2.5. Powers. The general powers of the Board are set out in Minnesota Statutes, section 103B.611, subdivision 3 and include such other powers as may be provided by law. Additional specific powers of the Board include, but are not limited to, adopting rules and regulations to effectuate the purpose of the LMCD as provided in Minnesota Statutes, section 103B.641, and to prosecute violations as provided in Minnesota Statutes, section 103B.645. The Board is also authorized by Laws 1986, chapter 437 to issue liquor licenses allowing the sale of liquor on the Lake.

ARTICLE III - BOARD OFFICERS AND EMPLOYEES

Section 3.1 Chair. The Chair shall be the presiding officer of the Board. The Chair shall preside over all meetings of the Board, enforce order at meetings and compliance with these Bylaws, and shall have the same privileges of discussion, making motions, and voting as do other Board members. The Chair will sign all Board approved contracts, agreements, and other documents on behalf of the LMCD. The Chair has no special privileges beyond those of the other Board members except as explicitly provided in these Bylaws.

The Chair and Executive Director are the designated spokespersons for the LMCD and any such communications shall be in accordance with the LMCD's communications policy, if one is adopted by the Board. Furthermore, the spokespersons shall not publicly advocate on behalf of the LMCD a policy or position that has not been approved by the Board. Nothing herein is intended to limit Board members from reporting on the activities of the LMCD to their respective Municipalities. However, to the extent Board members speak publicly about issues that do not reflect a policy or position approved by the Board, it is incumbent on the member to make it clear as part of that communication that he or she is expressing a personal opinion and is not speaking on behalf of the LMCD.

The Chair is responsible for ensuring Board representation at LMCD-sponsored events and other events requiring a Board member to be present.

Section 3.2 Vice Chair. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair (including signing all Board approved contracts, agreements, and other documents on behalf of the LMCD).

Section 3.3 Secretary. The Secretary shall be responsible for maintaining a record of the proceedings of the Board, including preparation of minutes and meeting notices. The Secretary may assign these duties to the LMCD's Executive Director or other staff member (subject to approval by the Board).

Section 3.4 Treasurer. The Treasurer shall receive and is responsible for all money of the LMCD. The money of the LMCD shall be considered public funds. The Treasurer is required to give the Board a bond before undertaking the Treasurer's duties. The duties of the Treasurer include, but are not necessarily limited to, the following:

- a) Timely payment of claims made against the LMCD. All checks issued by the LMCD shall require two signatures (typically the Treasurer and Executive Director). Additional authorized signers for checks, when needed, include the Chair, Vice Chair and Secretary.
- b) Keep an accurate account of funds received and disbursed. Prepare and present to the Board a monthly financial summary and balance sheets.
- c) Coordinate the investment of LMCD funds in accordance with an approved LMCD Investment Policy and to the extent authorized by Minnesota Statutes, section 103B.621, subdivision 3.
- d) Coordinate preparation of an independent annual audit of the LMCD's funds. Such audit report shall be provided to the Board and to each Municipality to satisfy the annual reporting requirement in Minnesota Statutes, section 103B.621, subdivision 4.
- e) Prepare a proposed annual LMCD budget and present it to the Board early enough in the year to allow time for the Board to approve it and forward it to each Municipality before July 1st as required by Minnesota Statutes, section 103B.635, subdivision 1. The detailed budget shall be forwarded to each Municipality together with a statement of the proportion of the levy to be provided by each Municipality. No Municipality may pay more than 20 percent of the overall levy.

The Treasurer may assign some of these duties (with the exception of signatory responsibilities) to the Executive Director, other staff member, or other Board members with the approval of the Board.

Section 3.5 Executive Director. The Board may appoint an Executive Director who serves at the pleasure of the Board. Under the supervision of the Board, the Executive Director:

- a) Is the executive and operating officer of the LMCD;

- b) Is responsible for the operation, management, and promotion of all activities with which the LMCD is charged and other duties prescribed by the Board or in the Code of Ordinances; and
- c) Has the power necessarily incident to the performance of the duties of the position and other powers granted by the Board, but without authority to incur liability or make expenditures on behalf of the LMCD without specific directions by the Board.

No individual Board member has direct authority over the Executive Director or LMCD staff. Board members may request information from the Executive Director, but if such request, in the Executive Director's judgment, requires a material effort or cannot be met within the time requested, the request shall be referred to the full Board.

ARTICLE IV - BOARD MEETINGS

Section 4.1 Regular. Regular meetings of the Board shall be held on the second and fourth Wednesday of each month, subject to change. Each year, the Board will adopt a schedule of regular meetings in December for the following calendar year.

Section 4.2 Special. Special meetings of the Board may be called by: (1) a motion of the Board; (2) the Chair; or (3) request by five or more members of the Board communicated to the Chair in writing, by e-mail, or other electronic means. The call for a special meeting shall identify the business to be conducted and must be communicated to the LMCD office at least five days prior to the proposed date of the meeting to allow for sufficient public notice to be provided. The LMCD office shall post notice and provide notice to each of the Board members at least three days before the meeting. Only the business included in the meeting notice as the purpose(s) of the meeting may be discussed at the meeting.

Section 4.3 Work Session and Site Visits. The Board may hold work sessions and site visits as it determines are needed for the purpose of receiving information or training, conducting inspections, to informally discuss one or more items of LMCD business, or for other purposes as determined by the Board. Work sessions and site visits are called and noticed in the same manner as a special meeting (unless a work session is held as part of a regular meeting), and the Board does not take any formal action at these meetings. Conducting a work session as part of a regular meeting does not preclude the Board from taking formal action during the regular portion of the meeting.

Section 4.4 Emergency. An emergency meeting of the Board may be held to address a present threat to the public health, safety, or welfare. Time pressures or a desire to meet quickly are not alone sufficient to constitute an emergency meeting. Only the Chair may call an emergency meeting, in consultation with the Executive Director and LMCD Civil Attorney.

Section 4.5 Notice. Notice of Board meetings shall be provided in accordance with the Minnesota Open Meeting Law (Minnesota Statutes, Chapter 13D).

Section 4.6 Agenda. The Chair and the Executive Director shall be responsible for preparing the agenda for Board meetings.

Section 4.7 Conduct of Meetings. A majority of the entire Board (which is typically eight) constitutes a quorum for the Board to meet and conduct its business. If there is a vacancy on the Board, the vacant position shall not be counted towards determining a quorum. Board meetings shall generally be conducted in a manner consistent with “Robert’s Rules of Order,” though noncontroversial matters of parliamentary procedure may be resolved by consensus of the Board without strict adherence to “Robert’s Rules of Order.” Each of the Board members shall conduct themselves in a professional and civil manner as a representative of their Municipality. For the good order of the Board, members will wait to be recognized by the Chair before speaking, will not attempt to discuss matters that are not presently before the Board, will not be disruptive or overly argumentative, and shall treat other members and the public with respect in their capacity as a Board member.

Section 4.8 Interactive Television. One or more Board members may participate in a Board meeting by interactive television, provided such participation complies with the requirements of Minnesota Statutes, section 13D.02 and the necessary equipment is available at the meeting site to accommodate the request. Any Board member requesting to participate in a meeting by interactive television shall notify the Executive Director at least five business days before the day of the meeting so the necessary equipment and connections can be arranged and the required additional notice provided.

Section 4.9 Voting. When a quorum is in attendance, the Board may take action on any matter before it based on a majority vote, unless a greater majority is required by law. Only Board members present at the meeting, or who are properly attending by interactive television, are allowed to vote and votes may be taken by voice or roll call. Amendments to the LMCD Code may only be adopted upon a positive vote of the majority of all Board members.

ARTICLE V - COMMITTEES

Section 5.1 Standing Committees. Standing committees may be formed from time to time by resolution of the Board. Members of committees need not be members of the Board; however, at least one member of the Board shall be appointed to serve on each committee. Unless expressly provided otherwise in the establishing resolution, all standing committees are advisory to the Board. Standing committees shall conduct their business in accordance with the Minnesota Open Meeting Law.

Section 5.2 Temporary Working Groups. The Board may have temporary working groups study or provide assistance to the Board on particular matters. Temporary working groups may include persons who are not members of the Board, but in no case shall a quorum or more of the Board constitute or participate in a working group. Working groups are formed by consensus of the Board, not formal appointment, and typically consist of volunteers who express a willingness to assist the LMCD and its limited staff by taking on a particular task or gathering information. Such working groups are informal, not authorized to decide any matters for the Board, and are not required to conduct their business in accordance with the Minnesota Open Meeting Law.

Any information gathered, reports developed, or recommendations made by a working group shall be presented to the Board at an open meeting for consideration and action as the Board may determine is appropriate.

Section 5.3 Outside Committees. The Board may appoint one or more Board members to represent the LMCD on committees, task forces, or work groups of other organizations. Such appointed members may represent the interests of the LMCD as part of their participation, but are not authorized to make any commitments, enter into any agreements, authorize any expenditures, or otherwise bind LMCD unless specifically authorized to do so by the Board. The appointed Board member shall give a full report, written or verbal, to the Board at the next regularly scheduled Board meeting following any committee activity or at such other times as may be reasonable given the nature of the committee's activities.

ARTICLE VI - AMENDMENTS AND GENERAL PROVISIONS

Section 6.1 Amendments to Bylaws. These Bylaws may only be amended by a 2/3rds vote of all members of the Board at a regular or special meeting. All amendments must be in written form and identify the proposed amendments by striking through the language proposed to be deleted and underlining the language proposed to be added. Approved amendments are to be incorporated into the text of the Bylaws and, upon signature of the Chair and Secretary, shall become the official LMCD Bylaws.

Section 6.2 Conflicts. In any instance where these Bylaws are in conflict with the LMCD's enabling legislation or other law, the State law shall control. Nothing in these Bylaws shall be interpreted as limiting the powers of the LMCD or the Board provided them by law.

Section 6.3 Repealer. These Bylaws supersede and replace the previous bylaws adopted for the LMCD, which are hereby repealed.

Section 6.4 Effective Date. These Bylaws are effective upon their adoption by the LMCD Board of Directors.

Adopted this 8th day of June, 2016.

BY THE BOARD OF DIRECTORS

/s/ James Jay Green, Chair
James Jay Green, Chair

Attest: Gregory J. Thomas, Secretary
Gregory J. Thomas, Secretary

LAKE MINNETONKA CONSERVATION DISTRICT (LMCD)

INVESTMENT POLICY (Approved 12/14/2016)

1.0 PURPOSE

The purpose of this policy is to establish specific guidelines the LMCD will use in the investment of District funds. The LMCD will invest District funds in order to attain a market rate of return while preserving and protecting the capital of the overall portfolio. Investments will be made, based on statutory constraints, in safe, low risk instruments.

2.0 SCOPE

This policy applies to the activities of the LMCD with regard to the collection, management, disbursement, safekeeping, investment, auditing, and reporting the financial assets of all funds in the custody of the LMCD including, but not necessarily limited to, the General Operating Fund, the Aquatic Invasive Species (AIS) Management Operating Fund, the Equipment Replacement Fund, and the Save The Lake Fund. Minnesota Statutes, Chapters 103B and 118A define the provisions and limitations of investments allowed for the LMCD. These are detailed in Section 6.2.

3.0 GOALS AND OBJECTIVES

3.1 Fund Income: Funds of the LMCD will be collected and deposited in a timely fashion in liquid accounts at approved depository institutions, with proper accounting documentation subject to periodic audit.

3.2 Disbursement of Funds: Funds will be disbursed to lawful and appropriate payees in a timely fashion to not incur penalties for late payments. Disbursements will be accounted for and reported via budget reconciliation and cash management reports to the Board on a monthly basis. Additionally, funds shall be transferred from operating funds to reserve funds according to the parameters defined below.

3.3 Reserve Funds: Funds not required for use within certain parameters are defined as “In Reserve” and will be accounted for as defined in Section 5.0. Investments shall be made based on statutory constraints, utilizing the standard of prudence by the Executive Director, as defined in Section 3.2. Subject to the requirement of the objectives below, it is the policy of the LMCD to seek safe and low risk investments that meet statutory requirements.

Investment activities shall meet the following three main objectives that are prioritized as follows:

- **Safety-** Safety of the principal is the foremost objective of the LMCD. Each investment transaction shall seek to first insure that capital losses are avoided.
- **Liquidity-** The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may reasonably be anticipated. This is accomplished by structuring the portfolio so that investments mature concurrently with cash needs to meet anticipated demands.

- Yield- The investment portfolio of the LMCD shall be designed to attain a market-average rate of return through budgetary and economic cycles, taking into consideration the LMCD's cash flow needs and prudent investment principles.

4.0 DELEGATION OF AUTHORITY

4.1 Executive Director: Management responsibility for the investment portfolio is hereby delegated from the Board to the Executive Director, under the authority and direction of the Board. The Executive Director shall establish procedures for the operation of the investment program, consistent with this policy. Such procedures shall include delegation of authority to persons responsible for investment transactions. The Executive Director shall be responsible for all transactions taken and shall establish a system of internal controls designed to prevent losses from fraud and employee error.

4.2 Treasurer: The Executive Director shall carry out the investment policy in consult with the Treasurer. All Board Directors and staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or could impair their ability to make impartial investment decisions.

5.0 FUND MANAGEMENT

5.1 General Operating Fund: The General Operating Fund is comprised of annual assessments from the member municipalities, license and permit fees, court fine revenue, governmental grants, and other sources. It is used for the normal operations of the LMCD, exclusive of AIS management and prevention efforts defined in Section 5.2. It is intended that a minimum reserve fund balance of 30 to 50 percent of annual budgeted operating expenses shall be maintained in a highly liquid account, accessible on an as-needed basis, to meet the cash needs of the LMCD.

5.2 AIS Management Operating Fund: The AIS Management Operating Fund is comprised of annual assessments from the member municipalities, governmental grants, and other sources. It is used for: 1) the management of Eurasian Watermilfoil (EWM) through mechanical harvesting, and 2) the prevention of new AIS through watercraft inspections and educational efforts. It is intended that a minimum reserve fund balance of 30 to 50 percent of annual budgeted operating expenses shall be maintained in a highly liquid account, accessible on an as-needed basis, to meet the cash needs of the LMCD.

5.3 Equipment Replacement Fund: The Equipment Replacement Fund is comprised of financial resources from private donations, member municipalities, and other sources. The intended use is for purchase, replacement, and major maintenance of requisite capital equipment for the EWM Harvesting Program. Management of this fund shall strive to protect the principal and maintain "market rate of return" to preserve the purchasing power of the funds. The funds may be less liquid and, while reasonable interest is expected, the investments shall not be speculative. See investment limitations in Section 6.0.

5.4 Save the Lake Fund: The sources of these funds are private donations, proceeds from fundraising events, and interest earned on the principal. Funds will be made available annually, per policy of the LMCD, to benefit the environmental and recreational needs of Lake Minnetonka. They will be used to support various community projects recommended by the Save the Lake Advisory Committee and approved by the LMCD Board of Directors. Fund levels to cover budgeted amounts shall be maintained in a highly liquid account, accessible on an as-needed basis, to meet the cash management needs of the LMCD.

5.5 Reserve Fund: All other financial resources shall be designated as part of, and accounted for, in the Reserve Fund. These funds shall be managed in accordance with the investment limitations in Section 6.0. It is intended that the principal shall be protected and the purchasing power preserved, with probable income derived from prudent and conservative instruments.

6.0 PORTFOLIO MANAGEMENT

6.1 Portfolio Sources: Funds to be invested and managed under this Section will come from budgeted reserves in the General Operating Fund, the AIS Management Operating Fund, the Equipment Replacement Fund, and the Save the Lake Fund. Funds may be comingled for investment purposes; however, they shall be accounted for separately, noting principal, earnings, withdrawals, and deposits in an auditable form.

6.2 Portfolio Diversification: The LMCD, via the Executive Director, shall diversify investments to avoid incurring unreasonable risks. Further, the timing and duration of instruments can also impact risk and these parameters shall be carefully considered. Pursuant to Minnesota Statutes, Section 103B.621, investments shall be limited to the following:

- U.S. Treasury Bonds;
- Certificates of indebtedness, bonds or notes of the United States of America; and
- Certificates of indebtedness, bonds or notes of the State of Minnesota.

The bonds, notes, or certificates of indebtedness must mature within three years from the date of purchase.

6.3 Reinvestment of Earnings: Interest and other forms of earnings shall flow to the source fund from which the principal originated. It shall not be automatically reinvested in the base but shall be subject to consideration for investment as part of the deliberations.

6.4 Maturity Scheduling: Investment maturities for all funds shall be scheduled to satisfy projected cash flow needs and take into account large, planned expenditures, as well as anticipated revenues. If the Board determines that invested funds are needed for current purposes before the maturity date of the bonds, certificates or notes, the Board shall notify

the Treasurer and Treasurer shall order the sale or convert the bonds, certificates or notes into cash in the amount determined by the Board.

6.5 Collateralizing of Deposits: Deposits in excess of FDIC limits shall be collateralized as provided for in Minnesota Statutes, Chapter 118. Safekeeping receipts of all transactions and periodic statements shall be furnished to the LMCD by the collateral depository in a timely manner and organized and maintained by the Executive Director.

7.0 FINANCIAL ADMINISTRATION

7.1 Executive Director: The Executive Director is responsible for timely and accurate reporting of all financial transactions, investment decisions, and narrative necessary for clarification. Further, the Executive Director is responsible for initiating, authorizing, and documenting financial transactions as necessary to maintain prescribed levels of liquidity, to maximize investment of unused funds, and to comply with all provisions of this policy.

7.2 Treasurer: The Treasurer shall be responsible for obtaining monthly reports of investment activity, initiating competitive quote/bid activities, and overseeing compliance with all provisions of this policy. Reports shall be made quarterly by the Treasurer to the LMCD Board, with an annual Report to the LMCD member municipalities.

7.3 Controls: The Treasurer shall require that a system of internal controls, reviewed annually by the independent audit, shall be designed and implemented to prevent the loss of funds due to fraud, error, misrepresentation, or imprudent actions.

8.0 EFFECTIVE

This policy rescinds and supersedes the existing Investment Policy, adopted by the LMCD on 5/10/95, and any other investment policies in place for the LMCD. Adopted by the LMCD Board of Directors this 12th day of January, 2011. Amended by the LMCD Board of Directors this December 14, 2016.



**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 1038.615 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

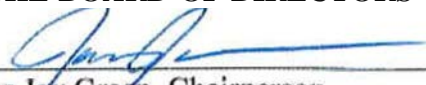
WHEREAS, the Committee, with input from the LMCD civil attorney, created and utilized a nominating process for the 2016 election that the Board desires to formally approve and ratify as the standing nominating process for its elections.

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

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.



Lake Minnetonka Conservation District Board of Directors Farewell Recognition Policy

The Lake Minnetonka Conservation District (LMCD) provides important services to the stakeholders of Lake Minnetonka in order to preserve and enhance the "Lake Minnetonka experience." As such, there are occasions where the LMCD Board would like to show their appreciation and recognize board members who have dedicated their time in providing these services. This policy will serve as a guideline regarding recognition options and expenses.


The Board wishes to provide a type of recognition that will be meaningful and meet state laws regarding appropriate use of public funds. For example, monetary gifts or gifts of monetary value of greater than \$5-\$10 may not be an appropriate use of LMCD funds. Formal recognition will be provided to Board Members who have served a complete three-year term or otherwise have made an extraordinary individual accomplishment. In these cases, the Board will coordinate with staff to prepare a letter of recognition.


A letter of recognition will contain information regarding term of service, any participation on committees or workgroups, and any other special duties or efforts performed. The letter will be presented to the departing member:

- At an LMCD Board meeting, and/or
- To the City that the board member represents, and/or
- At a formal meeting of the represented city council.

A farewell reception may be provided with light refreshments paid for by the LMCD, individual contributions, or combination thereof. Outside of this practice, any other token gifts or receptions should be coordinated and paid for by private contributions on a voluntary basis.

Adopted this 8th day of February, 2017, by the Lake Minnetonka Conservation District Board of Directors.


James Jay Green, Chair


Gregory J. Thomas, Secretary



Lake Minnetonka Conservation District (LMCD) Social Media Policy (Adopted 04/26/2017)

Purpose

Social networking for public agencies serves two primary functions: (1) to communicate and deliver messages directly to the public, stakeholders, and customers; and (2) to encourage involvement, interaction, and feedback. Information that is distributed via social networking must be accurate, consistent and timely, and meet the information needs of the Lake Minnetonka Conservation District's (LMCD) stakeholders and customers. Since social media is used for social networking, this policy seeks to ensure proper use of the LMCD's social media sites by its representatives.

The LMCD wishes to establish a positive and informative social media presence. LMCD representatives have the responsibility to use the LMCD's social media resources in an efficient, effective, ethical and lawful manner pursuant to all existing LMCD policies. This policy also provides guidelines and standards for representatives regarding the use of social media for communication with residents, businesses, colleagues and others. If any portion of this policy is found to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining portions of the policy.

Policy

The LMCD will determine, at its discretion, how its web-based social media resources will be designed, implemented, and managed as part of its overall communication and information sharing strategy. LMCD social media sites or accounts may be modified or removed by the LMCD at any time and without notice, as described in this policy.

LMCD social media accounts are deemed LMCD assets and administrator access to these accounts must be securely administered. All social media websites created and utilized during the course and scope of an employee's performance of his/her job duties will be identified as belonging to the LMCD, including a link to the LMCD's official website.

Scope

This policy applies to any existing or proposed social media websites sponsored, established, registered, or authorized by the LMCD. This policy also covers the private use of the LMCD's social media accounts by all LMCD representatives. As used in this policy, "representatives" shall mean all LMCD employees, agents of the LMCD such as independent contractors, seasonal employees and volunteers. Guidelines related to social media use by LMCD Board Members are set out later in this policy.

Questions regarding the scope of this policy should be directed to the Executive Director. The LMCD Board may amend this policy in writing at any regular Board meeting. Any approved amendments shall be incorporated into this document and the revised policy shall be made available to LMCD employees, agents, and Board Members.

Definition

Social media are internet and mobile-based applications, websites and functions, other than email, for sharing and discussing information, where users can post photos, video, comments and links to other information to create content on any imaginable topic. This may be referred to as “user-generated content” or “consumer-generated media.”

Social media includes, but is not limited to, the following:

- Social networking sites such as Facebook, LinkedIn, Twitter, and online dating services/mobile apps;
- Blogs;
- Social news sites such as Reddit and BuzzFeed;
- Video and photo sharing sites such as YouTube, Instagram, SnapChat, and Flickr;
- Wikis, or shared encyclopedias such as Wikipedia; and
- An ever emerging list of new web-based platforms generally regarded as social media or having many of the same functions as those listed above.

Rules of Use

LMCD employees and agents with administrator access are responsible for managing social media websites. All approved sites will be clearly marked as the LMCD site and will be linked with the official LMCD website, www.lmcd.org. No one may establish social media accounts or websites on behalf of the LMCD unless authorized in accordance with this policy.

Administration of all social media websites must comply with applicable laws, regulations, and policies as well as proper business etiquette.

LMCD social media accounts accessed and utilized during the course and scope of a representative’s performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political or policy issues or to express personal views or concerns pertaining to LMCD employment relations matters. Be aware that content reflects on the writer, but also the LMCD as a whole.

When using social media sites, LMCD representatives must act in a professional manner as it directly relates to or affects the LMCD. Examples include, but are not limited to, the following:

- Adhere to all LMCD personnel and other policies;
- Do not disclose private or confidential information, including names, or using such material as part of any content added to a site. Do not disclose sensitive information. Questions regarding data practices and sensitive information may be directed to the Executive Director;
- Observe copyright, trademark right, or other intellectual property right practices;
- Use appropriate language;
- Make sure information is accurate and free of grammatical errors;
- Do not negatively comment on community partners or their services, or use such material as part of any content added to a site;
- Do not express private or personal views related to politics or personal issues;

- Do not provide information related to pending decisions that would compromise negotiations or any litigation;
- Be aware that all content added to a site is subject to open records/right to know laws and discovery in legal cases. Questions about data practices or retention may be referred to the Executive Director;
- Always keep in mind the appropriateness of content; and
- Comply with any existing code of ethical behavior established by the LMCD.

Where moderation of comments is an available option, comments from the public will be moderated by LMCD staff, with administrative rights, before posting. Where moderation prior to posting is not an option, sites will be regularly monitored by LMCD staff.

LMCD's staff with administrative rights will not edit any posted comments. However, comments posted by members of the public will be removed if they are abusive, obscene, defamatory, in violation of the copyright, trademark right or other intellectual property right of any third party, or otherwise inappropriate or incorrect. The type of content the LMCD staff may remove immediately upon discovery includes, but is not limited to, the following:

- Potentially libelous comments;
- Obscene or racist comments;
- Personal attacks, insults, or threatening language;
- Plagiarized material;
- Private, personal information published without consent;
- Comments totally unrelated to the topic of the forum;
- Politically focused comments;
- Commercial promotions or spam; or
- Hyperlinks to material that is not directly related to the discussion.

Personal Social Media Use

The LMCD respects its representatives' rights to post and maintain personal websites, blogs and social media pages, and to use and enjoy social media on their own personal devices during non-work hours. The LMCD requires representatives to act in a prudent manner with regard to website and internet postings that reference the LMCD, its personnel, its operation, or its property. Representatives and others affiliated with the LMCD may not use an LMCD brand, logo or other LMCD identifier on their personal sites, nor post information that purports to be the position of the LMCD without prior authorization from the Executive Director.

LMCD representatives are discouraged from identifying themselves as LMCD representatives when responding to or commenting on blogs with their personal opinions or views that are inconsistent with or misconstrue an LMCD decision or position on a matter. If an employee chooses to identify him or herself as an LMCD employee, and posts a statement on a matter related to LMCD business, a disclaimer similar to the following must be used:

“These are my own opinions and do not represent those of the LMCD.”

Occasional access to personal social media websites during work hours is permitted, but

employees must adhere to the guidelines outlined in any LMCD policy. Representatives should also review the Data Ownership section of this policy (below).

There may be times when personal use of social media (even if it is off-duty or using the employee's own equipment) may spill over into the workplace and become the basis for employee coaching or discipline as prescribed by LMCD policies. Examples of situations where this might occur include, but are not limited to, the following:

- Friendships, dating or romance between co-workers;
- Cyber-bullying, stalking or harassment;
- Release of confidential or private data (if there are questions about what constitute confidential or private data, contact the Executive Director);
- Unlawful activities;
- Misuse of LMCD-owned social media;
- Inappropriate use of the LMCD's name, logo, or the employee's position or title; or
- Using LMCD-owned equipment or LMCD-time for extensive personal social media use.

Each situation will be evaluated on a case-by-case basis because the laws in this area are complex. If you have any questions about what types of activities might result in discipline, please discuss the type of usage with the Executive Director.

Data Ownership

All social media communications or messages composed, sent, or received on LMCD equipment in an official capacity is the property of the LMCD and will be subject to the Minnesota Government Data Practices Act. This law classifies certain information as available to the public upon request. The LMCD also maintains the sole property rights to any image, video, or audio captured while an LMCD employee is representing the LMCD in any capacity.

The LMCD retains the right to monitor social media use of representatives on LMCD equipment and will exercise its right as necessary. Users should have no expectation of privacy. Social media is not a secure means of communication.

Policy Violations

Violations of the policy will subject the employee to disciplinary action up to and including discharge from employment in accordance with the Personnel Policy.

Board Members

The LMCD Board Members understand that their use of social media can influence how others view the LMCD and so agree to comply with the following guidelines when using LMCD social media sites. LMCD Board Members:

- Will not use official LMCD social media sites for campaigning purposes;
- Will not post comments or links to any content that endorses or opposes political candidates or ballot propositions, including links to a campaign site;
- Should be mindful of the risks of electronic communication in relation to the Minnesota

Data Practices Act and the Open Meeting Law, though recognizing that there is an exemption from the Open Meeting Law under Minnesota Statutes, section 13D.065 for certain social media use;

- Should not use social media as a mechanism for conducting official LMCD business other than to informally communicate with the public;
- Should reveal that they are appointed officials for the LMCD if/when making a post related to LMCD business and be honest, straightforward, and respectful;
- Should be sure that efforts to be honest do not result in sharing non-public information related to employees, personnel data, medical information, claims, lawsuits, or other non-public or confidential information;
- Should add value to any social media discussion by staying focused on the issue; and
- Should correct any mistakes as soon as the Board Member is made aware of the error. Corrections should be upfront and as timely as possible. If you modify an earlier post, make it clear the posting has been corrected. Consider designating corrections with “Fixed link” or “Fact correction” prior to the correction.



SAVE THE LAKE

Save the Lake Program Information

Mission Statement and Operating Policy

Mission Statement

Save the Lake is a non-profit fund investing in programs which benefit the environmental and recreational needs of Lake Minnetonka.

Operating Policy

Lake Minnetonka provides recreational experiences and aesthetic values to public water surface users, the general public and lakeshore owners. The Lake Minnetonka Conservation District (LMCD), its fourteen member cities surrounding the lake, Hennepin County, Minnesota Department of Natural Resources, Minnehaha Creek Watershed District, and Three Rivers Park District are some of the governmental agencies that share major management roles in protecting the lake's environmental quality and user experiences on the lake.

Public funding provides the basis for implementing programs that preserve or improve upon the environmental quality and user experience. At times, however, supplemental programs are needed to enhance or speed up the public program initiatives. The LMCD normal activities are funded through a tax levy to the 14 cities that border Lake Minnetonka, license and permit revenue, court fines, and limited grant funding. In order to achieve objectives not covered by these funding sources, the LMCD has created a Fund called Save the Lake to address the Lake's supplemental needs of public safety, environmental, and public service/education.

The money in the Save the Lake Fund comes from private donations. The LMCD Board of Directors will manage the Save the Lake Fund to achieve its objectives and will do so in accordance with LMCD Resolution 118. LMCD Resolution 118, which establishes a policy on a reserve balance for the Save the Lake Fund, identifies a formula for the maximum amount of Save the Lake Funds available each year based on the reserve balance as of December 31st from each year. It also states that an announcement of funds available will be made by April 15th for the following calendar year.

Program Funding Criteria

When a request for Save the Lake funds is received, the LMCD takes into consideration the following:

- Does the request represent major environmental preservation or an improvement on an environmental priority?
- Does the request sustain or improve a major recreational resource?

- Will the investment of funds provide a long-term benefit?
- Does the request provide public benefit that spans a broad range of lake users in terms of age, economics, use, and interest?
- Does the request attract matching public or private funds to produce the program?
- Does the request appeal to contributors of Save the Lake who recognize and likely support the proposed program, and would likely continue to donate to Save the Lake?
- Does the request meet a major lake educational need not being met by other public or private initiatives?

The following criteria are established to guide the Save the Lake Advisory Committee and LMCD Board of Directors in evaluating and selecting programs for funding. Proposed projects are weighted by meeting one or more of the following program criteria:

PUBLIC SAFETY

1. Improves public safety on the lake.
2. Benefits structures in the lake.
3. Lessens conflicts among lake surface users.
4. Enhances safe boat operation.
5. Assures greater personal safety.

ENVIRONMENTAL

1. Involves research or program implementation that studies or protects the lake environment.
2. Protects the lake from infestation of exotic aquatic plants or animals.
3. Prevents the spread of exotic aquatic plants or animals from the lake.
4. Allows or enhances enjoyment and use of the lake while preserving the lake from environmental degradation.


PUBLIC SERVICE/EDUCATION

1. Benefits the general public use of Lake Minnetonka.
2. Make Lake Minnetonka more accessible to persons unable, or choosing not to, access the lake by their own boat.
3. Encourages public participation in lake clean-up.
4. Promotes courteous boat operation.
5. Recognizes achievements in community service by individuals or groups that benefit Lake Minnetonka.
6. Advances the historical significance of Lake Minnetonka.

Common Lake Terms and Definitions

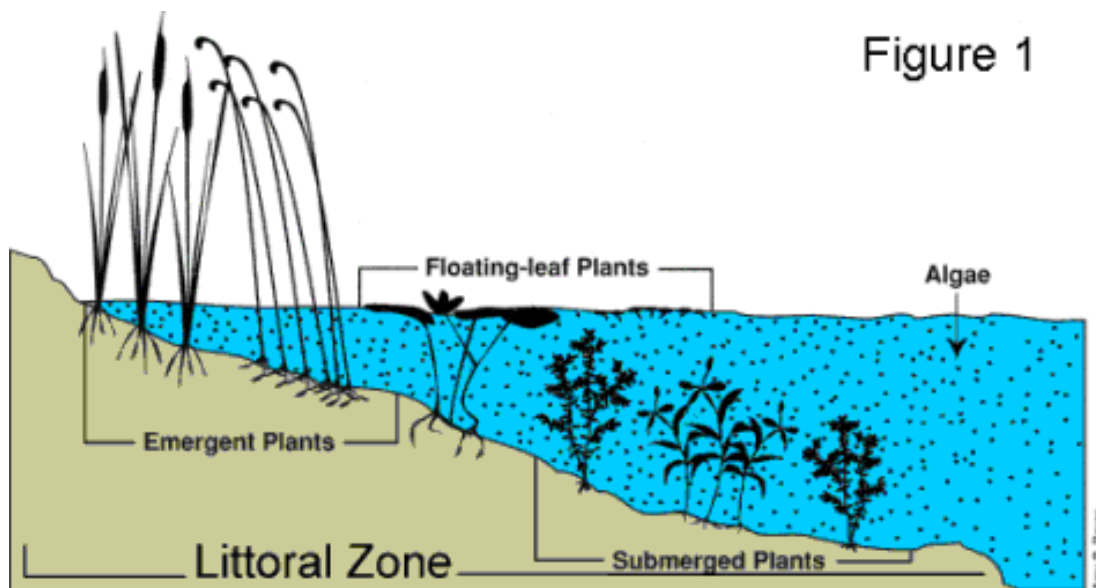
Updated 08/01/2020

These are select definitions from the code and from other sources to help directors better understand some of the terms used in discussing matters related to the Lake and the LMCD.

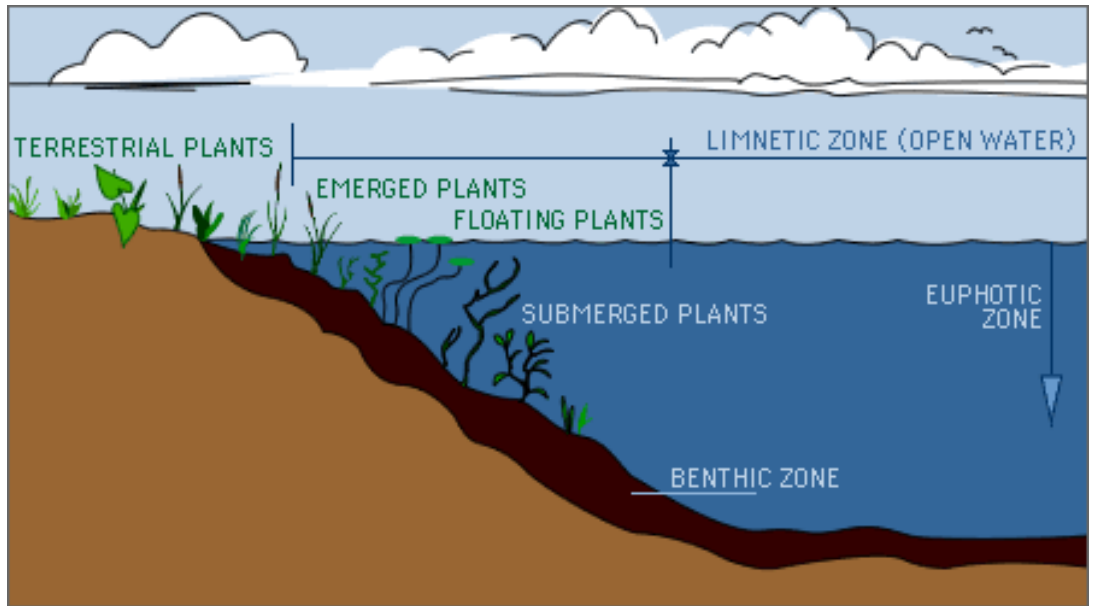
Term	Definition
Abstract vs Torrens	<p>There are 2 recording systems used for MN properties, Torrens and Abstract. Hennepin County Definition:</p> <p>Abstract properties have an Abstract of Title, a document that summarizes the recorded history of a parcel of land (mortgages, easements, deeds, etc.).</p> <p>A property becomes Torrens after the owner registers it through the court system and a Certificate of Title is issued.</p>
Accretion, Avulsion, Reliction	<p>Accretion is the increase of land area through sediment deposits by a body of water.</p> <p>Reliction is the increase in land area as the result of permanently receding water levels.</p> <p>Avulsion is the sudden cutting off of land by a change of course of a body of water or flooding.</p>
Boat House	A permanent, year-round boat shelter. A prohibited structure on lake Minnetonka (LMCD Code Section 2-6.05). Some exceptions exist for maintaining or repairing existing structures.
Boat Lift	A device that raises and lowers watercraft from the water including free standing and floating. A boat lift is not considered a canopy if the fabric is less than 30 inches in vertical height. See canopy.
Boat Storage Unit (BSU)	A space or facility available for mooring, docking, or storing a watercraft to be used on the Lake.
Bog	Spongy ground consisting mainly of partially decayed plant matter that has detached from land to form floating islands. If attached to land it is considered a wetland.
Canopy	<p>That part of a slip structure comprised of an overhead, fabric cover designed to shelter a watercraft from sun, wind or rain, together with poles, rigging and appurtenances that support the cover. An overhead, fabric cover that is an integral part of a boat lift is not a canopy unless the vertical height of the fabric cover exceeds 30 inches.</p> 

Conservation Easement	A legal agreement between a landowner and a land trust or government agency that limits uses of a property to protect its conservation values.
Consolidated vs Unconsolidated Sediment	<p>"Consolidated sediment" has been converted into hard material or rock by compaction.</p> <p>"Unconsolidated sediment" is a loosely arranged sediment, formed by weathered rocks and redeposition of fragments.</p>
Dock vs Deck	<p>"Dock" means any wharf, pier, or other structure or combination of wharves, piers, or other structure constructed or maintained in or over the Lake, whether floating or not, including all "Is", "Ts" or posts which may be a part thereof, whether affixed or adjacent to the principal structure.</p> <p>"Deck" means a structure other than a dock, or element thereof, measuring more than eight feet in length or width, located above the surface of the Lake and designed for use as a platform, floor, cover, or any combination thereof.</p>
Easement	A legal right to use another's land for a specific limited purpose, such as lake access. The legal title to the land remains with the owner of the land.
Houseboat	A boat that can be or is used as a dwelling. Restrictions to overnight sleeping exist on Lake Minnetonka.
Lake Zones	<ul style="list-style-type: none"> • Littoral Zone: zone near shore area where sunlight penetrates all the way to the sediment and allows aquatic plants to grow. • Limnetic Zone: the open water area where light does not generally penetrate all the way to the bottom. • Benthic Zone: bottom sediment. • Euphotic Zone: the layer from the surface down to the depth where light levels become too low for photosynthesizers.

Figure 1



(MN Department of Natural Resources)



(UMN Duluth – MN Shoreland Management Guide)

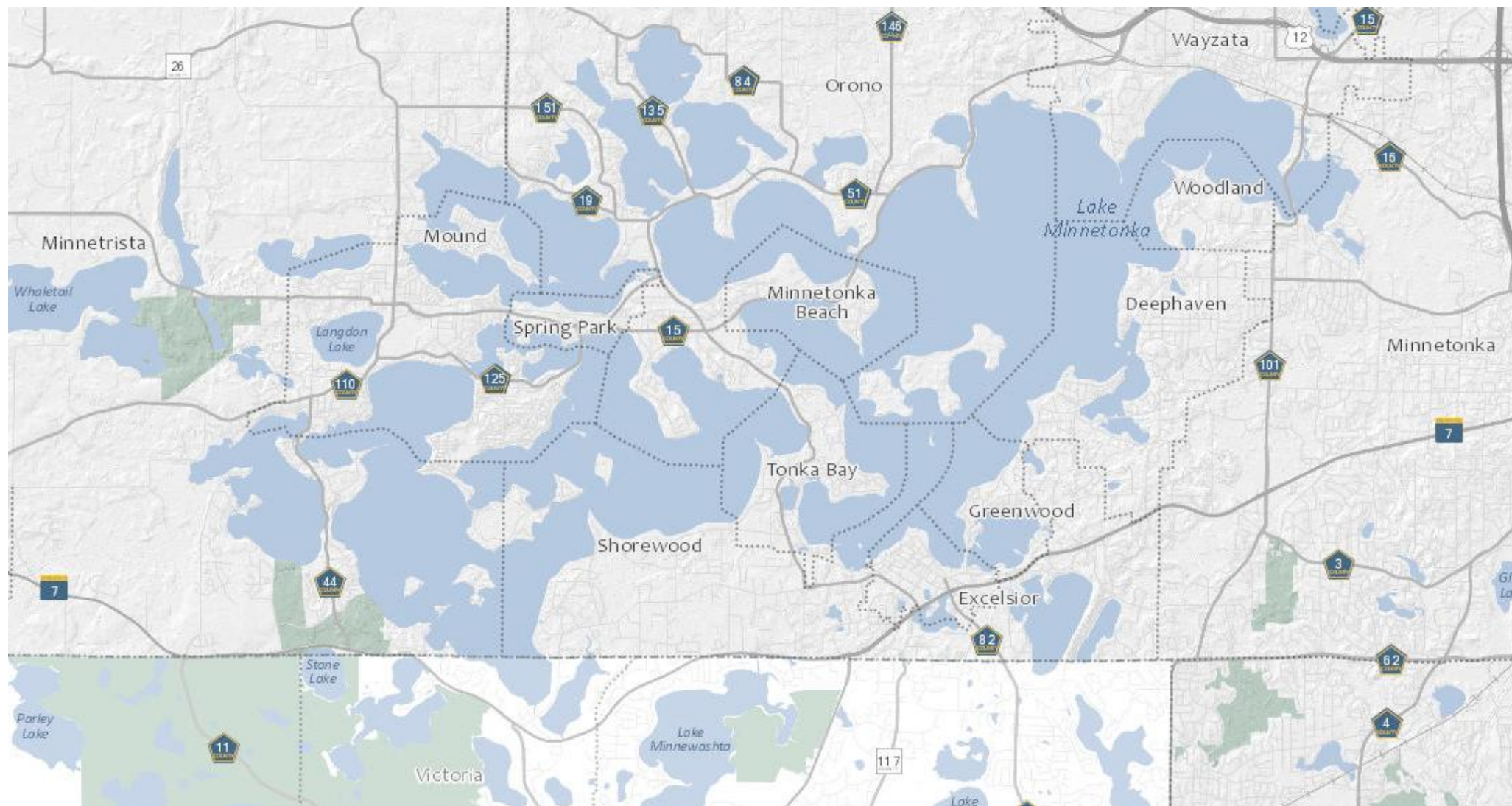
Multiple Dock	Any dock or mooring area constructed or maintained for the storage of five or more restricted watercraft, other than commercial docks.
Overnight Facilities	Facilities or parts of facilities that are licensed for the docking of watercraft overnight.
Restricted vs Unrestricted Watercraft	<p>"Restricted Watercraft" means any boat or vessel for use on or stored on the public waters on the Lake except for unrestricted watercraft as defined in this section.</p> <p>"Unrestricted Watercraft" means any boat or vessel for use on or stored on the public waters of the lake that is:</p> <ul style="list-style-type: none"> a) 16 feet or less in length and has no motor; or b) 16 feet or less in length and has a motor of 10 horsepower or less, as rated by the manufacturer at the time of manufacture, whether or not the motor is operational; or c) 20 feet or less in length and has no motor, and that is propelled solely by human power.
Riparian Rights	<p>MN DNR: Riparian rights are property rights arising from owning shoreland. They include the right to wharf out to a navigable depth; to take water for domestic and agricultural purposes; to use land added by accretion or exposed by reliction; to take ice; to fish, boat, hunt, swim; to such other uses as water bodies are normally put. A riparian owner has the right to make use of the lake over its entire surface.</p> <p>Some legal restrictions exist.</p>
Sediment Sampling	An investigation of the make-up and depths of sediment.
Side-Opening Slip	A boat slip that is roughly perpendicular to and opens towards an extended side property line.

Slide	A storage device designed for watercraft to slide on and off.
Slip	A structure designed solely to secure a watercraft for the purpose of protecting it from damage from sun, wind, storm, or rain. The term does not include boat houses, decks, roofs, or similar structures.
Transient Facilities	Facilities or parts of facilities that are licensed for the temporary approach or docking of watercraft, but not including the docking of watercraft overnight.
Watercraft Density	The number of watercraft stored at a site.
Watercraft Storage Unit (WSU)	A watercraft storage unit (WSU) is a calculation that considers the size and surface area of the lake used for a BSU. A larger boat slip has a larger WSU.
Wetland	An area of land saturated with water, permanently or seasonally, typically identified with specific types of vegetation that live in that area.
Wetland Delineation	A determination of boundaries of protected wetland made through an investigation of the soil (see “sediment sampling”), vegetation, and hydrology.









Lake Minnetonka Summer Rules 2020



ENJOYING THE LAKE SAFELY AND RESPONSIBLY



Lake Minnetonka Summer Rules 2020

Table of Contents

Lake Minnetonka & the Conservation District (LMCD)	1
Quiet Water Areas, Slow Areas, Public Accesses, Toilets.	2-3
Health & Safety.....	4
Top Ten Summer Violations.....	5
Unique Regulations, Wastewater Discharge.....	6
Towing & Nonmotorized Watercraft Safety.....	7
Watercraft Operator Age & Personal Watercraft Operations	8-10
General Safety Items	11
Navigation & Rules of the Road	12-13
Other Safety, Courtesy, & Nuisances.	14-15
Help Stop Aquatic Hitchhikers	16-17
Resources, Links, & Emergency Contacts	Back Cover

This brochure contains a summary of rules of conduct for Lake Minnetonka. Since Lake Minnetonka is one of the busiest lakes, certain regulations are in place to help protect the Lake and all those who use it. More information about applicable laws can be found by contacting the State of Minnesota Department of Natural Resources (MN DNR), Hennepin County Sheriff's Office Water Patrol, and the Lake Minnetonka Conservation District (LMCD) and its member cities. Thank you to all the agencies and volunteers that help make the lake fun and safe. Thank you for doing your part in these protection efforts. Have a safe and enjoyable summer!

Lake Minnetonka Conservation District (LMCD)
Main Office 952-745-0789 Fax 952-745-9085 lmcd.org email: lmcd@lmcd.org
5341 Maywood Road, Suite 200 • Mound, MN 55364



OUR MISSION

For more than 50 years, the Lake Minnetonka Conservation District (LMCD) has been managing the use of Lake Minnetonka in its mission to preserve and enhance the "Lake Minnetonka experience."

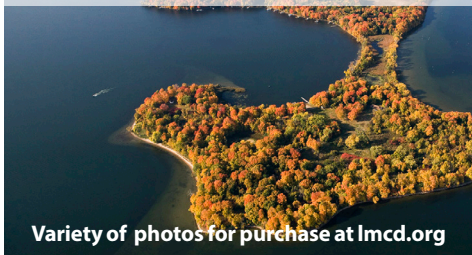
The (LMCD) brings together 14 different cities, two counties, and many state and local agencies to **protect, preserve and enhance Lake Minnetonka's environment, economy and vitality.** We are one, uniform, coordinating body that cares for and regulates one of Minnesota's most important resources in a way that is consistent across all jurisdictions, representing all stakeholders. Lake Minnetonka is a unique asset requiring unique governance.

Some services such as **emergency response, solar lights, boater safety education, vegetation management, and more** are supported by the generous contributions of lake enthusiasts through the **LMCD SAVE the LAKE Fund.** Lake Minnetonka is a highly valued year-round asset with vibrant aesthetic, recreational, commercial and natural qualities. The LMCD works to ensure these qualities and values will be protected and preserved not just today, but for generations to come.

Visit lmcd.org and join us on Facebook and Twitter for Lake Minnetonka information and updates.

New Lake Resources Online

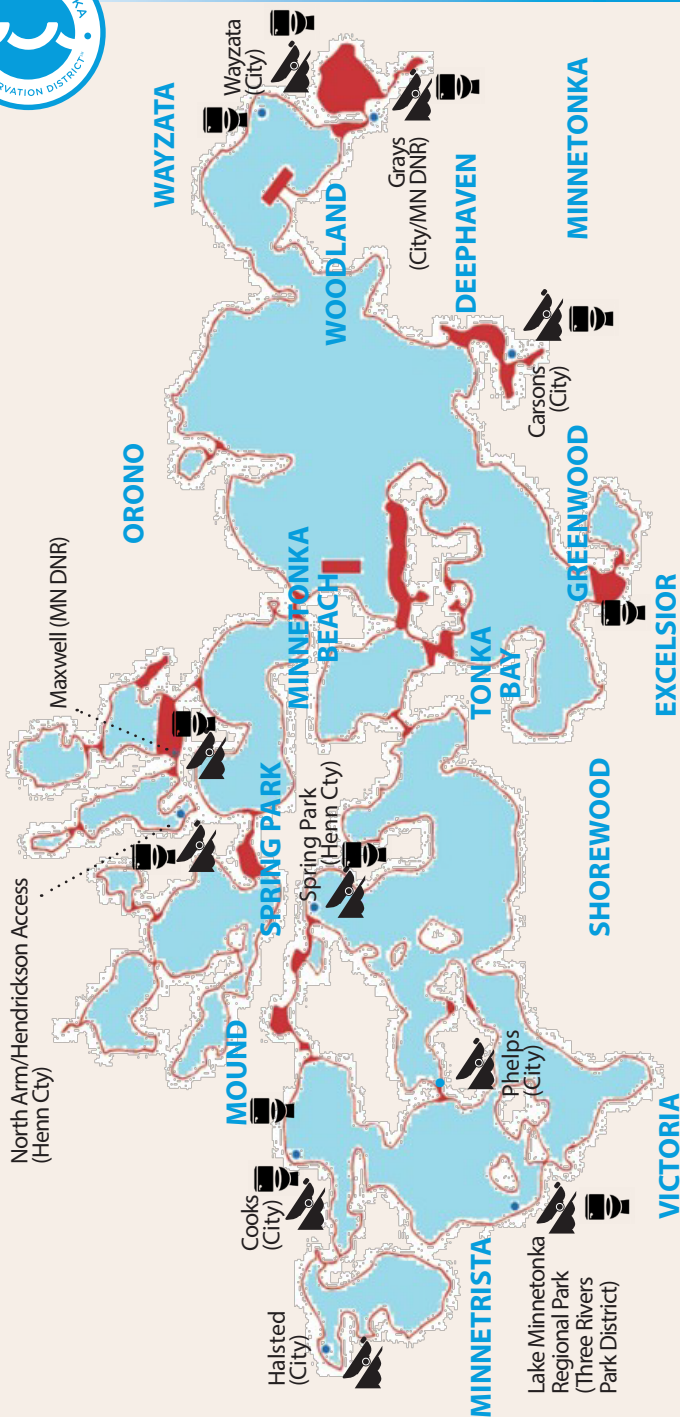
Find lake maps, lake amenities (gas, bathrooms, etc.), beaches, safety tips, events, and more at lmcd.org



DID YOU KNOW?

Lake Minnetonka is known for its:

- 125 miles of shoreline
- 14,043 acres of surface area—the Ninth largest lake in Minnesota
- 42 bays/named bodies of water
- Deepest bay of 113 feet (Crystal Bay)
- 30-foot mean water depth
- 39 percent of the lake has a water depth of less than 15 feet
- Vibrant community, including 14 cities surrounding the Lake
- Sacred indigenous areas, featured in Dakota legends
- Dakota name of "Minn-ni-tanka," meaning "Big Water"
- Located within the Minnehaha Creek Watershed
- Abundance of nature, including regional parks, islands and trails
- Numerous sightings of "Lou," a legendary sturgeon in-excess of 10 feet in length (per local folklore)
- First known "Electric-lit" inland steamboat in the US (1881)



QUIET WATER / SLOW AREAS

Proceed at minimum wake along shorelines and in all areas as indicated on map

— Slow Areas (150 ft from shore, docks, etc.)

— Quiet Waters

KEY



Public Access/Boat Launch



Public toilet facilities indicated on map.
See lmcd.org for business facilities and additional lake amenities.

MAXIMUM WATERCRAFT SPEED LIMITS



DAYTIME
Speed Limit
40 mph



NIGHTTIME
Speed Limit
20 mph

AT ALL TIMES

Speed Limit
5 mph
Within

- 150 feet of the shore; dock structure—except where a person is being towed; of an authorized bathing area, swimmer, scuba diver's flag, anchored craft or structure
- 300 feet for PWCs

LAKE MINNETONKA QUIET WATER AREA LOCATIONS

ENTIRE BAYS

Carsons Bay	Grays Bay
Emerald Lake	<i>From 4 p.m. Fridays through</i>
Libbs Lake	<i>11:59 p.m. Sundays and all</i>
St. Louis Bay	<i>day on holidays</i>

PARTIAL BAYS

Black Lake—*north side*
Coffee Cove—*east of a line from Fagerness Point to Park Lane*
Excelsior Bay—*south end*
Harrisons Bay—*north of Seton channel area*
Lower Lake North—*north side of Big Island/Cruiser's Cove*
Maxwell Bay—*south shore from Noerenberg Bridge to Boy Scout Bridge and Noerenberg Inlet*
St. Albans Bay—*southwest corner*
Wayzata Bay—*southeast corner near Hwy 101 Causeway*

CHANNEL AREAS

All channels between bays
Channels between Black/Emerald/Seton Lakes
Echo and Lafayette Bays—*west end of Big Island by West Point*
Lower Lake North—*west side, northwest of Huntington Point and Arcola Bridge*
Lower Lake North and Lafayette Bay—*south of Huntington Point*
Wayzata Bay—*south side, north of Cedar Point east of Huntington Point*

KEY DEFINITIONS

Quiet Water Areas
Established areas where motor-operated watercraft (including waterborne aircraft) cannot be operated in excess of 5 mph or at a speed that results in more than a minimum wake." Designated QWAs are delineated by waterway markers.

Watercraft
Any vessel, boat, sailboat, canoe, raft, barge, paddleboard, sailboard, or any similar device used or usable for carrying and transporting persons on the Lake.

Minimum Wake
The wave moving out from a watercraft and trailing in a widening 'V' of insufficient size to affect other watercraft or be detrimental to the shoreline.

Daytime
One-half hour before sunrise to one-half hour after sunset—except when weather or other conditions do not provide sufficient light to see people or watercraft at a distance of 500 feet.



HEALTH & SAFETY AT THE LAKE

OWN YOUR WAKE-- FOR EVERYONE'S SAKE

Wakes present dangers to lake users and can damage property. Therefore, it is especially important that boaters be aware of their wakes and how it impacts the shorelines, other people, and the lake.



Under Minnesota law, the damage your wake causes is treated the same as damage caused by an actual collision. You may also be held **personally liable** for injuries or damage due to your wake.

Be aware of your environment and what's going on around you to prevent injuries or damage to the lake – this applies to everyone on and around the water.

Observe minimum wake zones. Further, if your wake is hitting the shoreline, other watercraft, or docks, move farther away or reduce your wake.

Please **respect the lake and rights of others** so everyone can enjoy their time on the water – keep the noise down, be courteous to other boaters, and show consideration to all recreationists on and around the water. Be extra aware of your wakes when operating near shore or when water levels are higher than usual. More information about reducing safety hazards and environmental damage is available at lmcd.org or mndnr.gov.

STAYING HEALTHY ON THE LAKE

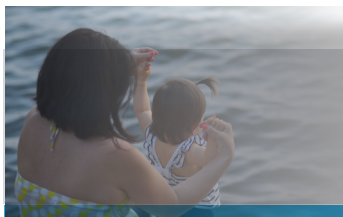
MDH, Hennepin County, and the CDC offer some tips that everyone can take to minimize the risk of illness while enjoying the water and to keep the lake healthy for everyone. More information is available at health.state.mn.us.

Minimize the risk of illness

- Don't swallow the water
- Shower after swimming
- Avoid swimming after a rain event
- Avoid swimming near discharge pipes
- Avoid swimming if you see a blue-green algal bloom
- Wash your hands before eating

Help keep the lake healthy for everyone

- Stay out of the water if you have diarrhea
- Shower before swimming
- Don't go to the bathroom in the water
- Take frequent bathroom breaks
- Change diapers frequently and away from the water
- Dispose of trash, animal waste, raw meat juices, and boat waste properly



Please follow applicable State/Governor's Executive Orders regarding COVID-19 and any social distancing guidance.

TOP TEN SUMMER VIOLATIONS

The following are the most common boating violations observed by HCSO Water Patrol. Be mindful of the rules and use common sense so everyone can have a safe and enjoyable time on the lake.

- 1 LIFE JACKETS**
One coast guard approved life jacket must be readily available for each person on board the watercraft. Watercraft measuring 16 or longer must also have a throwable flotation device. Children below the age of 10 must wear a life jacket while on a watercraft that is underway.
- 2 BOATING UNDER THE INFLUENCE**
Boating while under the influence of alcohol, or any other controlled or illegal substance.
- 3 FIRE EXTINGUISHERS**
Boats with enclosed fuel tanks must have ventilation and fire extinguishers.
- 4 REGISTRATION**
All motorized watercraft and unmotorized watercraft over 10 feet in length must be registered by the Department of Natural Resources.
- 5 RIDING ON GUNWALES OR DECKING**
It is illegal to ride or sit on, or operate a motorboat while someone is riding or sitting on the gunwale, bow, transom, decking over the bow, side or stern while underway (unless it is equipped with an adequate railing).
- 6 OPERATING PERSONAL WATERCRAFT AFTER HOURS**
Personal watercraft may only be operated from 9:30 a.m. until one hour before sunset, and no longer than 30 consecutive minutes in a single area.
- 7 QUIET WATERS/Minimum Wake Zones**
Motor-operated watercraft (including waterborne aircraft) cannot be operated in excess of 5 mph or at a speed that results in more than a minimum wake in designated quiet water areas. See the summer rules brochure for a map of locations.
- 8 TOWING OBSERVER**
In addition to the watercraft operator, an observer (not a rear-facing mirror) is required to continuously observe the person(s) being towed. The observer must be at least 12 years old and able to communicate with the driver.
- 9 NAVIGATIONAL LIGHTS**
Proper navigational lights, including a red light to port, a green light to starboard, and a white light to stern, must be displayed when boating after sunset and before sunrise.
- 10 SPEED LIMITS**
The daytime speed limit is 40 mph; the nighttime speed limit is 20 mph; the speed limit for Quiet Water Areas or within 150 of shoreline, docks, and swimmers is 5 mph.



UNIQUE LAKE REGULATIONS

BIG ISLAND PUBLIC SAFETY LANES

Public Safety Lanes are installed at the north end of Big Island to provide better access by the Hennepin County Sheriff's Office for emergency purposes. Buoys delineate these lanes and extend 600 feet from shore (visual reference when high water declaration in effect). Watercraft may not be anchored in these lanes, but may use for traveling.

BOW FISHING

Bowfishing is prohibited one half hour after sunset to sunrise, and from November 15th through May 1st. Bow fishing is also prohibited in designated areas and during specific dates and times. View the LMCD code for details.

SPECIAL "HIGH-WATER" DECLARATION

The LMCD may declare "High Water" when lake water levels reach 930.00 feet NGVD for a certain number of days or reach 930.25 feet. When "High Water" is declared, minimum wake restrictions are implemented for user safety and shoreline protection. During "High Water," watercraft must maintain minimum wake within 600 ft from shore for some bays and entirely for other bays, or otherwise directed. The Ordinary High Water level is 929.4 ft. Visit minnehahacreek.org or [@graysbaydam](https://www.facebook.com/graysbaydam) for the latest water levels. Updates will be provided at lmcd.org.

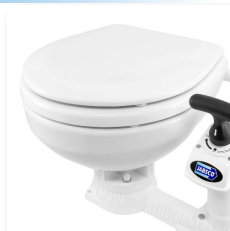


NEW FOR THE 2020 BOATING SEASON

MARINE TOILETS & WASTEWATER DISCHARGE

To prevent illnesses from the accidental or intentional discharge of sewage into the lake from watercraft, any watercraft operating on Lake Minnetonka must meet the following requirements:

- Macerator/grinder pumps must be removed, and,
- Discharge valves ("Y-valves") must be locked.



If the watercraft has been repiped to satisfy regulations on other waters, you may be in compliance.

Monitoring & Reporting

All boaters on Lake Minnetonka must comply with the ordinance. Lake service providers who launch watercraft or provide pumping services are required to report to the LMCD any situations where marine toilets do not comply with regulations and may not launch any watercraft in violation.

Penalty for Violating Ordinance

Any person launching a watercraft equipped with a marine toilet that is not following the ordinance is subject to a petty misdemeanor. **Due to COVID-19, make corrections if it can be completed safely with social distancing. Enforcement of all watercraft will begin 2021.**

The LMCD Code and links to applicable state laws can be found on the LMCD website.

TOWING (SKIING, WAKEBOARDING, WAKESURFING...)

NUMBER TOWED

No more than three persons may be towed at one time.

OBSERVER

In addition to the watercraft operator, an observer (not a rear-facing mirror) is required to continuously observe the person(s) being towed. The observer must be at least 12 years old and able to communicate with driver.

HOURS

Towing is prohibited from one-half hour after sunset until sunrise.

LIFE JACKETS

A person being towed must wear a life vest, belt, or other buoyant device. If the buoyant device is not U.S. Coast Guard-approved, a U.S. Coast Guard-approved life jacket must also be on board and readily available to the person being towed.

LENGTH OF TOW

Maximum length of 85 ft (except with written permission of the Sheriff).

DISTANCE

Towing may not occur within 150 ft of a swim area, skin or scuba diver's flag, swimmer, watercraft, or dock or pier (except dock/pier where operating from).

EMPTY TOW

An unoccupied tow line may not be dragged behind a watercraft for an unreasonable length of time.

TOWING IN CHANNELS

No person shall tow or be towed into or through any marked channel connecting two bodies of water. It is unsafe.



SEE AND BE SEEN- Safety for Nonmotorized Watercraft

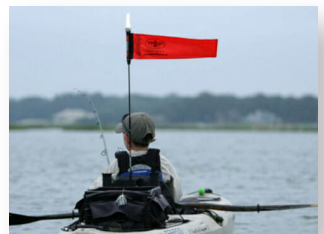
Whether operating in low light conditions or areas with powerboats, operators of **nonmotorized watercraft** should be extra cautious and take precautions to make themselves **BE SEEN** to other lake users to prevent accidents.

If you are kayaking, canoeing, or paddleboarding, some ways to become more visible include:

- Wear vibrant clothing
- Fly a flag
- Install a light
- Pay attention to lake conditions such as wakes, boat traffic, and weather

Powerboaters and larger boat operators should be aware of their surroundings and take measures to **SEE** smaller boats and nonmotorized watercraft on the lake. Avoid injuring other lake users by being courteous, reducing wakes, and increasing distance.

*Light and Flag
Combination
Improve Visibility*





YOUTH REGULATIONS

In addition to the **minimum age requirements for Minnesota youth operators**), State regulations for **Operator's Permits** are followed and vigorously enforced on Lake Minnetonka. What's more, **lake-wide curfew regulations** also apply.

Youth operators-- know the rules and keep your boating experience fun and safe!

CURFEW

Youth under the age of 15 may not be on a watercraft between the hours of 10 p.m. and 6 a.m.—*unless accompanied by a parent or guardian*. Those between the ages of 15 and 17 must be supervised by a parent or guardian while on watercraft between the hours of 12 a.m. (midnight) and 6 a.m.

OPERATOR'S PERMIT

See *Minnesota Age Restrictions* section for information about required Watercraft Operator's Permits. Permits may be obtained by successfully completing an approved boating safety course—including the boater safety education course offered through the LMCD or one offered on-line by MN DNR.



OPERATOR'S PERMIT & BOATING SAFETY COURSES

LMCD BOATER SAFETY EDUCATION PROGRAM

Funded through its Save the Lake Fund, the LMCD partners with the Hennepin County Sheriff's Office Water Patrol and Mound Fire Department to offer the **Boater Safety Education Program**. Adults and youth (ages 12 to 17) work directly with presenters to obtain their MN DNR Watercraft Operator's Permit in a single full-day session. Parents and guardians are encouraged to attend to enhance the training. **Due to the COVID-19 situation, classes are temporarily suspended.** However, additional educational materials are being created for the website. Visit lmcd.org or call LMCD Office at 952-745-0789.

BOAT MINNESOTA: MN DNR'S ON-LINE BOATING SAFETY COURSE

The Minnesota Department of Natural Resources offers an on-line Minnesota Watercraft Operator's Permit program for youth ages 12 to 17. Adults who want to learn more about boating safety or to enhance their current knowledge can also take the course. Some insurance companies offer premium discounts for such certification; check with your insurance company for participation and possible discounts. For more information visit the MN DNR site at mndnr.gov/boatingcourse.

STATE OF MINNESOTA AGE REGULATIONS

WATERCRAFT AGE MINIMUMS

Operators less than 12 years of age: 25 hp or less—no restrictions; more than 25 hp to 75hp must have someone at least 21 years of age on board and within reach of the controls; over 75 hp, cannot operate watercraft even with an adult on board

Operators 12 to 17 years of age: 25 hp or less—no restrictions; over 25 hp, must have either a valid Watercraft Operator's Permit or someone at least 21 years of age on board and within reach of the controls

PERSONAL WATERCRAFT (PWC)-SPECIFIC AGE MINIMUMS

Operators less than 13 years of age: Cannot operate (even with an adult on board)

Operators 13 years of age: Must have someone at least 21 years of age on board or have a valid Watercraft Operator's Permit and be in visual supervision by someone at least 21 years of age

Operators 14 to 17 years of age: Must have a valid Watercraft Operator's Permit or someone on board who is 21 years of age

PERSONAL WATERCRAFT (PWC) OPERATION & REGULATIONS



A personal watercraft (PWC) is a watercraft less than 14 feet in length that uses a motor powering a water jet pump as its primary source of power, and is designed to be operated by a person sitting, standing or kneeling on, rather than the conventional manner of sitting or standing inside the watercraft. This includes jet skis. The regulations for motorboats apply, in addition to specific PWC requirements.

AUTOMATIC CUTOFF DEVICES

If the machine is equipped by the manufacture with a lanyard-type engine cutoff switch, it must be attached to the person, life jacket or clothing of the operator when underway.

ON LAKE MINNETONKA:

Lanyard-type engine cutoff switch cannot be altered, disabled or removed.

CARELESS OPERATION

A PWC may not be operated in a manner that unreasonably or unnecessarily endangers life, limb, or property (including weaving through congested boat traffic).

ON LAKE MINNETONKA:

Includes swerving at the last moment to avoid a collision if you weren't paying attention.

PWC CONT...

HOURS OF OPERATION

9:30 am to one hour before sunset.

LIFE JACKETS

Anyone operating or riding on a PWC must wear a U.S. Coast Guard-approved wearable life jacket that is compatible with that activity. Check the label.



TOWING

Operator must have an additional observer on board.

ON LAKE MINNETONKA:

The observer must be 12 years or older. See Towing section for more towing information.

SPEED

PWC operators must travel at slow, no-wake speed (5 mph or less) within 150 ft of non-motorized boats, shore (unless launching or landing skiers directly to or from open water), docks, swim rafts, swimmers, or any moored or anchored boat.

ON LAKE MINNETONKA:

Speed limit also applies to proximity to persons fishing, docks, or other water structures. Further, speed limit of 5 mph or no more than minimum wake between 150 ft and 300 ft of shoreline, unless PWC is being driven perpendicular to the shoreline, and to or from the nearest point of water 300 ft from the shoreline, or parallel to the shoreline from one location to another in non-repetitive manner.

WAKE JUMPING

Prohibited within 150 ft of another watercraft or PWC.

PROLONGED OPERATION

ON LAKE MINNETONKA:

PWC may not be operated more than 30 consecutive minutes in a single area (defined as a small area where noise emanating from the PWC may be a nuisance or cause substantial annoyance to one or more shoreline properties).

RENTAL REQUIREMENTS

Businesses required to: 1) Distribute summary of laws free of charge (including instructions to laws and safety factors), 2) Provide required safety equipment, and 3) Ensure those less than 18 years of age show their Watercraft Operator's Permit.

ON LAKE MINNETONKA:

A PWC may not be rented to anyone less than 16 years of age. Further, a Watercraft Operator's Permit is required for all persons under 18 years of age.

The LMCD Code and links to applicable state laws can be found on the LMCD website.

CARBON MONOXIDE ALARMS SAVE LIVES

Sophia's Law, named for a seven-year-old who died from carbon monoxide (CO) poisoning while boating on Lake Minnetonka, requires functioning marine-grade CO alarms on certain motorboats. Minnesota is the first state in the nation to require CO alarms in motorboats to prevent tragic accidents. To learn more about CO alarms, stickers, and when they are required, visit the MN DNR website: dnr.state.mn.us/safety/boatwater.



BEWARE OF ESD ELECTRIC SHOCK DROWNING

ESD results from paralysis caused by electrical currents in the water—by electricity leaking into the water from faulty wiring of boats, docks, and lifts. ESD kills both humans and animals. There are many ways to prevent ESD. The most important way to stay safe is to **never enter water around boats and docks using electrical power**. For more information, visit electricshockdrowning.org or links on the LMCD website. Also, learn about new electrical code requirements (NFPA 70) for marinas, commercial and noncommercial docking facilities, and residential docks.

FIRE PREVENTION & SAFETY

Safe Refueling

Before fueling make sure all passengers have exited the boat and all doors, ports, and hatches are closed to prevent fumes from accumulating. Do not operate any electrical switches, chargers, or other electrical items while refueling or before the fumes dissipate. When you are done fueling, wipe up spilled fuel and be sure to operate the boat's blowers for several minutes to diffuse any lingering fumes. Learn more at <https://lmcd.org/lake-safety>.

Regular Inspection & Maintenance

Many boat fires begin from electrical malfunctions. Regular inspection of engines for damage and timely replacement of critical parts could prevent a considerable amount of boat fires. Check newly purchased boats thoroughly.

If Your Boat Catches Fire

If the size of the fire is beyond what a single portable extinguisher can put out, evacuate and call for professional firefighters. Your life is infinitely more valuable than your boat.

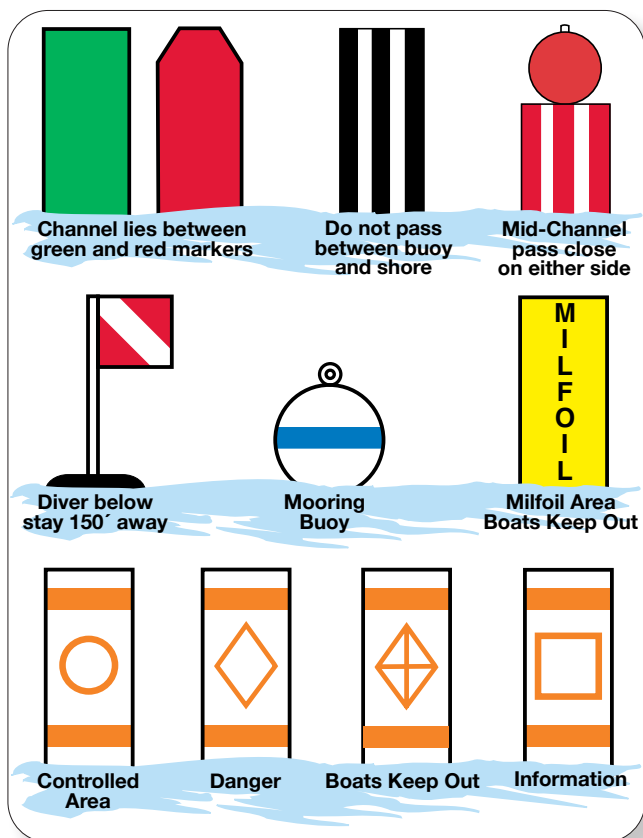




KNOW YOUR MARKERS/BUOYS BEFORE YOU SET SAIL!

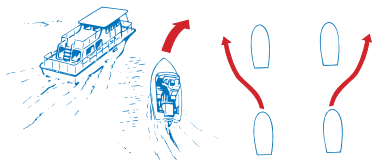
Comprehensive boating safety information, regulations and tips—including details on all inland waterway markers—can be found on the Minnesota Department of Natural Resources' website at mndnr.gov/boatingsafety. Inland markers are used to: help boaters safely navigate channels; direct traffic; control speeds; protect resources; and identify dangerous waterways/areas.

Minnesota Inland Waterway Markers



Graphic source: mndnr.gov

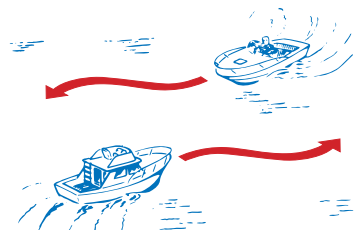
1 WHEN OVERTAKING- When overtaking another vessel, pass when safe.



When watercraft are running the same direction, the craft that is astern must pass only when there is sufficient distance between the craft so it can do so safely and only at such speed that its wash or wake will not endanger the craft being passed or its occupants. No person operating a watercraft may abruptly change its course without first determining that it can be done safely and without risk of collision.

Although the smaller craft has moved up into the overtaken vessel's "danger zone", the relative right-of-way has not changed. She is still burdened and must make any necessary course and/or speed changes to pass safely.

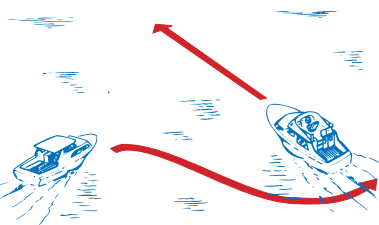
2 APPROACHING- When approaching head-on or nearly so, pass to the right.



When watercraft are approaching each other head-on, or nearly so, each must turn to the right a sufficient distance so that they will safely pass. When the course of an approaching craft is so far to the right as not to be considered as meeting head-on, each must maintain its course and pass clear.

In a nearly head-on meeting situation, both vessels must give way to starboard; neither has the right-of-way.

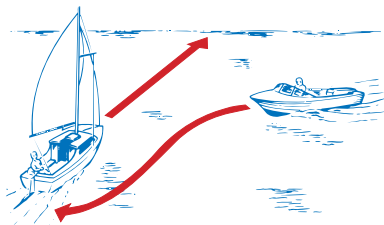
3 CROSSING- When crossing, yield to the vessel on your right.



When watercraft are crossing paths, or approaching each other obliquely or at right angles at the risk of collision, the craft that has the other on its right must yield the right-of-way.

In an encounter between two vessels where one has the right-of-way over the other, both have responsibilities. Not only must the burdened vessels give way, the privileged vessel has the duty of maintaining its course and speed.

4 SAILBOATS- Yield to sailboats, except when they are overtaking.



Sailboats under sail alone have the right-of-way over all other watercraft underway, except when overtaking other watercraft.

Any sailboat under power of a motor (with or without sails) is considered a power-driven vessel and must obey the same rules as other power-driven watercraft.



COMMON STATE & LAKE MINNETONKA REGULATIONS

SAFETY

LIFE JACKETS

Readily accessible and wearable approved life jacket for each person must be on board a boat, paddleboard, and other watercraft. Some inflatable life jackets (automatic or manual) are not considered valid PFDs unless being worn. All **children under the age of 10 years** are required to wear life jackets while watercraft are underway. One **Type IV throwable** is required on boats 16 ft or longer (except canoes, kayaks, and paddleboards) and must be immediately available. All PWC operators and passengers must wear life jackets.

RIDING ON GUNWALES OR DECKING

It is illegal to ride or sit on, or operate a motorboat while someone is riding or sitting on the gunwale, bow, transom, decking over the bow, side or stern while underway (unless it is equipped with an adequate railing).

SAFETY EQUIPMENT

Fire extinguishers, horns, marine-grade carbon monoxide detectors (for specified watercraft), and lighting must be in compliance with State law.

UNDER THE INFLUENCE

"Little Alan's Law" went into effect Aug. 1, 2018. Drivers convicted of DWI will face additional consequences such as criminal penalties, civil litigation, and other liabilities regardless of the type of vehicle they were driving at the time. Boating while under the influence of alcohol, or any other controlled or illegal substance, is illegal. The Minnesota alcohol concentration level for impaired operation is 0.08. Designate a captain for safety. Underage drinking is also strictly enforced. Watercraft owners or operators may be held liable for violations.

WASH AND WAKE

It is a violation to operate a watercraft in a manner that its wash and wake will endanger, harass, or unnecessarily interfere with any person or property.



CHANNELS & NAVIGATION

No person may interfere or block navigation of watercraft, moor, or otherwise create safety hazards in channels or public passageways. Swimming, jumping from bridges, or overtaking boats in channels is also prohibited.

COMMON REGULATIONS CONTINUED...**NUISANCES****PUBLIC NUISANCES**

No person may commit or engage in any activity that constitutes a public nuisance—including excess noise, inappropriate behavior, indecent exposure, etc.

LITTERING

Littering on Lake Minnetonka is illegal. Carry out what you carry in. Please be kind and remove any litter you notice.

PLAN AHEAD FOR SANITATION

If bathroom facilities are not available on the watercraft, find a location with public facilities.

EQUIPMENT NOISE

All watercraft motors must have a muffler, underwater exhaust, or other device that suppresses the sound of the motor to levels consistent with State law.

QUIET HOURS

Sound travels easily across the lake. Noise must not unreasonably disturb the peace, quiet or comfort of anyone nearby. Between 10 p.m. and 7 a.m. sound from any device plainly audible at a distance of 150 feet is a violation of LMCD Code.

RESTRICTED ACCESS TO DOCKS & SHORELAND

Lake Minnetonka has several public accesses, commercial marinas, and transient docks for use by the general public. However, some multiple dock facilities are intended for the exclusive use of their tenants. Further, other docks and shoreland are private property with restricted access. Please respect nonpublic docks and do not trespass.

LIGHTING

All watercraft must display the proper navigation lights when underway or in use between sunset and sunrise.

**PLEASE REMEMBER
TO BE COURTEOUS OF
LAKESHORE OWNERS!**

Many residents live on Lake Minnetonka. When you recreate on or around the Lake, you are having fun near someone's backyard!



The LMCD Code and links to applicable state laws can be found on the LMCD website.



STOP AQUATIC HITCHHIKERS! IT'S THE LAW.

Lake Minnetonka currently has identified five Aquatic Invasive Species (AIS) in its waters—the zebra mussel, Eurasian watermilfoil, curly-leaf pondweed, flowering rush and purple loosestrife. **Help keep other AIS out of Lake Minnetonka by taking the following steps.**

CLEAN

Clean visible aquatic plants, zebra mussels and/or other prohibited invasive species off all watercraft, trailers, and water-related equipment *before* leaving a water access or shoreland property. **It is illegal to transport aquatic plants, zebra mussels or other prohibited species—dead or alive.**

SPRAY

Use a high-pressure washer to spray down your watercraft and equipment.

RINSE

Rinse with very hot water whenever possible—using water at 120° F for at least two minutes (or 140° F for at least 10 seconds) kills zebra mussels and some other AIS.

DRAIN

Drain water-related equipment (boat, trailer, ballast tanks, portable bait containers, motor) and drain bilge, livewell and baitwell by removing drain plugs *before* leaving a water access or shoreline property. **Keep drain plugs out and water-draining devices open while transporting watercraft.** It is illegal to transport a watercraft or water-related equipment without draining water.

DRY

Allow your watercraft or equipment to dry for at least five days whenever possible.

RUN THE MOTOR

Discharge all water by running your motor (or personal watercraft) for a few seconds *before* leaving a water access.

DISPOSE

Be prepared! Transport your catch in a cooler. Dispose of unwanted bait—including minnows, leeches, worms, and fish parts in the trash. If you want to keep live bait, drain bait containers and refill with bottled or purified tap water. **It is illegal to release bait into the water or release worms onto the ground.**



Curly-leaf pondweed,
Potamogeton crispus



Zebra mussel, *Dreissena polymorpha*



Eurasian Watermilfoil,
Myriophyllum spicatum

YOU CAN DO EVEN MORE TO PREVENT THE SPREAD OF AIS



Be on the lookout for Starry stonewort and other aquatic invasive species threats.



BE AN AIS SLEUTH

Since Lake Minnetonka is a regional and national recreation destination, the risk of exposure to a variety of AIS threats is high. AIS damage the ecology of the lake, enjoyment of recreation, economics of the area, and is a significant financial burden to manage.

Learn about AIS management on Lake Minnetonka and report any suspicious aquatic vegetation or animals at lmcd.org or call 952-745-0789.

AIS Detector Opportunities

If you would like to connect your love of lakes with meaningful ways to protect them, consider AIS Detectors training sponsored by the University of Minnesota Minnesota Aquatic Invasive Species Research Center (MAISRC). For more information, visit maisrc.umn.edu/ais-detectors or contact the LMCD.

KNOW THE LAW!

YOU MAY NOT...

- Transport watercraft without removing the drain plug
- Arrive at a lake access with a drain plug in place
- Transport aquatic plants, or prohibited invasive species. Learn more at mndnr.gov
- Launch a watercraft with prohibited species attached
- Transport water from Minnesota lakes or rivers; or release bait into water.

There are many regulated species—such as spiny waterfleas, saucet snails, ruffe round goby, rusty crayfish, and mystery snails—that cannot be released into another body of water.

What's more, **docks, structures, and boatlifts must be dried for 21 days before placing in another body of water.** Violating these regulations may result in fines up to \$1,000.





LAKE MINNETONKA SUMMER RULES RESOURCES & LINKS



Lake Minnetonka Conservation District (LMCD)

5341 Maywood Road, Suite 200
Mound, MN 55364

Office: 952-745-0789 Fax: 952-745-9085
Email: lmcd@lmcd.org Website: lmcd.org

Connect with us at:  [/LakeMinnetonkaConservationDistrict](https://www.facebook.com/LakeMinnetonkaConservationDistrict)
 [@LakeMtkCD](https://twitter.com/LakeMtkCD)

- Licensing and surface regulations
- Docks, structures, and watercraft storage
- Public navigation harvesting program
- Boater safety course
- Solar lights program
- Some services funded by SAVE the LAKE Fund contributions



Hennepin County Sheriff's Office (HCSO)

Water Patrol Unit
4141 Shoreline Drive
Spring Park, MN 55384

EMERGENCY or Officer Assistance: Call 911

Non-Emergency 24/7: 763-525-6216 Office: 612-596-9880
Website: HennepinSheriff.org/water-patrol

- Patrol and enforcement of State and LMCD laws on Lake Minnetonka
- Emergency and rescue operations
- Special events



Minnesota Department of Natural Resources (MNDNR)

Conservation Officers
500 Lafayette Road
St. Paul, MN 55155

DNR Information Center: 651-296-6157 or
888-MINNDNR (646-6367)

Officer Locator: mndnr.gov/officerpatrolareas
Website: mndnr.gov

- Boating and fishing regulations and enforcement
- AIS prevention and management

Lake Minnetonka Winter Rules

2018/19



Celebrating 50 Years Protecting Lake Minnetonka



GENERAL INFORMATION

This brochure is a summary of the most common rules of conduct for Lake Minnetonka, one of the busiest lakes in the area. These regulations help protect the public's health, safety, and welfare, as well as the Lake. **Please remember that in addition to meeting the minimal code requirements, being courteous of the residents, businesses and visitors of Lake Minnetonka is also important.** Thank you for your cooperation in protecting Lake Minnetonka and all those who enjoy it. Have a safe and enjoyable winter season!

THE BASICS

LITTERING-- Be sure to carry out what you carry in and properly dispose of litter. Please help keep the Lake clean by removing any litter you notice.

PLAN AHEAD FOR SANITATION-- If portable bathroom facilities are not available, find a location with public facilities.

SPECIAL EVENTS: Permits are required for most special events on the Lake. The LMCD works with the Hennepin County Sheriff's Water Patrol to ensure special events are properly managed. Please contact the Sheriff's Water Patrol Office for special event application information. Proper planning will help ensure your event is fun *and* safe.



WHO WE ARE & WHAT WE DO

For more than 50 years, the Lake Minnetonka Conservation District (LMCD) has been managing the use of Lake Minnetonka in its mission to preserve and enhance the "Lake Minnetonka experience." The LMCD is a regional governmental agency created by State statute in 1967. The District is governed by a Board of Directors comprised of one member appointed by the City Councils of each of its 14 surrounding cities. The District provides leadership to provide a coordinated, effective approach to balance the interests of the lake, abutting property owners, businesses, local municipalities, partnering agencies, and the general public.

Some services, activities, and safety equipment are supported by the generous contributions of lake enthusiasts through the **LMCD SAVE the LAKE Fund**. Lake Minnetonka is a highly valued year-round asset with vibrant aesthetic, recreational, commercial and natural qualities. The LMCD works to ensure these qualities and values will be protected and preserved not just today, but for generations to come.

This brochure contains a summary of the rules of conduct for Lake Minnetonka (as of November 2017). More information about applicable laws can be found by contacting the State of Minnesota Department of Natural Resources (MN DNR), Hennepin County Sheriff's Office Water Patrol, and the Lake Minnetonka Conservation District (LMCD) and its member cities.



Some factors related to deaths and accidents during winter recreational activities include

driving too fast for conditions, alcohol use, unexpected hazards, and lack of preparedness for winter conditions. Learn some steps you can take to help make your winter activities safer on the Lake.

IMPOUNDING MOTOR VEHICLES

Motorized vehicles may be removed from the Lake by the Sheriff's Water Patrol, or by other duly authorized law enforcement officers, IF the motor vehicle is:

- Unattended and represents a hazard;
- Unattended for more than 6 hours;
- Unattended during nighttime hours;
- Unattended and missing component parts; or
- Constitutes a hazard and the person in charge of the motor vehicle is physically incapacitated in such a way as to be unable to properly provide for its custody and control; or the
- Operator has been taken into custody by a law enforcement officer and the vehicle would otherwise be left unattended

DON'T DRINK & DRIVE!

UNDER THE INFLUENCE

Operating any motorized vehicle on a frozen lake (autos, trucks, snowmobiles, ATVs, etc.) while under the influence of alcohol, or any controlled substance, is illegal. The consequences of operating a motorized vehicle under the influence include criminal penalties, civil litigation, and other liabilities. **The Minnesota alcohol concentration level for impaired operation is 0.08.**

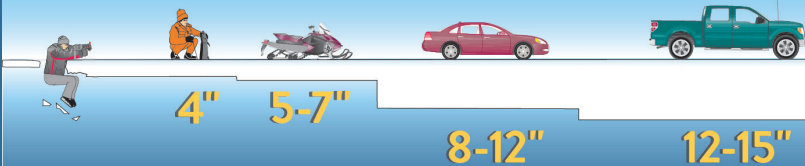
Laws regarding underage drinking and for providing alcohol to those who are underage are also strictly enforced.

Effective 2018
Legal and administrative penalties are similar for DWI/DUI regardless the type of vehicle whether on land, off-road, or water. Learn more at dnr.state.mn.us.



Ice is Never 100% Safe!

Minimum Guidelines for New Clear Ice Only

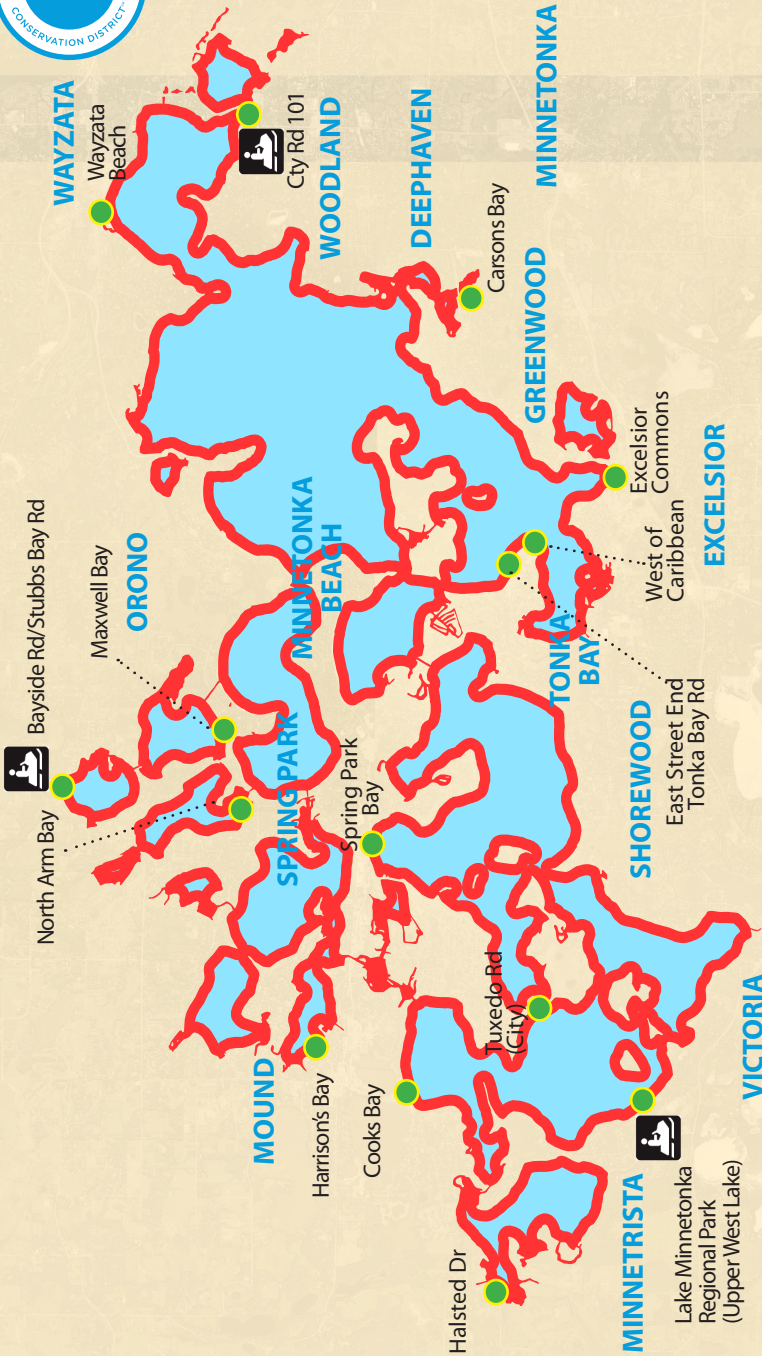


Ice Safety Tips

- Double the thickness guidelines for white or snow-covered ice.
- Carry two large nails to use as ice picks if you fall through.
- Avoid pressure ridges and areas with current.
- Warn children about the dangers of thin ice.
- Don't drive on the ice at night.
- Avoid alcoholic beverages.

mndnr.gov/icesafety

m DEPARTMENT OF
NATURAL RESOURCES



KEY

Shorezone (150 ft from shoreline)

Public Access

Public Access—Snowmobile/walking access only

"Shorezone"

- 150 ft from the shoreline of the entire lake
- Reserved for non-motorized activities
- Maximum speed within the Shorezone is 25 mph

LAKE MINNETONKA MAXIMUM SPEED LIMITS FOR MOTORIZED VEHICLES



DAYTIME
Speed Limit
OUTSIDE of Shorezone
50 mph



NIGHTTIME
Speed Limit
OUTSIDE of Shorezone
30 mph*

*EXCEPT snowmobiles—50 mph,
as defined by MN Statutes

AT ALL TIMES
Speed Limit
25 mph

When within:

- Shorezone
- Channels
- All of Black, Emerald & Seton Lakes, or
- 150 ft from persons fishing, a fish house, pedestrians, skiers, skaters, a skating rink or property of any kind

Note! Motorized vehicles operated within the designated shorezone may traverse within it, provided they take the shortest, most-direct route possible to leave the shorezone.

GENERAL RULES

WINTER ACCESS: The Lake must be entered at one of the designated public access sites (see map, left) or from your own property, unless you have written permission from another property owner to use their property.

THIN ICE/OPEN WATER BARRIERS: The Sheriff's Water Patrol may place markers, signs, barriers, and/or fences around or near thin ice or open water. It is unlawful *and dangerous* to disobey, drive, or walk in these areas-- or to move, remove, or damage such signs.

DE-ICING/OPEN WATER REGULATIONS: Where licensed or allowed by LMCD regulations, underwater bubblers (aerators) may be used to open water around permanent docks. These sites are required to be lit and clearly identified with signs and fencing. For safety, stay clear of these areas.



WATER SKIPPING IS PROHIBITED: Skipping motorized vehicles over open water is dangerous

and strictly prohibited.

CUT ICE SAFETY HAZARD: Pieces of ice cut from the Lake can pose a safety hazard and must be removed from the surface—put it back in the hole or slide it under the ice.

TEMPORARY STRUCTURES/RINKS/HAZARDS: Ice rink walls (plowed, shoveled or wooden) must be clearly marked (with reflectors) for safety reasons. Other items placed onto the ice may also become hazards if not expected or clearly visible, and create liability issues. Check with the Water Patrol for permit requirements.

ICE HOUSE SAFETY: Implement safe practices such as location distances, carbon monoxide prevention, and good sanitation.

KEY DEFINITIONS

Motorized Vehicles

All vehicles with internal combustion engines—including, but not limited to autos, trucks, motor homes, snowmobiles, all terrain vehicles (ATVs), motorcycles and dirt bikes.

Shorezone

Area on the Lake within 150 ft of the shoreline (including channel areas)—reserved for non-motorized activities such as walking, skating, snowshoeing, cross country skiing and fishing. Motorized vehicles must stay clear of the shorezone and comply with the speed restrictions.

Daytime

One-half hour before sunrise to one-half hour after sunset—except when weather or other conditions do not provide sufficient light to see people, vehicles or structures (e.g. fish houses, open water, ice rinks, etc.) at a distance of 500 ft.

Safe Operation

To operate safely on lake ice surface, a motorized vehicle must have current registration, be equipped with specific safety equipment, and be muffled.



Snowmobile Operator Safety

SNOWMOBILE SAFETY CERTIFICATE

Any **resident of Minnesota** born after 12/31/1976 must have a snowmobile safety certificate, drivers license, or ID card with snowmobile indicator in order to operate a snowmobile in Minnesota.

For **non-residents** of Minnesota, certification for snowmobile training in another state will be accepted in Minnesota. Non-residents 18 years of age and older **DO NOT** need a snowmobile safety certificate.

SNOWMOBILE OPERATOR SAFETY—YOUTH REGULATIONS

OPERATION OF SNOWMOBILES BY YOUTH UNDER 18 YEARS OF AGE:

Some regulations are in place to minimize the safety risks and nuisances associated with snowmobiles and ATVs. A summary of State of Minnesota regulations associated with age groups is provided below.

WITH A SNOWMOBILE SAFETY CERTIFICATE

12-13 YEARS OF AGE

- May drive on public lands/waters and grant-in-aid trails IF with a parent/guardian or certificate
- May drive on private lands WITH owner permission
- May NOT cross state/county roads or drive on streets or highways

14-18 YEARS OF AGE

- May drive on public lands/waters and grant-in-aid trails WITH Certificate
- May drive on private lands WITH owner permission
- May cross state/county roads WITH certificate, license or ID card

WITHOUT A SNOWMOBILE SAFETY CERTIFICATE

UNDER 12 YEARS OF AGE

- May drive snowmobiles on public lands, public waters, or grant-in-aid trails if accompanied by a parent, guardian or adult;
- May not drive a snowmobile across state or county roads
- May not drive snowmobiles on streets or highways in a municipality. This **DOES NOT** allow an operator under the age of 12 to cross a public road.



All motorized vehicles must display current/accurate registration

IT'S THE LAW—HELMETS ARE REQUIRED FOR UNDER-AGE OPERATORS & PASSENGERS



All persons under the age of 18 who are operating—or riding on—an ATV or snowmobile on public land, waters, or roadways are required to wear an "approved" helmet. Approved helmets comply with strict Federal motor vehicle safety standards and can be identified with the DOT symbol.

CLASS 1 ATV OPERATOR SAFETY—YOUTH REGULATIONS

OPERATION OF ATVS BY YOUTH

It is unlawful for the owner or operator of an ATV to permit its operation on Lake Minnetonka by a person under 18 years of age—unless in compliance with regulations of the State of Minnesota. A summary of regulations associated with age groups is provided below.

Effective 2017, Youth ages 6 - 15 must complete an Online ATV safety course AND a hands-on riding performance class. Guardian must be present for ages 6 - 10.

For details, visit dnr.state.mn.us.

CLASS 1 ATV OPERATOR AGE RESTRICTIONS

The following outlines Class 1 ATV operator age restrictions. For regulations pertaining to Class 2 ATVs, contact the Hennepin County Sheriff's Office.

UNDER 10 YEARS OF AGE (WITHOUT SAFETY CERTIFICATE)

- May operate on private lands WITH owner permission

10-11 YEARS OF AGE

- Must be able to properly reach and control the handle bars and foot pegs while sitting upright on the seat
- May operate on private lands WITH owner permission
- May operate ATV up to 90cc on public lands and frozen waters IF accompanied by a parent or guardian

12-15 YEARS OF AGE

- Must be able to properly reach and control the handle bars and foot pegs while sitting upright on the seat
- May operate ATV on public lands and frozen waters and make direct crossing of roadways WITH a valid safety certificate IF accompanied on another ATV with a person 18 years of age or older who has a valid driver's license
- May operate on private lands WITH owner permission

16-17 YEARS OF AGE

- May operate on public lands, frozen waters, public road rights-of-way, or state or grant-in-aid trails WITH an ATV Safety Training Certificate AND a valid drivers license
- May operate on private lands WITH owner permission

YOUTH OPERATORS WITH PASSENGERS

As an operator 12 to 17 years of age, you may carry one passenger on a Class 1 ATV only if the passenger is your parent or legal guardian.

DEFINITIONS-- ATV, CLASS 1, CLASS 2

ATVs are defined as: 1) three to six low-pressure or non-pneumatic tires; and 2) total dry weight of 2,000 lbs. or less; and 3) total width from outside the tire rim to outside the tire rim of 65 in. or less. Class 1 has total width of 50 in. or less and Class 2 is greater than 50 in. but less than 65 in.)



LAKE MINNETONKA WINTER RULES RESOURCES & LINKS



Lake Minnetonka Conservation District (LMCD)

5341 Maywood Road, Suite 200
Mound, MN 55364

Office: 952-745-0789 Fax: 952-745-9085

Email: lmcd@lmcd.org Website: lmcd.org

Connect with us at:



[LakeMinnetonkaConservationDistrict](https://www.facebook.com/LakeMinnetonkaConservationDistrict)



[LakeMtkaCD](https://twitter.com/LakeMtkaCD)

- Permit, licensing and surface regulations including the use of underwater bubblers (aerators) to prevent ice
- Solar lights program
- Some services funded by Save the Lake Fund contributions

Celebrating 50 Years Protecting Lake Minnetonka



Hennepin County Sheriff's Office (HCSO)

Water Patrol Unit
4141 Shoreline Drive
Spring Park, MN 55384

EMERGENCY: Call 911

Non-Emergency 24/7: 763-525-6216 Office: 612-596-9880

Website: HennepinSheriff.org/water-patrol

- Patrol and enforcement of State and LMCD laws on Lake Minnetonka
- Emergency and rescue operations
- Special events



Minnesota Department of Natural Resources (MNDNR)

Conservation Officers

500 Lafayette Road
St. Paul, MN 55155

DNR Information Center: 651-296-6157 or

888-MINNDNR (646-6367)

Officer Locator: mndnr.gov/officerpatrolareas

Website: mndnr.gov

- Ice safety and vehicle escape plans
- State permits, licenses and regulations
- Snowmobile and ATV regulations
- Fishing permits





RESIDENTIAL DOCKS, STRUCTURES, & WATERCRAFT

Lake Minnetonka

Lake Minnetonka is a great natural resource and the Lake Minnetonka Conservation District (LMCD) manages lake use to preserve the Lake, promote safety, and enhance the experience of all Lake enthusiasts. A summary of the regulations regarding docks, structures and watercraft is provided as a guide for residents, realtors, and installers. Following these standards will minimize the negative impact to the lake and promote positive neighbor relations. View the complete LMCD codes and contact the LMCD regarding unique situations.

ADDITIONAL RESOURCES

Land Use

Cities may have additional regulations.

Shoreline Improvements & Dredging

MCWD regulates shoreline stabilization, landscaping, wetlands, and dredging at www.minnehahacreek.org.

Aquatic Plant Management

MN DNR regulates and permits mechanical or chemical aquatic plant management at www.dnr.state.mn.us/apm

Master Water Stewards

Freshwater Society certifies citizens to optimize shoreline improvements, www.freshwater.org.

Lake Minnetonka Conservation District
5341 Maywood Rd, Mound, MN 55364

lmcd.org | 952-745-0789 | lmcd@lmcd.org

LakeMinnetonkaConservationDistrict

LakeMtnkaCD

FINDING THE LINES

929.4 Ft Ordinary High Water Line (OHW). The 929.4 OHW may be different from the shoreline depending on the water level in the lake. When a site survey is required, the 929.4 OHW measurement should be specifically requested. This is the basis of dock and storage requirements. The Lake water level can be found at www.minnehahacreek.org.

Extended Side Property Lines. First, be sure you own or have rights to the shoreline. When needed, a property survey will indicate the side property lines. If a survey is not available, property markers/stakes may exist and can be used to determine the side property line. The extended side property line is when the side property line on land is extended into the lake. This is important in determining the required setbacks from adjacent properties. In cases where the property is curved or unusual, the LMCD will help determine the extended side property lines.



PERMITS / LICENSES

Annual permits/licenses are generally not required for single family residential properties. However, there are some situations where a permit or license is required as listed below:

- License to store five or more watercraft, under certain circumstances allowed by code. Examples include residential properties with or sharing 226 feet or more of 929.4 OHW shoreline, homeowner associations, shared docks, etc.
- Permit for installation of permanent docks, installed using machine driven pilings.
- Permit for dock extension during declared Low Water Conditions
- Nonconforming use permit for docks/moorings in existence since 05/03/1978



VARIANCES

A variance from the code may be requested by a property owner if a practical difficulty exists such as conflicting dock use areas or shallow water. Variances should be registered with the County property records since they are conditions on the property. In many situations, property owners work with each other to adjust side setbacks and avoid the need for variances. (LMCD code 6-5.01.)

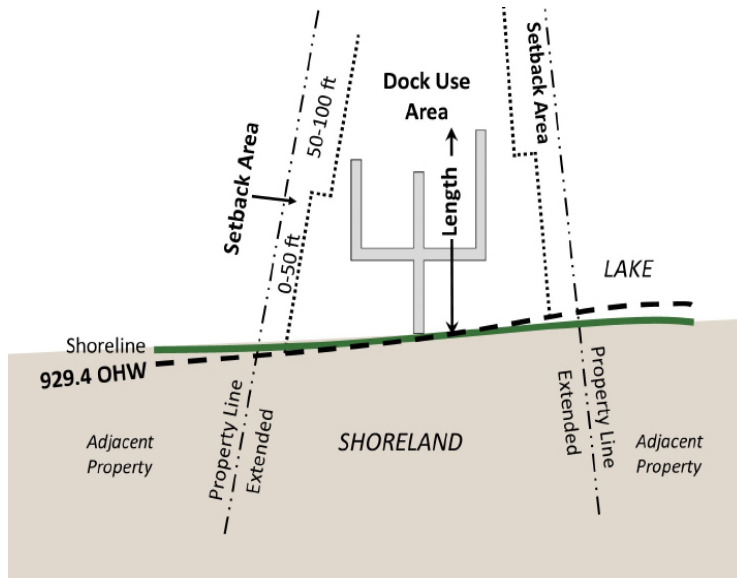
DOCKS, DECKS, AND PLATFORMS

Docks, decks, and platforms may exceed 8 feet in length or width, but not both. Ex. 8 ft x 12 ft, but not 9 ft by 12 ft. Docks moved between lakes or waterbodies must be dried out for 21 days to help prevent the spread of aquatic invasive species. Permits are required. Visit the MN DNR website for more information.

RESIDENTIAL DOCKS, STRUCTURES, & WATERCRAFT, CONT.

LOCATION (AUTHORIZED DOCK USE AREA)

Docks, structures, and watercraft must be located within an authorized Dock Use Area, determined by setbacks from the extended side property lines and length into the lake. The *Dock Use Area Illustration* provides an example of a typical dock use area. A neighboring property owner may allow the dock and watercraft to encroach into the side setbacks. As indicated below, some uses are grandfathered if the property/site has not been replatted, subdivided, combined or otherwise changed since a certain date. For unusual lots or shoreline, contact the LMCD to determine the Dock Use Area.



Dock Length

Shoreline	Feet
Equal to shoreline	Up to 100 ft
40 to 60 ft and in existence on 02/05/1970	60 ft
40 ft or less	First reach to 4 ft water depth or 60 ft

Setbacks

Condition	Feet
Dock length 0-50 ft	10 ft
Dock length 50-100 ft	15 ft
Shoreline 50 ft or less; if in existence on 2/2/1970	5 ft
Slip opens into adjacent property (side opening)	Depth of slip; min. 20 ft
Canopy fabric exceeding 30 inches vertically	20 ft

WATERCRAFT TYPES & DENSITY

The number of watercraft (called restricted) that can be stored at a property is based on the measurement of the shoreline at the 929.4 OHW. This includes personal watercraft, runabouts, cruisers, pontoons, fishing boats and similar. The following watercraft (unrestricted) are not included in watercraft density calculations if not stored on or above the water such as a lift:

- 16 ft or less in length without a motor
- 16 ft or less with a motor 10 hp or less (manufacturer specs and regardless if operational)
- 20 ft or less without a motor and propelled solely by human power. Ex. Canoe, kayak, paddleboard



BOAT LIFTS

Boat lifts may be used as long as they fit within the authorized dock use area and meet any existing variances. An overhead, fabric cover that is an integral part of a boat lift is not a canopy if the vertical height of the fabric cover does not exceed 30 inches.

WATERCRAFT DENSITY CALCULATIONS

The number of watercraft that can be stored at a property site is determined as follows:

1. 1 watercraft per 50 feet of continuous shoreline regardless of ownership (1:50 ft Rule), or
2. 2 if the site was in existence on 08/30/1978 regardless of ownership (more if allowed by the 1:50 ft Rule), or
3. Any property may have up to 4 if all the following conditions are met:
 - i) single family residence, legally subdivided and adjoined to shoreline property,
 - ii) exclusive dockage use by site's owner,
 - iii) all restricted watercraft owned by and registered to persons living on site, and
 - iv) all applicable code requirements met, or
4. 5 or more by obtaining a license if lake and code conditions can be met.

Lake Minnetonka Conservation District
5341 Maywood Rd, Mound, MN 55364

lmcd.org | 952-745-0789 | lmcd@lmcd.org

 LakeMinnetonkaConservationDistrict

 LakeMnkaCD

Topic	Description	Public Contact	Phone Number	Online Resources
GENERAL LAKE SAFETY & USE				
Buoys- Channel	Information about main lake and channel navigation	HCSO Water Patrol	(612) 596-9880	www.hennepin.us
Buoys- Hazardous	Information about identifying hazardous or obstructions	HCSO Water Patrol	911	www.hennepinsheriff.org
Buoys- Slow/No Wake	Information about authorized slow speed and no wake zones	LMCD	(952) 745-0789	www.lmcd.org
Carbon Monoxide (CO) Alarms	CO requirements for watercraft	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Deicing Operations (Bubblers)	Licenses and information about deicing operations and requirements	LMCD	(952) 745-0789	www.lmcd.org
Hydraulic Water Jets	Regulations and proper use	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Ice House Licenses	Information about Ice house/shelter licenses and regulations	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Fishing Tournaments	Regulations and permit requirements for fishing tournaments and special events	HCSO, MN DNR	(612) 596-9880; (651) 296-6157	HCSO Special Event Permit - www.hennepinsheriff.org ; MN DNR Fishing Tournament Permit - www.dnr.state.mn.us
Fishing Licenses	Fishing regulations and licenses	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Loud Parties/Nuisances- On Land	Information or to report nuisances about city regulations	City Where Property Located	911	Delegated public service agency
Loud Parties/Nuisances- On Lake/Dock	Information or to report nuisances on the lake or on a dock	HCSO Water Patrol	911	www.hennepinsheriff.org
Signage- On Lake/Dock	Information about signs located on the lake or on a dock or other structure	LMCD	(952) 745-0789	www.lmcd.org
Solar Lights	Information about the SAVE the LAKE Solar Light Program and navigation lights	LMCD	(952) 745-0789	www.lmcd.org
Special Events	Permits for events that occur on Lake Minnetonka	HCSO Water Patrol, LMCD	(612) 596-9880	www.hennepinsheriff.org
Lake Use Regulations	General questions about Lake Minnetonka regulations, lake safety, ecology, nuisances	LMCD	(952) 745-0789	www.lmcd.org
DOCKS, STRUCTURES, & WATERCRAFT				
Marinas, Charter Boats, Alcoholic Beverage/Liquor Licenses, Multiple Docks	Information about licenses, permits, operations, and maintenance of marinas, charter boats, liquor licenses, permanent docks, and other uses	LMCD	(952) 745-0789	www.lmcd.org
Dock and Structure Regulations	General information about licenses, permits, Location, maintenance, and concerns	LMCD	(952) 745-0789	www.lmcd.org
City Zoning, Land Rental Regulations	Information about activities on land, such as zoning, businesses, and nuisances	City Where Property Located	City	City
Watercraft	General information about dock use area, location, number of watercraft/density, etc.	LMCD	(952) 745-0789	www.lmcd.org
Watercraft for Hire	License information about rental watercraft, cruises, tours, and alcoholic beverages/ liquor licenses	LMCD	(952) 745-0789	www.lmcd.org
Temporary Structures	Permits for activities with obstructions on Lake	HCSO Water Patrol, LMCD	(612) 596-9880	www.hennepinsheriff.org
Electrical Service- On Docks	Electrical services and connections on docks	LMCD, City Property Located	(952) 745-0789	www.electricschockdrowningmn.com
Electrical Service- On Land	Electrical services provided on land to docks	City Where Property Located	City	City; www.dli.mn.gov/ccld/ElectricalCodes.asp
AQUATIC VEGETATION, ANIMALS, AIS				
Floating Bogs	Information about floating wetlands not connected to land	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Harvesting Vegetation- Public Areas	Management of aquatic vegetation, weeds, in public navigation areas	LMCD	(952) 745-0789	www.lmcd.org

Lake Vegetation Removal-Private	Information about restrictions and permits required for managing aquatic vegetation, weeds	MN DNR	(651) 296-6157	www.dnr.state.mn.us
Aquatic Invasive Species (AIS) Programs	Information about AIS activities on Lake Minnetonka	LMCD, MN DNR, MCWD, TRPD	(952) 745-0789	www.dnr.state.mn.us
Wetlands Vegetation Removal	Information or permits for vegetation removal that is part of a wetland, vegetation, weeds attached to land	MCWD	(952) 471-0590	www.minnehahacreek.org
Lake Service Provider Pilot Study	Participating businesses permitted alternatives for equipment with zebra mussels	MN DNR		www.dnr.state.mn.us
AQUATIC ANIMALS				
Invasive Aquatic Animals	Information about aquatic animals and invasive species	LMCD, MN DNR, MCWD, TRPD	(952) 745-0789	www.lmcd.org
Sick or Injured Wildlife	General information about injured or nuisance animals.	MN DNR Conservation Officer	888-645-6367	www.dnr.state.mn.us
ENVIRONMENT & POLLUTION MANAGEMENT				
Beach Closures	Locations of beach closures, water contamination, swimming alerts, and reopenings	Hennepin County Environmental Services; City	(612) 543-5200; or City	www.hennepin.us ; and City
Master Water Stewards Program	Certifying citizens to optimize shoreline to improve water quality for pollution mitigation	Freshwater Society	(651) 313-5800	www.freshwater.org
Emergency Hazardous Spills and Incidents	Reporting hazardous spills and serious incidents	MN State Duty Officer	(651) 649-5451 or 911	www.dps.mn.gov
Ongoing Pollution Concerns	Inquiries or reporting of non emergency situations occurring on or into Lake	LMCD	(952) 745-0789	www.lmcd.org
Shoreland Restoration	Information about riprap, sand blankets, beaches, etc.	MCWD	(952) 471-0590	www.minnehahacreek.org
Tree Removal Shoreland	Permits may be required from City	City Property Located	City	City
Dredging	Requirements and permits to manipulate the lake bottom	MCWD	(952) 471-0590	www.minnehahacreek.org
Shoreland planning and zoning, land use	Planning and zoning requirements, development regulations on land	City Property Located	City	City
High Water Declaration	No Wake and other restriction in effect when high water declared	LMCD	(952) 745-0789	www.lmcd.org

LAKE MINNETONKA CONSERVATION DISTRICT BOARD OF DIRECTORS

6:00 P.M., July 22, 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; Bill Cook, Greenwood; 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: Dan Baasen, Wayzata.

Persons in Audience:

John Bendt, Eric Evenson, Patrick Foss, Dave Hemink, Gabriel Jabbour, Michelle Morey, and Shawn Wischmeier.

1. AIS Management Workshop Continued

Bill Cook provided background information on the topic of AIS and the regulatory authority of the LMCD. He provided the draft RFQ for the potential Lake Specialist position. He stated that the budget indicates that this would be part-time position that would be directed on a task by task basis.

Chair Thomas noted that this is a draft and can be modified. He stated that there should also be discussion as to whether the Board would like to issue the RFP. He stated that at the last discussion, the majority of the Board agreed that the LMCD should be involved in AIS management, although there was variation in the form of that. He stated that there was a great deal of discussion related to whether a Lake Specialist should be hired, which led to the development of the RFP. He asked for input from the Board.

Klohs stated that this will be a difficult task, but the LMCD is the only entity willing to try and therefore believes a Lake Specialist should be retained. He did not believe one person could fulfil all of these duties and stated that perhaps a firm is engaged or multiple firms, based on the need. He believed that the LMCD should try to move forward and do some good.

Walesch stated that having the authority to do something is different than a mandate. He did not believe that anything on the table was unreasonable and stated that it could make sense to have a Lake Specialist out there. He stated that it is very helpful to have partners, noting that the LMCD has not been the agency to do this work and there are many other active groups around the lake completing this work.

He commented that using the expertise around the lake could be helpful in determining what has been most beneficial. He stated that there needs to be consensus and support, rather than the LMCD going on its own and in return receiving communications that the LMCD is not cooperating and engaging assets. He stated that he would prefer to be in a partnership with everyone working in the same direction towards the same goal, rather than a situation where the LMCD is marginalized because it has not engaged sufficiently or in the preferred manner. He commented that the LMCD should at least make an effort to do that. He stated that if those partners believe that it would be helpful to have a liaison through the LMCD, he would support that. He stated that the LMCD does not need someone on retainer to complete most of these items. He stated he would like to drill down further on the list.

Zorn stated that she agrees with the comments of Walesch. She stated that she would like to see a TAG meeting that pulls together stakeholders to help guide the LMCD in what it should do next and whether a Lake Specialist is desired.

Newell echoed the comments of Walesch and Zorn. He stated that the LMCD is in a unique position with funds available to address AIS in the lake now that it is not harvesting. He commented that there are other players and it would be a good time to have a TAG meeting to gather input and determine how the LMCD could partner with those organizations to get everyone on the same page.

Kroll stated that he likes the idea of Walesch, in determining what the mission of the LMCD should do. He stated that he likes the idea of a Lake Specialist but believes the group should follow the process identified by Walesch.

Stone commented that she agrees a TAG meeting would be the most effective way to understand what everyone would like the LMCD to do and how they see the organization as a partner.

Kirkwood agreed. He noted that the problems of the lake in terms of water quality are bigger than what the LMCD can do alone and therefore he would like to see a more wholesome partnership between the entities around the lake. He liked the idea of a meeting with those partners, noting that \$80,000 in funding should make the LMCD a desirable partner but wanted more input from the other partners in order to determine what the role of the LMCD could be.

Anderson stated that when he attended the last TAG meeting the DNR, the MCWD, and Three Rivers Park District did not want to have another TAG meeting because they did not think the LMCD had a good game plan. He stated that he has continued to ask when the next TAG meeting would be since that time. He commented that there is a lot of work being done by independent groups around the lake and agreed that there should be another TAG meeting. He commented that some of the items listed are already being completed by other groups. He stated that with the things listed in the RFQ, there are only three firms that could complete the work, one of which would be a conflict of interest and one of which the LMCD has worked with in the past and received negative feedback.

Brandt stated that it appears there is consensus that partnership will be critical in this process. He stated that he supports a process that would involve a TAG or stakeholder meeting that would involve a proposal with a more definitive role/structure and how everyone could play a part in it.

Hoelscher stated that this Master Plan process was necessary and worthwhile. She thanked the consultants and Cook for their hard work. She stated that when they began this process, the LMCD was open to expanding its role in AIS management but in the past year the LMCD has not been able to reach a consensus or obtain any buy-in from the other agencies/stakeholders. She stated that she has listened to the feedback from the Board, other agencies, and stakeholders and believes that the LMCD should go back to its mission and vision statements. She believed that the LMCD should focus on communication and ensuring safety on the lake. She stated that communication can be helpful in sharing AIS information and should involve a lot of education. She noted that weed removal could be completed to promote safety and ensure the lake is navigable. She stated that funding can be provided towards worthwhile projects, through the levy or Save the Lake. She stated that the organization could also seek funds through grants or a petition through the watershed. She stated that at this point there is not a lot of support for funding a position and believed that the LMCD should undertake the roles identified in the project scope of the RFQ but believed that those should be completed in-house.

Hughes referenced the history of Lake Minnetonka and the LMCD, noting that the list of powers was authorized in 1967 and still holds true today. He stated that AIS is included in those powers and the LMCD should move forward and do the work.

Schleuning stated after the last TAG meeting, staff met individually with all the agencies as requested. She stated that the TAG has not met again because input was needed from the Board before meeting again with those agencies.

Chair Thomas stated that it appears the majority of the Board would like to follow the recommendation of Walesch to hold a TAG meeting and gain support for moving forward.

Cook stated that if the LMCD does not have a Lake Specialist on the staff, he does not see any added value the LMCD would add to AIS management, as the current staff is already occupied with other duties. He stated that the discussion is adding value to the lake and without a Lake Specialist, the LMCD would not have anyone to complete these activities. He stated that another TAG meeting could be held but noted that the meetings are not very useful at this time, outside of a place to hold the meeting. He stated if the LMCD is not interested in hiring someone to attend the TAG meetings as a peer and supporter of what everyone is doing around the lake, it does not add value. He stated that if a Lake Specialist is not hired, the LMCD would be asking other people to do the work of AIS management. He stated that he is not a lake scientist and current LMCD staff is already busy with their duties. He stated that if a Lake Specialist is hired, the first duty should be to represent the LMCD at a TAG meeting and identify what the role of the LMCD should be. He stated that he likes the idea of attempting to gain consensus from the lake partners. He stated that the LMCD has to have the capacity to add value to the lake and he did not believe that it currently does. He stated that he could modify the RFQ to better stipulate the tasks, with the first task to engage the stakeholders to help develop the role of the LMCD.

Chair Thomas stated that Cook stepped into this role as AIS Task Force Chair and convener of the TAG meetings and then to help in the AIS Master Plan process. He commented that the Board should recognize Cook for his efforts and contributions. He stated that he did not hear people say that a Lake Specialist should not be pursued, but that the job would be difficult without partners.

Klohs stated that he 100 percent agrees with Cook, noting that everything that can be said, has been said at the TAG meetings and therefore unless there is value to be added, another TAG meeting would be useless. He stated that the LMCD would have to have a proposal in order for another TAG meeting to be helpful.

Anderson commented that Orono contributes 18 percent of the budget and Minnetonka contributes 20 percent of the budget. He noted that he is disappointed that those that attended the TAG meetings went alone and that the Board was not included. He stated that kept asking when another TAG meeting would be held and had no idea that that group was meeting. He asked who was involved with the TAG meeting and which partners staff met with individually.

Chair Thomas commented that Schleuning and some of the Officers met with representatives from other agencies, including the MN DNR, Watershed District, Three Rivers Park District, and others.

Anderson commented that it would appear that only executive Board members are invited.

Chair Thomas stated that they met with one staff person and the Chair of each group, therefore the meetings were small with the purpose of gathering input rather than excluding.

Walesch stated that everyone is trying to get to the same place and determine the best way to move forward. He believed that there is value in a TAG meeting as the LMCD is at a critical point where it knows it needs partners to be effective and it will be more effective if there is buy-in from other stakeholders. He did not think it would hurt to hear the input of those groups and it could be easy. He stated that he would be willing to develop some simple questions and if everyone is willing to answer them, it would provide the LMCD will answers it needs. He noted that this would need to be presented in the context of the LMCD budget. He stated that rather than asking what is helpful or adds value to the lake, it would be more informative to ask what could be done with \$80,000 to help and add value to the lake. He stated that there is no guarantee that all the recommendations would be followed, but it would add value to hear those opinions before deciding on a direction. He stated that Cook has put a lot of work into this and has put his best foot forward. He stated that he agrees with many of Cook's comments but also believes it would make sense to gain more input and slow this down to gather that input. He stated that with the Zoom format, it is easier for everyone to attend the meeting and others could go back and watch the discussion. He stated that it would add value to the Board to be able to hear the input and comments from the stakeholders and other partners that are currently completing AIS management on the lake.

Schleuning stated that the idea of the Lake Specialist was a result of the TAG meeting and entities. She stated that it was always her opinion that once direction is given from the Board, the LMCD would follow up with the agencies and TAG. She anticipated that it would be a good meeting.

Chair Thomas commented that the full Board was invited to attend TAG meetings, and many chose to do so. He commented that some of the Officers and Schleuning met with representatives from other agencies, including LMA, noting that those were small meetings. He noted that the Officers are attempting to develop those relationships and were not intended to exclude members of the Board. He stated that it appears that there is a decision to make at the next meeting, whether the Board would like to

hire a Lake Specialist or pause that process and hold a TAG meeting.

Cook agreed with that direction. He stated that he would be happy to give some direction and move forward, whether that it to hold another TAG meeting or to hire a Lake Specialist and hold a TAG meeting. He stated that he does appreciate direction.

Chair Thomas stated that there was another question, as to whether the LMCD should fund additional grant programs but noted that could be addressed at another time.

2. ADJOURNMENT

There being no further business, the worksession was adjourned at 6:55 p.m.

FORMAL MEETING

7:00 p.m.

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

Members absent: Dan Baasen, Wayzata; and Debra Zorn, Shorewood.

Persons in Audience:

John Bendt, Eric Evenson, Patrick Foss, Dave Hemink, Gabriel Jabbour, Josh Leddy, Lt. Shane Magnuson, Michelle Morey, Rob Schatzle, Ann Steingraeber, and Shawn Wischmeier.

1. CALL TO ORDER

Chair Thomas called the meeting to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

Members absent: Dan Baasen, Wayzata; and Debra Zorn, Shorewood.

4. APPROVAL OF AGENDA

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

Further discussion: Anderson commented that he thought the letters received from the public were going to be documented with the minutes.

Schleuning stated that the letters are not put into the minutes but are included in the Board packet.

Anderson asked how people would look back at that in the future.

VOTE: A roll call vote was performed:

Anderson	aye
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 unanimously.

5. CHAIR ANNOUNCEMENTS

There were no Chair announcements.

6. APPROVAL OF MINUTES- 07/08/2020 LMCD Regular Board Meeting

MOTION: Kirkwood moved, Cook seconded to approve the 07/08/2020 LMCD Regular Board Meeting minutes as submitted.

VOTE: A roll call vote was performed:

Anderson	aye
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 unanimously.

7. APPROVAL OF CONSENT AGENDA

Chair Thomas referenced the findings of fact for Item 7C, which referenced the Variance and its allowances, noting that an 11-foot variance is mentioned but in another location seven feet is specified. He noted that in both cases the variance should be stated as seven feet.

MOTION: Kroll moved, Walesch seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (07/16/2020 – 07/31/2020); **7B)** Resolution Accepting Save the Lake Contributions (06/01/2020 – 07/01/2020); and, **7C)** Findings of Fact and Order, 5th Street Ventures, LLC (Back Channel Brewery) New Multiple Dock License Application to Add Another Transient BSU and Variance for Setbacks at the Qualified Commercial Marina, located within Seton Lake at 4681 Shoreline Drive in Spring Park.

Further discussion: Anderson stated that he spoke with Schleuning about Save the Lake and the change to the reporting in the voucher related to his donation and wanted to ensure that change was reflected. He recognized the Save the Lake contributions and specially recognized Zorn, Walesch, and Greenwood Marina.

Schleuning confirmed that staff would handle that accounting change internally.

VOTE: A roll call vote was performed:

Anderson	aye
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 unanimously.

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

John Bendt, 1020 Tonkawood Road, stated that he approached the subject of wake boats from a perspective of sharing the lake and does not approve of any plan that would restrict or deny wake boats the opportunity to operate on Lake Minnetonka. He stated that there was an article in the *Star Tribune* about the controversy related to wake boats and there were 240 online comments to the online article. He stated that many of the comments were related to issues other users of the lake experience, specifically how their enjoyment of the lake has been diminished by wake boats. He stated that there were also negative comments debating each other in that post. He stated that the issue should not be one group against another but rather a perspective of sharing the lake and making it enjoyable for all. He stated that wake boats are unique in that they create large wakes that impact other users of the lake. He stated that he appreciates the focus on Own Your Wake, but noted that in an area like Maxwell Bay, even if you own your wake, you will still disturb other users of the lake in that area such as kayakers and fisherman. He referenced a previous comment related to a study that would provide data on the environmental impact from wake. He stated that there was an earlier discussion by the LMCD tonight related to how to spend discretionary funds and believed that contributing to that study would be beneficial. He noted that the study will not provide data on how the wake disrupts the enjoyment of the lake by others. He encouraged the Board to look at policies that would help guide the lake to ensure all parties can have enjoyment. He suggested that there be a predictable time when different users could use the lake, noting that it would be nice to have a time when kayakers could use the lake safely. He recommended that a time be set on when wake surfing could occur. He suggested that wake surfing not occur until after 2 p.m. on any given day. He stated that would allow other users of the lake to have a known time when they could use the lake without conflict. He noted that this would create an environment when everyone could enjoy their activities.

Michelle Morey, 825 Tonkawood Road, asked the Board to consider wake restrictions. She also commented on the damage wake boats are doing to the ecosystem. She stated that she was interviewed for the *Star Tribune* article. She stated that this is the time for the Board to move this onto the agenda and work on wake restrictions, even when not in high water. She commented that relief for the other user groups would be helpful along with something predictable. She commented that it is critical to address the impact of those boats and that the Board should move forward with that now.

Eric Evenson, Director of the Lake Minnetonka Association, stated that in regard to the worksession held earlier tonight he agrees with, and supports, the comments of Walesch to reconvene the TAG and gain input on the topic of AIS. He stated that he would attend the meeting and share his ideas. He stated that in his opinion it would be silly to bring on a Lake Specialist to facilitate that meeting. He stated that what really would be needed is someone that actually knows how to facilitate a meeting which is why the TAG meetings failed. He commented that the other partners around the lake want to do what is right for the lake and find ways to deal with the challenges it is facing. He commented that there is a lot of knowledge held by the partners and their members. He stated that he also liked the idea of Walesch for the LMCD to send out some questions in advance, as that would help to focus the members of the other partners and provide direction. He stated that if the LMCD hires a staff member to come on board for this purpose, would it have the resources available to fund the treatments on the bay and do the reporting, which are currently being done by the LMA and the

LIDS.

Gabriel Jabbour stated that he appreciates the worksession discussion related to AIS earlier tonight. He stated that he is knowledgeable about different issues on the lake and has been involved with all the research projects that have been completed on the lake. He commented that almost 80 percent of the LMCD budget is used for administration. He stated that if another staff person is brought on Board it would take five to ten years for that person to gain the knowledge and three years to gain the trust of the other lake partners. He stated that with the LMCD's budget it cannot attempt to manage AIS. The community has taken the lead, with only two percent of those funds used for administration. He commented that he does not believe any of the Board members reached out to the previous Chair Green to assist in this process. He suggested that the LMCD start small and earn its way to a larger role if desired. He stated that he initiated the *Star Tribune* article regarding wakes as he is opposed to the comments of Kroll related to this topic. He stated that he has attempted to negotiate between the federal, state, and local opinions. He stated that the opinions expressed by Kroll have divided the community.

9. PUBLIC HEARING

There were no public hearings.

10. OTHER BUSINESS

There was no other business.

11. OLD BUSINESS

There was no old business.

12. NEW BUSINESS

A) Request for Temporary Transient Docking in 2020 from Caribbean Marina and Restaurant Due to COVID-19

Schleuning stated that there was a discussion earlier in the season about potential requests that could come forward due to COVID 19. She stated that this is a request from the Caribbean Marina and Restaurant to have temporary transient docking for 2020. She stated that the Caribbean is phasing the reconfiguration previously approved by the Board as the ice conditions did not support the full construction during the past winter season. She stated that a completed section of docking is found on the west and displayed a photograph. She identified the area proposed to be a transient slip. She confirmed that the previously approved reconfiguration has not yet been completed.

MOTION: Walesch moved, Klohs seconded to approve the Caribbean Marina's request for temporary transient docking for the duration of the 2020 boating season

VOTE: A roll call vote was performed:

Anderson aye

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 unanimously.

13. TREASURER REPORT

No report.

14. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- Licensee Reviews of the proposed Code changes will be sent out this week. An update can be found on the LMCD website.
- There have been a high level of calls and inquiries related to wake boats and recent articles and publicity of the topic.
- The University is doing research related to different types of Eurasian Milfoil.
- LMCD continues to promote Own Your Wake and will continue to do so. The lake has been busy, and everyone should pay attention to their surroundings and be kind to each other.
- The Lake Minnetonka water level is currently 929.01 ft, which is down a few inches compared to the ordinary high water level of 929.4 ft OHW.

15. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species Taskforce: No report.

Budget Workgroup: No report.

Communications and Legislative Relations: No report.

Deicing and Permanent Dock Workgroup: Anderson stated that the group talked about a timeframe for the stakeholders to respond and asked staff for input.

Schleuning replied that the response period can be ten days.

Anderson agreed that would be a sufficient amount of time for replies. He commented that Gilchrist was able to resolve the issues the workgroup had.

Save the Lake Committee: No report.

Strategic Plan Subcommittee: Schleuning reported that the group met and will bring something forward to the Board in August.

16. ADJOURNMENT

MOTION: Cook moved, Kroll seconded to adjourn the meeting at 7:47 p.m.

VOTE: A roll call vote was performed:

Anderson	aye
Brandt	aye
Cook	aye
Hoelscher	aye
Hughes	aye
Kirkwood	aye
Klohs	aye
Kroll	aye
Newell	aye
Stone	aye
Thomas	aye
Walesch	aye
Zorn	abstain/lost connection

Motion carried unanimously.

Gregg Thomas, Chair

Dan Baasen, Secretary

Lake Minnetonka Conservation District
Check Detail
August 1 - 15, 2020

ITEM 7A

Date	Num	Name	Memo	Account	Class	Paid Amount
08/13/2020	EFT-20-95	ADP Service Fee		Alerus Checking		
			Payroll 8/1/20 - 8/15/20	4180M10 · Professional Services - Admin.	Admin.	-76.70
TOTAL						-76.70
08/13/2020	EFT-20-96	SelectAccount Group Service Center		Alerus Checking		
			HSA Employer Contribution for A...	4380M10 · Employee Benefits - Admin.	Admin.	-112.50
			HSA Employer Contribution for A...	4380M10 · Employee Benefits - Admin.	Admin.	-112.50
			HSA Employer Contribution for A...	4380M10 · Employee Benefits - Admin.	Admin.	-112.50
TOTAL						-337.50
08/13/2020	EFT-20-97	P.E.R.A		Alerus Checking		
			Payroll 8/1/20 - 8/15/20	2020 · Payroll Liabilities -	Admin.	-1,175.72
TOTAL						-1,175.72
08/13/2020	EFT-20-98	Unum Life Insurance		Alerus Checking		
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	Admin.	-136.60
TOTAL						-136.60
08/14/2020	EFT-20-99	ADP		Alerus Checking		
			Salaries - Admin	4020M10 · Salaries-002 - Admin	Admin.	-8,416.34
			P.E.R.A.	2020 · Payroll Liabilities -	Admin.	1,175.72
			ER PERA	4022M10 · ER PERA - Admin	Admin.	-629.85
			ER/FICA Medicare - Admin	4021M10 · ER Share of Admin FICA/Medi...	Admin.	-642.46
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	Admin.	42.13
TOTAL						-8,470.80
08/13/2020	21832	AIS Advanced Imaging Solutions		Alerus Checking		
08/13/2020	Inv.#		Copier Contract 7/20/20 - 8/20/20	4140M10 · Equipment R&M - Admin.	Admin.	-262.52
TOTAL						-262.52

:34 PM

08/05/20

Lake Minnetonka Conservation District
Check Detail
August 1 - 15, 2020

Date	Num	Name	Memo	Account	Class	Paid Amount
08/13/2020	21833	Kennedy & Graven	LK110-00004	Alerus Checking		
08/13/2020	June 2020		Legal Fees June 2020	4620M10 · Legal Fees - Admin.	Admin.	-3,622.50
TOTAL						-3,622.50
08/13/2020	21834	LMCC		Alerus Checking		
08/13/2020	Inv.#1366		VOD Services for Meeting 7/22/20	4182M10 · Media (Cable/Internet) - Admin.	Admin.	-100.00
TOTAL						-100.00
08/13/2020	21835	NCPERS Group Life Insurance		Alerus Checking		
08/13/2020	August 2020		Life Insurance, August 2020	4380M10 · Employee Benefits - Admin.	Admin.	-48.00
TOTAL						-48.00
08/13/2020	21836	TimeSaver Off Site Secretarial, Inc.		Alerus Checking		
08/13/2020	Inv.#M25756, ...		Board Meeting Minutes 7/8/20	4230M10 · Meeting Exp. - Admin.	Admin.	-299.25
			Board Meeting Minutes 7/22/20	4230M10 · Meeting Exp. - Admin.	Admin.	-234.75
TOTAL						-534.00
08/05/2020	21837	City of Excelsior	VOID:	Alerus Checking		
TOTAL						0.00
08/05/2020	21838	City of Excelsior		Alerus Checking		
08/05/2020	Starry Trek		Starry Trek Event - Excelsior Co...	4111M30 · Pub. Edu./Legal- AIS Prevention	AIS	-50.00
TOTAL						-50.00



RESOLUTION NO. 205

A RESOLUTION ACCEPTING CONTRIBUTION(S) TO THE LAKE MINNETONKA CONSERVATION DISTRICT (LMCD)

WHEREAS, the LMCD is a regional government agency established by Minnesota Statutes Section 103B.605, Subd. 1;

WHEREAS, contributions to the LMCD "Save the Lake" fund are generally tax deductible to individuals under the IRS Code 26 USC Section 170 (b)(1)(a) because contributions to any political subdivision of any state for exclusively public purposes are deductible;

WHEREAS, municipalities are generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its stakeholders, and is specifically authorized to accept gifts;

WHEREAS, LMCD wishes to follow similar requirements as established for municipalities for accepting donations;

WHEREAS, the attached listed person(s) and entity(ies) have offered to contribute the cash amount(s) set forth with any terms or conditions as outlined in Attachment I to the LMCD;

WHEREAS, such contribution(s) have been contributed to the LMCD for the benefit of the public, as allowed by law; and

WHEREAS, the LMCD Board of Directors finds that it is appropriate to accept the contribution(s) offered.

NOW THEREFORE, BE IT RESOLVED BY THE LMCD BOARD, STATE OF MINNESOTA AS FOLLOWS:

1. The contribution(s) described with Attachment I is/are accepted and shall be used to establish and/or operate services either alone or in cooperation with others, as allowed by law.

2. The executive director is hereby directed to issue receipt(s) acknowledging the LMCD's receipt of the contributor's contribution(s).

Adopted by the Board this 12th day of August, 2020.

ATTEST:

Gregg Thomas, Chair

Dan Baasen, Secretary

Lake Minnetonka Conservation District
Transaction Detail By Account
 July 2 - 31, 2020

Resolution #205 Attachment 1 - Save the Lake Contributions

Date	Num	Name	Memo	Amount
07/23/2020	PayPal	Peter Lee	Transfer from PayPal (Peter Lee 100.00)	96.80
07/29/2020	4749	Michael Kirkwood	STL Donation (General)	50.00
07/29/2020	11707	Ralph Hatch	STL Donation (General)	100.00
07/29/2020	25299	Gary Rappaport	STL Donation (General)	250.00
07/29/2020	9535	Nancy Nordmeyer	STL Donation (General)	50.00
07/29/2020	10148	Frank Kreiser	STL Donation (General)	25.00
07/29/2020	14926	William Trubeck	STL Donation (General)	100.00
07/29/2020	30989	Dan Baasen	STL Donation (General)	300.00
07/29/2020	5759	John Evans	STL Donation (General)	25.00
07/29/2020	3120	Chris Johnson	STL Donation (General)	50.00
07/29/2020	6088	Bob & Kathy Gillum	STL Donation (General)	25.00
07/29/2020	13124	Peter Herfurth	STL Donation (General)	100.00
07/29/2020	9780	Thomas Forsythe	STL Donation (General)	100.00
				<hr/> 1,271.80
07/29/2020	7107	Judd Brackett	STL Donation (Photo)	75.00
				<hr/> 75.00
				1,346.80

Lake Minnetonka Conservation District
Administrative Profit & Loss Budget vs. Actual
 January through June 2020

ITEM 7C

	Jan - Jun 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Grants & Other Income				
3080M10 · Interest - Admin.	3,090	2,300	790	134%
3300M10 · Other Income - Admin.	247	500	-253	49%
3340M10 · Public Agency Grants - Adm	0	1,500	-1,500	0%
Total Grants & Other Income	3,337	4,300	-963	78%
Licenses/Permits				
3110M10 · Multiple/Perm. Dock Lic -Admin.	82,802	81,000	1,802	102%
3120M10 · DMA license - Admin.	3,350	3,300	50	102%
3130M10 · Deicing License - Admin.	351	5,000	-4,650	7%
3170M10 · Variances - Admin.	1,000	500	500	200%
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	108,052	110,000	-1,948	98%
3020M10 · Municipal Dues - Admin.	103,729	286,500	-182,771	36%
3260M10 · Court Fines - Admin.	30,822	45,000	-14,178	68%
3400M10 · Transfers In - Admin.	0	0	0	0%
Total Income	245,941	445,800	-199,859	55%
Gross Profit	245,941	445,800	-199,859	55%
Expense				
Legal				
4110M10 · Public Info./Legal - Admin.	398	1,000	-602	40%
4620M10 · Legal Fees - Admin.	24,373	40,000	-15,627	61%
4640M10 · Prosecution Fees - Admin.	5,860	33,500	-27,640	17%
4650M10 · Room & Board - Admin.	368	500	-133	74%
4670M10 · Recodification	0	0	0	0%
Total Legal	30,998	75,000	-44,002	41%
Office & Supplies				
4060M10 · Telephone - Admin.	1,144	2,900	-1,756	39%
4070M10 · Web Page / Internet - Admin.	0	840	-840	0%
4080M10 · Postage - Admin.	740	3,350	-2,610	22%
4100M10 · Printing - Admin.	0	4,900	-4,900	0%
4140M10 · Equipment R&M - Admin.	3,006	6,500	-3,494	46%
4220M10 · Office Supplies -Admin.	924	2,700	-1,776	34%
4230M10 · Meeting Exp. - Admin.	6,118	8,000	-1,882	76%
4320M10 · Office Rent - Admin.	9,658	19,600	-9,942	49%
4340M10 · Insurance - Admin.	2,620	4,700	-2,080	56%
4360M10 · Subs/Memberships - Admin.	0	2,100	-2,100	0%
4400M10 · Mileage/Exp's - Admin.	107	900	-793	12%
4410M10 · Training/Prof. Devel. - ADM	0	500	-500	0%
4520M10 · Furniture & Equip - Admin.	0	500	-500	0%
4530M10 · Comp. Sftwr & Hdw - Admin.	384	3,000	-2,616	13%
Total Office & Supplies	24,701	60,490	-35,789	41%
Personnel Expenses				
4020M10 · Salaries-002 - Admin	104,682	222,700	-118,018	47%
4021M10 · ER Share of Admin FICA/Medicare	7,991	17,400	-9,409	46%
4022M10 · ER PERA - Admin	7,835	16,000	-8,165	49%
4380M10 · Employee Benefits - Admin.	16,351	32,000	-15,649	51%
Total Personnel Expenses	136,859	288,100	-151,241	48%

11:52 PM

8/06/20

Accrual Basis

Lake Minnetonka Conservation District

Administrative Profit & Loss Budget vs. Actual

January through June 2020

	Jan - Jun 20	Budget	\$ Over Budget	% of Budget
Professional Services- ADM				
4040M10 · Auditing - Admin.	10,700	10,700	0	100%
4180M10 · Professional Services - Admin.	9,190	4,300	4,890	214%
4181M10 · Professional Comp. Serv.-Admin.	619	1,000	-381	62%
4182M10 · Media (Cable/Internet) - Admin.	1,580	4,000	-2,420	40%
Total Professional Services- ADM	22,088	20,000	2,088	110%
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	214,647	443,590	-228,943	48%
Net Ordinary Income	31,294	2,210	29,084	1,416%
Net Income	31,294	2,210	29,084	1,416%

11:52 PM

18/05/20

Accrual Basis

Lake Minnetonka Conservation District
AIS Profit & Loss Budget vs. Actual
 January through June 2020

	Jan - Jun 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
3020M30 · Municipal Dues - AIS	29,688.25	82,000.00	-52,311.75	36.2%
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	29,688.25	82,200.00	-52,511.75	36.1%
Gross Profit	29,688.25	82,200.00	-52,511.75	36.1%
Expense				
AIS Prevention Program				
4151M30 · Equip. Supplies -AIS Prevention	0.00	0.00	0.00	0.0%
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	554.00	0.00	554.00	100.0%
4981M30 · Contingency - AIS Prevention	0.00	0.00	0.00	0.0%
Total AIS Prevention Program	554.00	0.00	554.00	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	1,227.25	88,010.00	-86,782.75	1.4%
Net Ordinary Income	28,461.00	-5,810.00	34,271.00	-489.9%
Net Income	28,461.00	-5,810.00	34,271.00	-489.9%

11:53 PM

18/05/20

Accrual Basis

Lake Minnetonka Conservation District
Save the Lake Profit & Loss Budget vs. Actual
 January through June 2020

	Jan - Jun 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Contributions				
3001M20 · Donations (General) - S/L	14,535	44,000	-29,465	33%
3003M20 · Donations (Safety Prog.) - S/L	4,000			
3004M20 · Donations (Solar Light) - S/L	0	1,000	-1,000	0%
Total Contributions	18,535	45,000	-26,465	41%
3080M20 · Interest - S/L	0	500	-500	0%
Total Income	18,535	45,500	-26,965	41%
Gross Profit	18,535	45,500	-26,965	41%
Expense				
Office & Supplies- STL				
4080M20 · Postage - S/L	0	600	-600	0%
4100M20 · Printing - S/L	0	1,000	-1,000	0%
4220M20 · Office Supplies - S/L	0	300	-300	0%
Total Office & Supplies- STL	0	1,900	-1,900	0%
Projects & Activities- STL				
4110M20 · Environmental- S/L	0	3,300	-3,300	0%
4111M20 · Public Service/Education - S/L	0	3,000	-3,000	0%
4160M20 · Public Safety - S/L	3,320	33,700	-30,380	10%
Total Projects & Activities- STL	3,320	40,000	-36,680	8%
4980M20 · Contingency - S/L	0	0	0	0%
Total Expense	3,320	41,900	-38,580	8%
Net Ordinary Income	15,216	3,600	11,616	423%
Net Income	<u>15,216</u>	<u>3,600</u>	<u>11,616</u>	<u>423%</u>




LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: August 12, 2020

TO: LMCD Board of Directors

FROM: Vickie Schleuning,  Executive Director

SUBJECT: Vegetation Management for Black, Seton, and Emerald Lakes

ACTION

Board update and feedback regarding aquatic invasive species (AIS) vegetation management in Black, Seton and Emerald Lakes within a delineated area where vegetation creates navigation hazards and concerns.

BACKGROUND

Staff have received several concerns about navigation and safety in the Black, Seton, and Emerald Lakes area from both motorized watercraft operators and nonmotorized watercraft operators. The LMCD has also received a grant in the amount \$1,515 from the Minnesota Department of Natural Resources to help pay for the AIS vegetation delineation required as part of the process. The type of management, such as harvesting or chemical treatment, and designated area would be determined based on the results of the vegetation delineation.

This activity is currently funded in the LMCD budget that was approved by the Board on June 12, 2019. The line item for AIS Management (harvesting, equipment, and repair) is \$50,000. The estimated cost for harvesting is \$3,000 to \$5,000, not considering the grant amount. Other treatment methods may vary.

Further, on December 11, 2019, the LMCD Board passed a motion unanimously to initiate a three-year pilot study where the LMCD does not harvest and only completes harvesting through contracted service on an as needed basis and to initiate a procurement process to obtain a professional lake manager to assist in this process, with the first task being to assess whether Seton Lake and that area would benefit from a different approach.