

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., December 14, 2022
Wayzata City Hall

WORK SESSION

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

Members Present: Gregg Thomas, Tonka Bay; Rich Anderson, Orono; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Ben Brandt, Mound; Gabriel Jabbour, 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: Vickie Schleuning, Executive Director; and, Thomas Tully, Environmental Administrative Technician.

Members Absent: Dan Baasen, Wayzata.

Persons in Audience: Shawn Wischmeier, Kelly Wischmeier, Eric Evenson, Mike Mischke, Sheri Wallace, Bart Halling, James Gilbert, Adam Sienkowski, Phil Bowman, Tim Hayden, Deb Hayden, Erin Wombacher, Renee Keller.

1. Discussion Regarding Potential Low Water Conditions Spring 2023

Schleuning stated that staff has received calls from property owners and vendors as to whether the Board will be discussing potential low water in the spring. She provided additional information on the topic and the impacts that could have to residents and dock installers. She commented that the low water could change drastically by spring, dependent on weather.

Jabbour stated that a fact sheet could be provided to make it easier to determine the path they should follow. He stated that the Board should be familiar with the Code to make it easy for the group to make a decision. He commented that he believes half the time of staff is wasted and should be spent more productively in order to ensure the Board has sufficient time to review applications, rather than staff dragging its feet and bringing something to the Board when a decision must be made or the 60-day review period will expire.

Thomas commented on a previous situation where low water could have been declared but by that point it would have been moot. He stated that with this discussion, the Board could be prepared to issue low water in the spring should that be necessary.

Jabbour commented that would be perpetuating bad habits. He stated that if people are not aware of the Code, they should not be on the Board.

Klohs stated that he thought there should have been a meeting when they went below the low water declaration mark. He stated that those responsibilities were ignored when low water was not declared in the past. He asked if an accurate water level could be read when the lake is frozen.

Schleuning stated that the purpose of the discussion tonight is to bring up this topic ahead of time as there would be impacts and time needed to get supplies if the low water remains. She stated that often Work Sessions, even at city levels, are used to educate the Board, provide updates regarding customer feedback the office receives, and have healthy discussions to appropriately address issues.

Kroll asked if there are any statistics on the water level that increases from snow.

Schleuning stated that would vary a lot, dependent on the weather and snowfall.

Thomas stated that the purpose of the discussion tonight was to provide this background information and ensure that any policy changes necessary could be made and if low water declaration is needed in the spring, that could be done quickly and efficiently.

Anderson reviewed water levels from previous years. He stated that he has ordered more dock for the spring in the case the water levels remain low.

Klohs stated that the lake is low now and that should be put on the website to remind people that more dock sections may be necessary in the spring. He stated that would place the decisions in the hands of the homeowners.

Thomas stated that he would not want to advise anyone to purchase more dock sections.

Jabbour commented that a profound factor of the lake is the watershed that flows south into the lake. He noted that the most impactful rain for the lake comes in April and May.

Klohs stated that if the Board follows the ordinance as written, low water should be declared at this time.

Thomas suggested that the Board place the ordinance on the website and explain what could happen if low water were declared in the spring.

2. Update Regarding Status of Executive Director Recruitment

Thomas commented that the Officers met December 7th to discuss the Executive Director position and potential paths for recruitment.

Hoelscher stated that the Board was provided with the documents that were used six years ago when Schleuning was hired. She noted that there was an interim director that the Board worked with that helped to develop the documents and job description. She stated that the Officers agreed that an Executive Director is needed and discussed posting the position as time is of the essence, knowing that the job description and posting can be amended.

Newell commented that this is an important position, and he would like to slow the process down to

ensure that a good decision is made and a good candidate can be found that will stay with the LMCD for a long time.

Walesch asked for an update on the interim.

Hoelscher stated that six years ago there was an immediate need for an Executive Director, therefore an interim was hired that remained in place for five months to help the Board through that process. She stated that she reached out to that same person, and he may be available part-time but has other commitments as well. She stated that he is open to discussing the potential of helping the Board through that transition.

Walesch stated that he would like to see more Board discussion about the position before it is posted, using the interim to fill that gap. He stated that he would like one, or multiple, closed session meetings in order to discuss staffing. He stated that ideally, they would have an interim person in place before Schleuning departs. He commented that it will be important to have Board level discussions about various employment issues that are much more appropriate in a closed session where everyone could speak freely.

Stone stated that she would like to find a replacement that will last and be a good fit. She stated that she would find input helpful on Schleuning on where her time is spent and what is most important in her role.

Kirkwood commented that he would be fine following the process in place but would be concerned as to whether there is enough time to allow them to follow the proper process to cast the largest net of candidates. He stated that he would be okay with extending the timeline in order to get a stronger candidate.

Jabbour commented that he does not like or respect the way they have been conducting themselves and bringing in a new person into this situation would give them whiplash. He believed that the Board needs to get on the same page and focused in order to move forward effectively. He stated that direction is necessary in order to provide proper direction to the Executive Director. He commented on some of the things the LMCD did in the past that it no longer does, and therefore there needs to be common ground on the path forward and the direction staff should be working. He stated that he is unsure a civil attorney is needed to attend at each meeting. He believed the Board should wait on the Executive Director and put in the time to develop a more up to date job description.

Zorn commented that she supports hiring an interim Executive Director as soon as possible. She stated that if that person could come on Board in the beginning of January, that would allow 30 days before Schleuning leaves. She stated that the last job description was developed six or seven years ago and the direction of the LMCD has changed since that time in certain duties, therefore the job description should be updated as well. She agreed that input from Schleuning would be helpful on where her time is spent. She stated that having an interim would allow the Board to spend the time working on the job description and finding a good fit. She stated that she would be willing to serve, assisting with the search. She thanked Schleuning for her work and noted that she will be missed.

Kroll stated that he is intrigued by Jabbour's comments and agrees that the LMCD needs to review its direction and focus. He recognized the time that takes. He stated that in his mind, an Executive Director would be similar to a City Manager. He believed that advertising for a City Manager would allow them to begin to solicit for the position. He believed that searching for a candidate could occur at the same time the Board reviews its mission for the future.

Hoelscher agreed that this is a great opportunity to reflect on the organization and improve. She stated that the organization has an obligation to move forward and obtain an Executive Director. She commented that a broad job description allows them to review a broad range of candidates. She stated that a good leader can help the Board go through this visioning process. She noted that can be part of the interview process, asking how the person could help guide the Board through the process. She recognized that this could take months but believed it should start now.

Anderson commented that a time study of staff has been desired for years but has not been completed. He stated that information would be helpful and agreed that closed session discussion on employment would be helpful. He stated that he would support the use of an interim position while the Board works out these details. He commented on the ways he could assist with the finance matters and how the consultant can assist with communications. He commented that the City Manager concept is interesting. He stated that in the past he has suggested a Dock Committee, that would be similar to a Planning Commission, that would review applications and could work out some of the items ahead of time which could then be placed on the Consent Agenda for the Board.

Klohs stated that things are not the same as they were six years ago. He stated that one full-time staff person has been eliminated since that time and a lot has been accomplished since that time. He stated that he supports the recommendation of Jabbour. He stated that the first discussion could be comparing the existing job description to what Schleuning spends her time working on most in order to update that document.

Thomas stated that he has the utmost respect for the staff in the office and the work they do. He commented that he does not want to go too long without an Executive Director as that could burn out the remaining staff members.

The worksession was adjourned at 6:57 p.m.

FORMAL BOARD MEETING

7:00 p.m.

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Gregg Thomas, Tonka Bay; Rich Anderson, Orono; Ann Hoelscher, Victoria; Bill Cook, Greenwood; Ben Brandt, Mound; Gabriel Jabbour, 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: Vickie Schleuning, Executive Director; Thomas Tully, Environmental Administrative Technician; and Maisyn Reardan, Administrative Coordinator

Members absent: Dan Baasen, Wayzata.

Persons In Audience: Shawn Wischmeier, Kelly Wischmeier, Eric Evenson, Mike Mischke, Sheri Wallace, Bart Halling, James Gilbert, Adam Sienkowski, Phil Bowman, Tim Hayden, Deb Hayden, Erin Wombacher, Renee Keller.

4. APPROVAL OF AGENDA

MOTION: Stone moved; Kirkwood seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

Chair Thomas commented that this will be his last meeting and noted that he has enjoyed his time on the Board and working with the other members. He commented that all 14 members of the Board want what is best for the lake, although they may have different ideas on how to achieve that. He asked that the Board continue to treat each other with the respect they all deserve, even though their opinions may differ.

6. APPROVAL OF MINUTES-

10/26/2022 LMCD Regular Board Meeting
11/09/2022 LMCD Regular Board Meeting

MOTION: Kroll moved; Zorn seconded to approve the 10/26/2022 LMCD Regular Board Meeting minutes as submitted.

VOTE: Ayes (12), Abstained (1) (Walesch). Motion carried.

MOTION: Kroll moved; Stone seconded to approve the 11/09/2022 LMCD Regular Board Meeting minutes as submitted.

VOTE: Motion carried unanimously.

7. APPROVAL OF CONSENT AGENDA

MOTION: Walesch moved; Stone seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (11/16/2022 – 11/30/2022); **7B)** Resolution Accepting Save the Lake Contributions (11/02/2022 – 12/05/2022); **7C)** Approval of New Residential Multiple Dock License, 540 Big Island, Orono; Lower Lake South; **7D)** 2023 LMCD Board Meetings/Contracts/Agreement for Professional Services: LMCC Video on Demand Services; Timesaver Off-Site Secretarial, Inc., Meeting Minutes; City of Wayzata Community Room and Video Studio; Charles Struck, Producer; and **7E)** 2023 LMCD Appointment for Legal Services, Auditor, Bank Depository, Official Newspaper.

VOTE: Motion carried unanimously.

8. RECOGNITIONS

Thomas recognized those that have recently donated to Save the Lake.

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

Dennis Nelson, 135 Mound Ave in Tonka Bay, commented about his experience as a variance applicant. He noted that the process began in July, and he has at that time if he and his neighbors could come to an agreement to eliminate the property line between them and avoid the variance process but was encouraged by LMCD staff to follow the variance process. He stated that the process went reasonably smooth until the findings of fact and order. He stated that he responded to the draft to correct erroneous facts and contingents. He noted that staff did not take his comments into consideration, and he was unable to speak with LMCD legal counsel. He stated that because he did not have enough time to prepare or hire legal counsel to debate LMCD legal counsel at the Board meeting, he decided to stop trying to change anything and instead watch what happened. He stated that the findings of fact and order were approved as part of the Consent Agenda without any discussion. He commented that he believes there are various errors within the final document and several that make him look bad. He reviewed some of the information he believed to be incorrect and the issue he has with the condition that he must concede that Tonka Bay has superior riparian rights to him. He stated that there is no information to say the City wanted that language included. He acknowledged that he would be willing to work with the City in the future, if needed, but does not believe one party has superior rights over the other. He thought that there might be a conflict of interest in that the City and LMCD are both represented by the same legal firm. He was concerned that there was not discussion about the conflict of interest during his variance process and was unsure what could be done to resolve the inaccuracies in the findings of fact and variance. He stated that if nothing could be done, he would like that variance annulled as he believes the conditions imposed are not the law and is not proportional to the simple confirmation that his dock reasonably shares riparian rights with the fire lane.

Thomas commented that the findings of fact and order were approved by the Board. He stated that the Board cannot change the language within those documents. He stated that the resident could request another variance if desired.

Anderson stated he hoped that the resident would have been given an opportunity to speak when the item was presented on the Consent Agenda. He did not believe that this would have to go through the variance process as the neighbors could have come to an agreement. He recommended that the resident annul the variance and not even come in because there is permission from a neighbor.

Thomas noted that is the opinion of one Board member.

Jabbour commented that he agrees with Anderson.

10. PRESENTATIONS

A) Update Regarding Carp Assessment (Harrison, West Arm, Jennings)

Brandt commented that this was the carp proposal from the Harrison Bay Association, noting that the LMCD supported funding of 35 percent for the project and a representative is present to provide an update on the findings.

Sheri Wallace, 2135 Overland Lane, stated that she is the Chair of the Harrison Bay Association and is present to share some of the findings from the assessment. She stated that for the past year their association has attempted to find the factors that are impacting the bay. She stated that they researched carp and explained the impacts that carp have on the lake. She noted that their association has created a water quality working group to help address the issue. She reviewed the results of the carp population survey initiative that was completed in September, noting that the three bays are severely overpopulated with carp. She advised of the benefit to water quality as a result of carp removal from a lake. She stated that this winter the association is focused on raising funds that would allow completion of a feasibility study that would allow them to develop a firm plan and would also allow them to apply for grant funds. She reviewed the carp project plan timeline through 2024. She asked for assistance in development of a coalition to address carp management across the lake, approval of a 2024 carp bow fishing tournament, and assistance in completion of the grant proposal to BWSR for the Clean Water Legacy Partners Grant.

Brandt stated that when the AIS Committee reviewed the original ask for the study, there was discussion of the long-term management and whether that would be financially feasibly or manageable. He applauded the efforts of the association and was happy to see the results of the study. He stated that he would personally love to be involved in continued funding and effort but was unsure of the likely positive outcome.

Wallace commented that the hope would be to lower the population under the recommended threshold. She explained that the feasibility study would help to provide those answers. She recognized that the association could not solve the issue lake wide.

Brandt asked if there was any insight from the study as to the time and effort that would be necessary to reach that goal in reduction.

Wallace commented that it would depend upon the method they used for carp removal. She believed that the

coalition would be valuable in determining next steps and the overall lake.

Walesch asked the cost of the feasibility study.

Wallace replied that they have estimated \$68,000.

Walesch commented that as a member of the AIS Committee, the association is doing exactly what they wanted residents to do in taking the lead and spending time to develop a plan. He commented that this has provided a lot of new information and believed that the appropriate process would be for the AIS Committee to review the proposal. He commented that he would support the bow hunting tournament.

Wallace stated that they would love to have a workshop with the committee. She requested assistance from Schleuning in reviewing the grant prior to her departure.

Thomas noted that Hennepin County Water Patrol controls the approval of special events, such as a bow hunting tournament. He noted that the LMCD will be short staffed as the Executive Director will be leaving and therefore is unsure that the organization could assist with the grant writing.

Newell stated that perhaps Eric Evenson at the LMA would be able to assist with the grant writing.

Thomas appreciated the update.

11. PUBLIC HEARING

A) Variance for Adjusted Dock Use Area and Setbacks, 2000 Shadywood Road, Orono, MN 55391, Crystal Bay

Tully presented a variance request for adjusted dock use area and setbacks at 2000 Shadywood Road in Orono. He provided background information and noted that the application was submitted due to the converging lot lines and nonconformance with standard regulations for setbacks and length revealed during the change of ownership. He summarized the proposal from the applicant and displayed the proposed site plan. He reviewed the variance standards that must be considered when reviewing a request. He reviewed the comments received from the City of Orono, Orono Police Chief, and Hennepin County Sheriff's Office Water Patrol Lieutenant. He also provided comments received from the property owner at 1998 Shadywood Road as well as residents at 1966, 1972, 1978, and 1990 Shadywood Road. He stated that based on the information available prior to the public hearing, staff is recommending denial of the variance and reviewed the supporting reasoning as identified within the staff report.

Adam Sienkowski, attorney representing the applicant, stated that the applicant is seeking a variance to exercise his riparian rights on his property. He commented that there are practical difficulties in the length of shoreline and converging lot lines. He stated that the applicant purchased his property in February 2021 and attempted to install a dock in the same location it had been in from the previous owner but was informed that the dock was nonconforming, and the neighbors were not going to provide consent for the dock to be located

in the prior location. He stated that the staff report noted that the proposed dock is larger than what has existed but noted that this is the same dock configuration in the same location prior to the sale of the property to the applicant. He stated that as proposed on the site plan, the dock would project by about seven or eight feet into the neighboring dock use area. He stated that the city does not seem to have a problem with a seasonal dock as there are no plans for proposed use of the alley in the summer. He commented the rigid application of codes does not always work, which is why the Board is allowed to consider variances. He commented that it is obvious that this property cannot support a reasonable dock and therefore encroachment into the neighboring lot would be required. He noted that they are only proposing one boat slip when most neighboring docks have two slips. He stated that they are requesting permanent riparian rights. He referenced the staff report statement that the applicant did not provide consent from the city or neighboring property owner but noted that those consents would be temporary. He stated that the applicant attempted to work with the neighbors to the north and south as well as the city, but those attempts were unsuccessful. He stated that the applicant does have a temporary arrangement with the Kellers but noted that is temporary and the property owners need permanent dock rights for the property. He requested that the Board approve the variance as submitted.

Thomas opened the public hearing at 8:05 p.m.

Renee Keller, 1998 Shadywood Road, stated that when she received the variance request that was the first, they had heard. She noted that they have a friendly relationship with the applicant and have shared the dock. She stated that they purchased their home in July 2021 and their real estate agent was aware that the applicant's dock was nonconforming and made the applicant aware of that issue prior to the sale of their home. She stated that when they purchased the home, they did not have a dock and the applicant did not have a boat, so they shared the applicant's dock the last two summers. She noted that as proposed this dock would encroach onto their property and would prevent them from installing their own dock. She stated that they are completely willing to work with the applicant but would prefer to do that outside of this formal Board meeting. She asked that the Board deny this request. She stated that the dock sharing agreement that they have with the applicant is renewed each year and she would not want to change that process.

No additional comments were offered, and the public hearing was closed at 8:08 p.m.

Gabriel Jabbour commented that there are converging lot lines around the whole lake and some properties do not have enough for a dock. He stated that variances have been given in some instances, but this would not be one of them. He stated that if you consider the three property owners, this dock would make it extremely difficult for everyone to have rights. He stated that this dock is beyond the size of what should be allowed in this instance. He noted that as discussed previously, property owners can work together to eliminate lot lines as they have done in this instance previously but recognized that is temporary. He commented that this dock is overambitious and is too much for this combination of lots. He stated that the Water Patrol often uses the alley to rescue snowmobiles and accidents in the channel, therefore it is imperative that alley be protected. He stated that he does not find it appropriate to approve this variance. He stated that whatever dock existed in the past is irrelevant because the neighbors agreed in the past. He stated that if a dock protruded into a neighboring lot, that approval could be taken back by the neighboring property owner at any time.

MOTION: Jabbour moved, Zorn seconded to direct LMCD legal counsel or staff to prepare Findings of Fact and Order denying the variance application from Arie Tendler, on behalf of the listed owner Cambria Company, LLC for the property located at 2000 Shadywood Road in Orono for final consideration at the January 11, 2022 LMCD Board meeting.

VOTE: Motion carried unanimously.

12. OTHER BUSINESS

There was no other business.

13. OLD BUSINESS

A) 2023 Employee Compensation Adjustment – Additional Review

Anderson commented that the Finance Committee reviewed this item as the request exceeded the budgeted amount by two percent. He stated that the Committee agrees with the five percent increase.

MOTION: Anderson moved; Stone seconded to approve the annual base wage adjustments for employees in 2023 at a rate of five percent.

VOTE: Motion carried unanimously.

B) Recommendation and Appointment of Civil Attorney

Thomas commented that the civil attorney resigned, therefore the LMCD put a request for that service. He noted that one submission was received, and that firm was interviewed by a work group. He stated that the group found Mr. Langel very well qualified and a good fit. He stated that there was discussion as to whether his attendance would be needed at each Board meeting, or just as needed.

MOTION: Thomas moved, Klohs seconded to approve entering into an agreement between the Lake Minnetonka Conservation District, a Minnesota political subdivision and the law firm Ratwik, Roszak & Maloney, P.A. for civil attorney legal services effective December 19, 2022 and for 2023 with Joseph J. Langel of that firm serving as primary legal counsel.

Further discussion: Klohs agreed that this was a great candidate.

Kirkwood stated that he would question the availability as the candidate works with other cities five days a week, most located further north.

Thomas commented that the candidate stated that he would be available if the Board wanted him to attend each meeting. He stated that they discussed possibly having the candidate attend each meeting in the beginning to get to know the group and then it could be determined if he would need to attend.

Klohs noted that the candidate does not attend every meeting of the cities he represents.

Anderson stated that the town of Ramsey and Lino Lakes have him show up once per month. He stated that the candidate also represents many communities virtually.

Thomas noted that the candidate would have a backup in the case he would not be able to attend.

Anderson stated that perhaps there could be a worksession where the other members of the Board could get to know him.

Kroll commented that would be great.

VOTE: Motion carried unanimously.

C) Update Regarding Status of Executive Director Recruitment

Thomas commented that the Board discussed this topic in work session tonight. He noted that further discussion could occur, or someone could propose a motion.

Jabbour stated that he would like more information provided about the worksession. He stated that it is important that the Board figure out what the organization does, both right and wrong, and where the existing staff fit into the staffing model to determine their needs. He stated that he would prefer to have a closed session meeting to continue that discussion.

MOTION: Jabbour moved, Walesch seconded to not post the position until the Board can have further discussion in closed session about staffing and to develop a job description.

Further discussion: Anderson asked if there could be pursuit of an interim director.

Jabbour agreed.

Hoelscher asked if they could pursue an interim director and that be the only step at this time. She noted that the next steps could occur after that time and could be discussed in workshop.

Zorn suggested that process begin with the closed session.

Jabbour stated that Hoelscher's idea would change his intention. He stated that the closed session would allow honest discussion of the Board and would then allow them to move forward.

Walesch stated that the motion is to hold a closed session, assuming that they are able to do so, and then the Board would be able to proceed with hiring an interim director.

Jabbour stated that the intent of the closed session would be to discuss the job performance of the existing staff.

Kroll questioned if this motion would even be needed. He stated that if the Board does not take the action to move forward with posting the position, then no action would be taken.

Jabbour called the question on the motion on the table.

Zorn noted that she would like to focus on recruitment of the interim director immediately and then hold a closed session in January.

Thomas noted that the motion did not include an order to follow, so Zorn would be correct.

VOTE: Motion carried unanimously.

Hoelscher asked if she would have authority to contact a candidate or asked if the Board would like to conduct a search.

Jabbour stated that if the Board could gain the previous candidate, they would be very lucky.

Hoelscher asked for authority to negotiate a contract with Jim Brimeyer.

MOTION: Walesch moved, Jabbour seconded to provide authority to Ann Hoelscher to negotiate an interim LMCD Director contract on behalf of the LMCD Board.

Further discussion: Zorn asked that the candidate be flexible on the timeframe.

Hoelscher noted the previously approved rate.

VOTE: Motion carried unanimously.

14. NEW BUSINESS

A) LMCD Board Self-Evaluation Information

Thomas stated that each year the Board is asked to evaluate its performance. He noted the process that has been used in the past and explained how that was simplified the previous year.

Schleunig stated that SurveyMonkey was used for the past few years. She noted that a link could be provided to the Board and those results would be compiled and presented at a future meeting.

Thomas stated that link would be coming and encouraged the Board to fully participate.

15. TREASURER REPORT

Anderson stated that in reading the bylaws he discovered that the Treasurer is to provide a monthly P&L, which has been completed quarterly. He stated that he will be working to correct that. He asked if the audit preparation typically occurs in February.

Schleuning stated that staff has already begun preparing for that process which typically occurs in February.

Anderson asked for authority to meet with the auditor and staff in preparation for the audit.

16. EXECUTIVE DIRECTOR UPDATE

Schleuning provided the following information:

- Staff has received questions about ice depth, noting that there are still areas of open water and thin ice
- Deicing operations are starting
- Multiple dock, watercraft for hire and other license renewals are being sent out
- The new solicitation flyer for Save the Lake has been posted on the website
- More information to come on a potential rain barrel program

17. STANDING LMCD COMMITTEE/WORKGROUP

Aquatic Invasive Species: Brandt stated that they would attempt to hold a meeting before the end of the year to recap their activities from 2022 and also follow up with the Harrison Bay Association.

Communications: Hoelscher stated that the group met the previous day. She thanked Kirkwood and Schleuning for working with LMCC to develop an educational video about the 300 foot no wake zone. She thanked Thomas for his leadership and service on the Board, noting that he has been an asset to the Board.

Finance: Anderson reported that the group met the previous week to discuss the salary adjustments.

Operations: Zorn stated that minutes were provided from the October meeting and draft minutes are available from the November meeting. She stated that the Nominating Committee has solidified a process and will be providing the deadlines to the Board in January in order to provide a recommendation of Officers in February.

Jabbour stated that he would like to see the Nominating Committee changed to be a work group. He commented on the difficulties in Board Members being allowed to take part in the interview for the attorney. He stated that he made a commitment to serve of the Board with the understanding that he would have to fly in to attend the twice monthly meetings. He stated that he volunteered to assist in setting up equipment that would allow him to participate in the committee meetings virtually but commented on his frustration in getting that setup.

Hoelscher stated that it was her thought that the new attorney review the request and if approved, that could

be setup. She commented that she thought they were waiting for approval from the legal counsel, which was just hired tonight.

Jabbour commented that he is only in town for this meeting and two more days. He commented that he is offering to pay for and setup the equipment and it does not have to be used until approved by the attorney.

Anderson commented that sounds simple.

Hoelscher stated that it is a great idea and believes that everyone would support that but noted that she is not in charge of the space at the Mound City Hall where Jabbour would like to install the equipment.

Anderson commented that he would anticipate that be setup in the conference room.

Hoelscher stated that Jabbour suggested changing the committee structure and perhaps that be discussed in the conversations about the new Executive Director. She suggested that take place in January.

Schleunig stated that she must have misunderstood the request because she only found out about this idea before tonight's meeting. She stated that she likes the idea but believes further consideration and consult from legal counsel and permission to install would be needed.

Thomas stated that the one question would be related to whether remote participation could be done while still meeting the open meeting law while the second would be related to the committee structure.

Walesch commented that with the AIS Committee it would be more productive if they would be able to communicate more via telephone and email, even just about setting up a time for meetings. He commented that it can be a monumental task to set something up for a meeting and therefore it does not occur as frequently as desired. He stated that perhaps that be one of the first tasks for the attorney to review whether changing to work groups would make things easier.

Brandt stated that if Jabbour is willing to install the equipment that would be necessary, that seems like a no brainer.

Jabbour commented that they will abide the law.

Klohs stated that perhaps Hoelscher could speak with the attorney on that topic.

Jabbour commented that there is a way that things need to be done in order to comply, and they would follow those steps.

Save the Lake: Newell commented that the group has not recently met. He stated that a member made an interesting comment that he will try to bring forward at the next committee meeting. He noted that since the Save the Lake committee has taken on the funding for the Water Patrol, their budget needs have changed, and the typical solicitations may not meet the long-term financial needs. He recognized the generous

contributions that marina owners have made but noted that long-term funding will need to be discussed going forward.

Thomas thanked everyone and noted that he has enjoyed working with them.

18. ADJOURNMENT

MOTION: Kroll moved; Walesch seconded to adjourn the meeting at 8:51 p.m.

VOTE: Motion carried unanimously.

Ann Hoelscher, Acting Chair

Dan Baasen, Secretary