



LAKE MINNETONKA CONSERVATION DISTRICT

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

AGENDA
LAKE MINNETONKA CONSERVATION DISTRICT
Wednesday, March 13, 2024
Wayzata City Hall
600 Rice Street, Wayzata, MN 55391

PUBLIC PARTICIPATION

Those attending the meeting, please complete the attendance sheet. Those desiring to participate in the meeting should complete the *Public Comment Form* at the meeting if the online [Public Comment Form](#) was not submitted. The Chair may choose to reorder the agenda for a specific agenda item if it would benefit the needs of those in attendance. Please see *Public Comments* Section for more information.

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.

No Work Session

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**
- 6) **APPROVAL OF MINUTES (02/28/2024 LMCD Regular Board Meeting)**

7) APPROVAL OF CONSENT AGENDA

- A) Audit of Vouchers (03/01/2024 – 03/15/2024)
- B) Findings of Fact for Variance - 2721 Tyrone Lane

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. 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) PRESENTATIONS

10) PUBLIC HEARING

11) OTHER BUSINESS

- A) AIS Communication – Jabbour
- B) Harrison Bay Association – Carp Management Strategy

12) OLD BUSINESS

- A) 2024 LMCIT Coverage & Liability Form

13) NEW BUSINESS

- A) Dr. Fursman Board Survey
- B) Appoint Budget Workgroup
- C) Proposed Budget Calendar

14) TREASURER REPORT

- A) February Balance Sheet
- B) February General & STL Income Expense Reports

15) EXECUTIVE DIRECTOR UPDATE

- A) Low Water Update
- B) Submersible Pump Presentation Lethart– 3/27/2024
- C) MCWD Update – Wisker – 3/27/2024

16) ADJOURNMENT

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 P.M., February 28, 2024
Wayzata City Hall

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. NEW BOARD MEMBER OATH OF OFFICE

A) Matthew Thompson, Wayzata

Langel administered the Oath of Office to new member Matthew Thompson representing Wayzata.

4. ROLL CALL

Members present: Ann Hoelscher, Victoria; Deborah Zorn, Shorewood; Nicole Stone, Minnetonka; Mike Kirkwood, Minnetrista; Brian Malo, Greenwood; Matthew Thompson, Wayzata; Ben Brandt, Mound; Gabriel Jabbour, Spring Park; Dennis Klohs, Minnetonka Beach; Mark Kroll, Excelsior; Ryan Nellis, Tonka Bay; and Denny Newell, Woodland. Also present: Joe Langel, LMCD Legal Counsel; Thomas Tully, Manager of Code Enforcement; Maisyn Reardan, Office and Finance Manager; and Raina Gabler, Executive Assistant Code Enforcement and Operations.

Members absent: Jake Walesch, Deephaven; Rich Anderson, Orono.

5. APPROVAL OF AGENDA

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

VOTE: Motion carried unanimously.

6. CHAIR ANNOUNCEMENTS

A) Introduced Legislation for Boater Safety and License Plates

Chair Hoelscher shared the Representative Andrew Myers has introduced legislation for a Lake Minnetonka License Plate that would fund Boater Safety and has support from Senator Kelly Morrison in the state Senate.

Chair Hoelscher also shared that some Board Directors had questions about whether the Treasurer had to supply a bond when taking office and she stated that the League of Minnesota Cities, LMCD's insurance agency, covers everyone including the Treasurer, Executive Director, and Board Members.

In addition, Chair Hoelscher also mentioned the new seating arrangement for Board meetings and provided an update on the Save the Lake Solicitation Letter that was scheduled for distribution back in December but

unfortunately there was an issue with the publisher, so now the plan is to distribute the letter in the coming weeks when the ice is out.

7. APPROVAL OF MINUTES- 01/24/2024 LMCD Regular Board Meeting

MOTION: Zorn moved; Brandt seconded to approve the 01/24/2024 LMCD Regular Board Meeting minutes as submitted.

VOTE: Motion carried unanimously.

8. APPROVAL OF CONSENT AGENDA

MOTION: Stone moved; Kirkwood seconded to approve the consent agenda as presented. Items so approved included: **8A**) Audit of Vouchers (02/01/2024 – 02/15/2024) & (02/16/2024 – 02/29/2024).

VOTE: Motion carried unanimously.

Chair Hoelscher called a five-minute recess to fix the technical difficulties at 7:10 p.m.

Chair Hoelscher called the meeting back to order at 7:15 p.m.

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

Eric Evenson, Lake Minnetonka Association (LMA) Director, provided a brief update on recent and upcoming activities of LMA. He commented on the short duration of the winter and anticipated early spring, noting that will most likely bring a lot of weeds. He stated that a Bay Captain is needed for Phelps Bay and encouraged interested residents to reach out to him. He referenced the topic of electric shock drowning noting that he has researched the topic and is concerned. He stated that LMA will be releasing an article in its newsletter and would like to work with LMCD to continue to spread the message of concern.

Hoelscher agreed that is a big topic that the Board has also received a presentation on in the past as well.

Kroll commented that he works in electrical safety and shares those concerns. He suggested that perhaps a working group is created to potentially develop an ordinance.

10. PRESENTATIONS

A) New Board Informational Session by Attorney Joe Langel

Langel provided information on the Public Data Practices Act, which the Board is subject to, noting that emails are subject to that Act. He strongly encouraged the Board to use their assigned LMCD email account for LMCD business to prevent their personal emails from being subject to the Act. He noted that if a Board member is texting information on their phone related to LMCD business, text messages would also be subject

to that Act and reiterated that all LMCD business should be done through the LMCD assigned email addresses. He also provided information on the Data Retention Act.

Langel provided a training to the Board on Open Meeting Law and other applicable policies.

Jabbour asked for more details on the length of time related to data retention and whether that tracks after someone is off the Board.

Langel replied that there are different timeframes for different types of data, noting that he can provide more specific information to be distributed. He confirmed that the data would still need to be retained for the required period after someone leaves the Board.

Jabbour commented that sometimes it is painfully obvious that someone has made up their mind prior to the meeting and spoke of the importance of being open to the input from the applicant and members of the public. He also asked for details on liability and when someone would go beyond the coverage of LMCD insurance.

Langel commented that the first comment/question would be addressed under the Code of Conduct, noting that the Board should remain open to the comments of others. He stated that LMCIT is pretty broad in terms of the coverage, noting that someone would need to step pretty far out of bounds to not be covered. He stated that if someone committed a criminal act, or has a severe abuse of power, coverage could be withheld.

Kirkwood asked the length of time someone would be covered by the insurance after leaving the Board.

Langel commented that any action completed as a Board member would remain covered.

Malo referenced the email retention comments. He asked if his folders could be cleaned up because the email would be retained on the server.

Langel commented that emails should be sent to staff prior to deletion.

Reardan commented that emails that the Board would like to delete should be sent to her and she can determine whether it would need to be saved.

Brandt noted that members could create a folder titled trash/delete and move emails to that folder to cleanup their inbox.

Klohs recognized that these rules apply to all public entities (LMCD, City Council, School District). He recognized that some conversations can go back and forth between the LMCD "hat" and a personal "hat", asking how they would track going back and forth.

Langel recognized that is a bit of a grey area. He commented that while someone could share their opinion, as their personal opinion, he would be hesitant of that. He noted that they recently had a data request for all LMCD public data with no data or subject range and provided details on that process.

11. PUBLIC HEARING

A) Variance – 2721 Tyrone Lane, Owen Sweeney

Tully presented a variance request for the property at 2721 Tyrone Lane. He stated that the site currently does not have a dock structure and has 210 feet of OHW shoreline. The variance request was submitted in an effort to resolve the issue of conflicting dock use areas, water depth, and emergency vegetation due to abnormal site conditions. He reviewed the standard LMCD Code allowances and noted that the applicant proposed to install a dock structure that would extend out into the lake approximately 415 feet to reach navigable waters. He reviewed the proposal from the applicant which would include a width of 3.5 feet and include three BSUs. He reviewed the proposed site plan and the stated hardships for the property related to conflicting dock use areas, water depth and emergent vegetation. He reviewed precedents that exist in that area related to dock length variances. He reviewed the comments received from other public agencies, as well as two comments from neighbors and one comment from a neighboring townhome HOA. He stated that staff recommends approval subject to the conditions within the packet.

Zorn recognized the original comments from the City of Mound shared in its letter and the staff comment that those concerns were resolved through clarification of information. She asked if the City had any additional comments.

Tully replied that he met with City staff from Mound, and they did not have any additional concerns.

Hoelscher noted that there are other docks on the lake that are around 400 feet. She commented that generally 100 feet is allowed for dock length unless there are difficult circumstances. She asked if there is a length that is too much for a residential property.

Tully replied that there has not been such a maximum for residential properties, noting that it has been more defined by the ability to reach navigable water.

Jabbour asked if staff considers whether someone is trying to reach riparian water versus trying to get additional docks. He asked if the length of the dock is also considered in terms of navigation and whether that would be hazardous versus going over marshland. He stated that he would not want to provide the impression that there is a magic number, as 20 feet could block a channel.

Tully provided additional details on the staff consideration that is given in those situations, as well as what would be acceptable and not be acceptable.

Nellis asked for more information on the white lines shown in the marsh.

Tully replied that could be snowmobile tracks, but was unsure.

Brandt asked if there is not enough navigable water to place one boat in the southeast corner.

Tully replied that staff can only work with the information provided and the request before the Board. He stated that the HOA to the south was granted six BSUs, but there has not been talk of locating on those docks as of yet.

Brandt asked if the LMCD would allow for a length variance for multiple BSUs or only one BSU.

Tully replied that it depends on what has been asked for. He stated that the applicant does have enough shoreline to support three BSUs. He stated that if the Board deems that ask to be too much, it could reduce the allowed number of BSUs.

Brandt asked if the dock would remove any cattails.

Tully replied that the dock would act as a boardwalk and therefore would not impact the vegetation.

Malo asked if the dock would be covered in the summer when the cattails grow.

Tully commented that could happen as cattails do grow up around other docks. He stated that his concern would be more in winter to ensure there is something reflective to alert snowmobiles.

Hoelscher opened the public hearing at 8:00 p.m.

Owen Sweeny, applicant, introduced himself noting that his family has lived at the property since 2020. He stated that he reached out to the City of Mound and LMCD shortly after buying the property in attempt to have a dock. He stated that he partook in a site meeting with LMCD staff, the City of Mound, and the Watershed District to discuss options for the site. He stated that he then completed a wetland delineation and wetland assessment, as well as completed a native vegetation assessment of the property. He stated that using all that input from his consultants and the public agencies, he created this proposal as he believes that this will be the least impactful and most ecologically sound option. He referenced the three hardships of his property and believed that this variance request is reasonable.

Kirkwood asked if the applicant currently owns three 40-foot boats.

Sweeny commented that he does not currently own three boats at this time. He stated that in his discussions with staff he was told that he should request what he would ultimately want to prevent a situation where he would need to come back in the future. He confirmed that he would only have his own personal watercrafts at the dock.

Nellis clarified that the request BSUs are 30-foot, not 40-foot.

John Smithe, 4046 Willshire Boulevard, noted that the presentation mentioned many docks of similar length but noted that this is unique as the dock would run parallel to all the properties which would impact the character of what other people would see. He stated that the townhomes are opposing the request because

this will change the character of the wetlands. He commented that there is wildlife that use the wetland and the association as concern that the dock will impact the character of the area.

Robert Sandum, 4842 Wilshire Boulevard, commented that the biggest problem of the dock is that it parallels the shoreline. He stated that perhaps the shoreline could be dredged on the subject property to fit a dock. He believed that would better fit the character.

Smithe commented that there is also concern that the three slips would be used for rentals.

Dave Aul, 4838 Wilshire Boulevard, commented that he will most likely be the closest to the dock. He stated that he purchased his property because they have a backyard with no one back there and they can enjoy the wildlife. He stated that the last two years have been dry with low water, which has caused them to pull their boats out in August. He was unsure how the boats from the association area could get past 30-foot boats. He noted that the area marked on the map at Seton is actually the channel that opens to Seton. He asked the Board to deny the request as he did not believe it to be feasible. He also believed that there would be rentals occurring, but acknowledged that he did know that for a fact.

Dan Pagel, 4843 Wilshire Boulevard, stated that he supports citizens having access to the lake. He stated that he works for a marina but believes the lake should be for its citizens. He stated that he is not against the request as the applicant does have the right for three slips based off his shoreline. He commented that there would be 175 feet for navigation with the applicant's dock as proposed which should be sufficient. He noted that area is shallow and asked if there are any plans to dredge that area in the future. He commented that there is not a lot of traffic and noise in that area because of the shallow water, so he did not believe that would become a concern that other residents before him have mentioned. He asked how the slip length is determined, noting that a 30-foot boat in four feet of water would be an issue. He commented that people that live on the lake should have access to the lake. He stated that vegetation will grow around the dock and therefore it will not be a visual eyesore to others.

Aul stated that five or six years ago he reached out to a dock company to ask if a 12-foot section of dock could be installed. He was told that could not be done as the barge could not get through the shallow water. He stated that he purchased a lift and was told the only way a company could come to assist is during the winter.

Pagel asked if there are any plans to expand the area through dredging.

Hoelscher commented that is not the decision of the LMCD and is not before them at this time, noting that would fall to the Watershed District.

No additional comments were offered, and the public hearing was closed at 8:20 p.m.

Kroll asked the definition of shoreline. He noted that in this instance the applicant is roughly 400 feet from larger open water and asked if the applicant can be deemed to be on the boundary of the lake. He asked the amount of wetland that exists before it is deemed that someone is not on the lake.

Tully replied that through surveys and wetland delineation it was determined that the applicant has 210 feet of OHW shoreline.

Kroll asked if there is precedent for people going long distances through wetlands to reach open water.

Tully replied that there is precedent and provided those examples.

Jabbour commented that it is important to understand that the applicant has the constitutional right to navigable water. He stated that dredging would be a maximum impact compared to this minimal impact proposed by the applicant. He stated that a 30-foot slip could only accommodate a 26-foot boat. He commented that this plan will have minimal impact to the site. He stated that this is not a dock of convenience but a dock that is a right of the property owner.

MOTION: Jabbour moved, Klohs seconded to direct LMCD legal counsel to prepare Findings of Fact and Order approving the variance application from Owen Sweeny for the property located at 2721 Tyrone Lane in Mound for final approval at the March 13, 2024 LMCD Board meeting.

Further discussion: Zorn stated that while she understands the precedent that has been set, she asked if those docks are in similar proximity with a narrow channel.

Tully replied that most channels around the lake would have similar circumstances.

Zorn recognized that the Code allows for three slips, but perhaps that number could be reduced. She stated that the boardwalk is a great option for minimal impact. She stated that perhaps the number of slips is lessened to one or two. She stated that she likes the boardwalk and would support something under three BSUs, with a statement that it could be revisited in the future if desired by the applicant.

Tully commented that the request is based off the ask of the applicant and what is allowed by Code, but the Board could reduce the number of BSUs if desired.

Hoelscher stated that she does agree that the applicant and all property owners have a right to access the lake. She asked if there is room for a slip at the multiple dock that exists, recognizing that was not asked for.

Tully replied that for any agreement of that nature to take place, the applicant and HOA would need to come to an agreement to request a new multiple dock license. He stated that while technically the multiple dock could have had a higher density, he was unsure if a higher density would be allowed at this time and that ask has not been made. He did not believe there was room in that area.

Klohs commented that this option would also be the only option that avoids dredging.

Thompson commented that it seems that many of the questions of navigation occur when docks are perpendicular to shore. He asked if there had been an alternate configuration for the BSUs which would be parallel to the shore.

Tully replied that type of configuration was not reviewed by staff.

Nellis stated that it appears there is more than enough room for navigation as proposed and three slips seems reasonable. He noted that with three BSUs the property owner could have a regular boat, fishing boat and a jet ski.

Kirkwood asked for more information on dredging in general on the lake.

Jabbour commented that there is a profound difference between dredging and maintenance dredging. He stated that it has to be demonstrated that there are no other options, noting that this is a good option. He believed that forcing people to dredge should be avoided at all costs. He stated that the applicant could rent if he desired. He clarified that the applicant could have three boats for himself or two boats for anyone.

Malo requested to amend the motion to limit to two BSUs.

Jabbour declined the friendly amendment.

VOTE: Motion carried 11 - 2 (Malo and Zorn opposed).

12. OTHER BUSINESS

There was no other business.

13. OLD BUSINESS

A) WFH Workgroup Update Regarding Rentals

Jabbour stated that the group continues to meet and is making progress. He provided a brief update.

B) Other

Jabbour commented that he received a copy of a report completed by the University on behalf of Hennepin County related to a propeller and how that could push weeds away. He stated that the study was done in a vacuum. He stated that he sent information to the University AIS and the scheduled webinar on the topic has since been canceled. He stated that the issue is a big issue and is a dangerous issue noting that there have most likely been many deaths due to this issue that have not been ruled correctly. He believed that multiple dock licenses should require the electric work to be permitted through the state rather than the city. He commented that there are people that use the access that would be at risk for shock.

Hoelscher referenced the earlier comment of Kroll that perhaps a work group should further discuss that topic.

14. NEW BUSINESS

A) Grant Request for 2024 AIS Pre-Treatment Survey on Stubbs Bay

Tully presented a grant request to support funding of an initial pre-treatment survey on Stubbs Bay for 2024.

Brandt commented that he did review the request and also spoke with Evenson directly. He stated that this would be a two-year project, completing the survey in 2024 and providing treatment in 2025 if the survey is favorable. He recommended approval based on consistency of previous requests. He stated that based on the findings of the survey, the group could review a grant request for treatment in 2025.

MOTION: Kroll moved, Newell seconded to approve the LMCD AIS Project Funding Application for 2024 on Stubbs Bay and order staff to pay the requested survey costs of \$2,170.

VOTE: Motion carried unanimously.

15. TREASURER REPORT

- A) January Balance Sheet
- B) January General & STL Income Expense Reports

Stone had no further comments.

16. EXECUTIVE DIRECTOR UPDATE

Tully stated that he and Brandt met today with Harrison Homeowners Association to discuss bowfishing for carp. He stated that they will continue to discuss that topic.

17. ADJOURNMENT

MOTION: Jabbour moved, Newell seconded to adjourn the meeting at 8:47 p.m.

VOTE: Motion carried unanimously.

Deborah Zorn, Vice Chair

Michael Kirkwood, Secretary

Lake Minnetonka Conservation District
Check Detail
 March 1 - 15, 2024

Item 7A

Date	Num	Name	Memo	Account	Paid Amount	Class
03/14/2024	EFT-24-31	WEX Health, Inc.		Bridgewater Checking		
			HSA Contribution March 2024 (Tully)	4380M10 - Employee Benefits - Admin.	-125.00	Admin.
			HSA Contribution March 2024 (Reardan)	4380M10 - Employee Benefits - Admin.	-125.00	Admin.
			HSA Contribution March 2024 (Gabler)	4380M10 - Employee Benefits - Admin.	-125.00	Admin.
TOTAL					-375.00	
03/14/2024	EFT-24-32	Medica		Bridgewater Checking		
			Health Insurance March 2024 (Schleuning)	4380M10 - Employee Benefits - Admin.	-781.82	Admin.
			Health Insurance March 2024 (Tully)	4380M10 - Employee Benefits - Admin.	-781.82	Admin.
			Health Insurance March 2024 (Reardan)	4380M10 - Employee Benefits - Admin.	-781.82	Admin.
TOTAL					-2,345.46	
03/14/2024	EFT-24-33	Unum Life Insurance	0510159	Bridgewater Checking		
			Long Term Disability March 2024 (Tully)	2020-LT - Payroll Liabilities - UNUM	-8.20	Admin.
			Long Term Disability March 2024 (Reardan)	2020-LT - Payroll Liabilities - UNUM	-7.13	Admin.
TOTAL					-15.33	
03/14/2024	EFT-24-34	ADP Service Fee		Bridgewater Checking		
			Payroll 3/1/24 - 3/15/24	4380M10 - Employee Benefits - Admin.	-94.10	Admin.
TOTAL					-94.10	
03/14/2024	EFT-24-35	P.E.R.A	9236-00	Bridgewater Checking		
			Payroll 3/1/24 - 3/15/24	2020 - Payroll Liabilities -	-1,161.96	Admin.
TOTAL					-1,161.96	
03/14/2024	EFT-24-36	ADP		Bridgewater Checking		
			Salaries - Admin	4020M10 - Salaries-002 - Admin	-8,307.66	Admin.
			P.E.R.A - Admin	2020 - Payroll Liabilities -	1,161.96	Admin.
			ER PERA - Admin	4022M10 - ER PERA - Admin	-622.48	Admin.
			ER/FICA/Medicare - Admin	4021M10 - ER Share of Admin FICA/Medicare	-634.96	Admin.
			Long Term Disability	2020-LT - Payroll Liabilities - UNUM	7.66	Admin.
			Brimeyer 2/25/24 - 3/9/24	4024 - Contract Labor	-1,600.00	Admin.
TOTAL					-9,995.48	
03/14/2024	23112	AIS Advanced Imaging Solutions		Bridgewater Checking		
03/14/2024	523429231		Copier Contract 02/20/24 - 3/20/24	4140M10 - Office Equipment R&M - Admin.	-463.15	Admin.
TOTAL					-463.15	
03/14/2024	23113	Fred T. Miller Photography & Video		Bridgewater Checking		
03/14/2024	0240393		2/28/24 Video Production Services	4182M10 - Media (Cable/Internet) - Admin.	-300.00	Admin.
TOTAL					-300.00	
03/14/2024	23114	Gregerson, Rosnow, Johnson & Nilan, LTD		Bridgewater Checking		
03/14/2024	49923		Prosecution Costs February 2024	4640M10 - Prosecution Legal Fees - Admin.	-1,683.47	Admin.
TOTAL					-1,683.47	
03/14/2024	23115	Innovative Office Solutions LLC		Bridgewater Checking		
03/14/2024	4464157		Copy Paper	4220M10 - Office Supplies -Admin.	-25.86	Admin.
TOTAL					-25.86	

Lake Minnetonka Conservation District
Check Detail
March 1 - 15, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
03/14/2024	23116	LMCC		Bridgewater Checking		
03/14/2024	1585		VOD Services for 2/28/24 Board Meeting	4180M10 - Professional Services - Admin.	-200.00	Admin.
TOTAL					-200.00	
03/14/2024	23117	Your Computer Hero		Bridgewater Checking		
03/14/2024	8402		Computer Maintenance	4180M10 - Professional Services - Admin.	-533.10	Admin.
TOTAL					-533.10	



Item 7B

LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: March 13, 2024 (Prepared March 7, 2024)

TO: LMCD Board of Directors

FROM: Thomas Tully, Manager of Code Enforcement

CC: Jim Brimeyer, Interim Executive Director

SUBJECT: Variance for Adjusted Dock Use Area and Length, 2721 Tyrone Lane, Mound, MN 55364, Emerald Lake

ACTION

Board approval of Findings of Fact and Order for a variance for an adjusted dock use area and length for 2721 Tyrone Lane, in the City of Mound (PID 19-117-23-23-0123).

BACKGROUND

The LMCD held a public hearing on February 28, 2024 to consider the application of Owen Sweeney (“Applicant”) for a variance at 2721 Tyrone Lane on Emerald Lake in the City of Mound (PID 19-117-23-23-0123) for an adjusted Length.

On February 28, 2024, the LMCD Board voted to have legal counsel and staff draft Findings of Fact and Order for approval of the variance request with conditions. The draft of the Findings of Fact and Order is attached, as well as the memos and presentations from the hearing.

BUDGET

N/A

STRATEGIC PRIORITIES

Docks, Applications, Licenses, Surface Water Management
 Lake Use, Safety
 Lake Protection
 Operational Effectiveness
 Other

ATTACHMENT

1. Findings of Fact and Order
2. Board Memo of February 28, 2024 without attachments
3. Proposed Site Plan

Type: Adjusted Length, and Dock Use Area Variance
Date: March 13, 2024
Applicant: Owen Sweeney
PID: 19-117-23-23-0123
Address: 2721 Tyrone Lane Mound, MN 55364

**LAKE MINNETONKA CONSERVATION DISTRICT
HENNEPIN COUNTY, MINNESOTA**

IN RE:

Application of Owen Sweeney for an Adjusted Dock Length and Dock Use Area Variance for the property located at 2721 Tyrone Lane Mound, MN, 55364

**FINDINGS OF FACT
AND ORDER**

The Lake Minnetonka Conservation District (“LMCD”) received an application from Owen Sweeney (“Applicant”) for a variance for a dock structure extending into the lake 415 feet, the proposed structure would be meeting the minimum 10-foot setback on the northern side of the dock structure so as to not encroach upon the City of Mound Dock Use Area as well as standard LMCD setbacks along the southern side of the dock structure extending from the property located at 2721 Tyrone Lane Mound, MN, 55364 and legally described in the attached Exhibit A (“Subject Property”). The LMCD Board of Directors (“Board”) held a public hearing, after due notice having been provided, on the requested variances on February 28, 2024. Based on the proceedings and the record of this matter, the Board hereby makes the following Findings of Fact and Order:

FINDINGS OF FACT

1. The Subject Property is located in the City of Mound and is located on a channel connected to Emerald Lake, which is part of Lake Minnetonka (“Lake”). The Subject Property has historically not had a dock in this location.
2. The Applicant desires to install a dock with sufficient length to reasonably use the associated dock use area. The Applicant is proposing a dock with a total length of approximately 415 feet to reach a more reasonable water depth for the inlet that the Site is associated with as shown on the site plan attached hereto as Exhibit B (“Site Plan”).
3. The Subject Property has approximately 210 feet of 929.4 feet OHW shoreline.
4. The Applicant proposes to have three boat storage units (“BSUs”) enclosed within a dock structure. Each of the proposed dock structures BSUs would measure 12 feet wide by 30 feet

in length. The walkways of the proposed dock structure measure 3.5 feet wide. The applicant is proposing this dock as a seasonal dock and would meet standard LMCD Code requirements.

5. Additional information regarding this matter is provided in the LMCD staff report related to this application dated February 28, 2024, and the presentation made thereon at the meeting (collectively, the “Staff Reports”). The Staff Reports are incorporated herein by reference, except that the approvals and conditions contained in this document shall be controlling to the extent there are any inconsistencies.
6. The Applicant proposes a variance which would allow for the adjustment of Dock Use Area (“DUA”) as established in Section 2-3.01 of the Code to allow a dock with a length of 415 feet with a minimum 10 foot setback on the northern side of the dock structure until the end of the City of Mound DUA and a minimum 20-foot setback from the middle of the channel on the southern sides in order to allow for reaching deeper water depths, reasonable navigation, and storage of watercraft.
7. Section 6-5.01, Subd. 6 of the Code allows the granting of a variance if the Board determines practical difficulties exist and that granting the variance with whatever conditions it deems are necessary does not adversely affect the purposes of the Code, the public health, safety, welfare, and reasonable access to or use of the Lake by the public or riparian owners.
8. The term “practical difficulties” is defined in Code, Section 1-3.01, Subd. 76 as meaning “one or more unique conditions of a property that prevent the property owner from using the Lake in a reasonable manner permitted by the Code and that serve as a basis for the property owner to request a variance from the strict application of the provisions of the Code. Practical difficulties only exist with respect to a particular property if the conditions preventing the proposed reasonable use of the property are unique to the property, were not created by the property owner and are not based solely on economic considerations.”
9. The proposed use of the Lake to install a dock with sufficient length to allow for the reasonable navigable and watercraft storage of the Subject Property. These conditions are unique that were not created by the Applicant. The variance request is not based solely on economic considerations in that the variance is needed to reach water of sufficient depth to safely operate a watercraft. Under these unique set of circumstances, the Board determines practical difficulties exist and that it is appropriate to grant the requested length variance to enable the reasonable use of the Lake by the riparian owner.
10. Granting the requested variances will not adversely affect the purposes of the Code as the installation and use of a dock and the canopy furthers the purposes of the Code by promoting reasonable access to the Lake. The requested variance is also not contrary to the public health, safety, or welfare in that the dock does not pose a safety or navigation problem on the Lake. The dock will not extend into the channel so as to not interfere with the navigation of watercraft to or from the neighboring docks.
11. Affected agencies were notified of the application. The Minnesota Department of Natural

Resources had no comment on the application. The Minnehaha Creek Watershed District and City of Mound did formally comment on the variance. MCWD had no objection, and the City of Mound expressed concern with regard to the encroachment of the dock structure upon the City of Mound Dock Use Area. The LMCD does not enforce the provisions of such declarations from other agencies. The LMCD did receive public comments prior to the public hearing voicing concern of the installation of the dock, these concerns were provided to the LMCD Board prior to the meeting.

12. Practical difficulties exist in this case that support the Board exercising its authority under Section 6-5.01 of the Code to grant a dock length variance for the Subject Property.

ORDER

ON THE BASIS OF THE FOREGOING AND THE RECORD OF THIS MATTER, IT IS ORDERED by the Board as follows:

1. **Length Variance.** A length variance is hereby approved for the Subject Property to allow the installation of a dock with a total length of up to Four hundred and fifteen (415) feet, which extends four hundred and fifteen (415) feet into the Lake from elevation 929.4 feet NGVD, as shown on the Site Plan attached hereto as **Exhibit B**, subject to compliance with all of the conditions set out in this Order.
2. **Conditions.** The variances granted in this Order are subject to compliance with all of the following conditions:
 - a. Ensure the dock structure located at the Site is in strict compliance with the Approved Site plan.
 - b. Walkways of the dock structure are to measure no more than 3.5 feet in width.
 - c. Ensure watercrafts (3) are contained within the BSUs located at the site; BSUs measuring 12 feet wide by 30 feet in length.
 - d. For the southern side setbacks, maintain a minimum 20 foot-setback from the dock structure to the center of the channel as it extends into the lake as indicated on the site plan.
 - e. For the Northern side setbacks, maintain a minimum 10 foot setback from the City of Mound Dock Use Area until 150 feet is reached
 - f. The length of the dock structure and storage must be no longer than 415 feet from the 929.4 feet OHWL. Extension of the dock structure is not permitted during low water levels.
 - g. Allow up to three (3) personal BSUs for the Site. Storage of watercrafts not owned and used by the property owner are not allowed .

- h. Failure of the Applicant to comply with any relevant regulations of all LMCD, Federal, State, County, and Municipal rules and regulations may result in revocation of these approvals.
- i. Watercraft stored in the BSU may not extend beyond the length of the slip. Prohibited extensions include any portion of the watercraft, including all attached equipment, that extend beyond the ends of the boat slip.
- j. Watercraft, structures, and equipment may not extend beyond the maximum length of the dock and shall be stored in such a way as to comply with the approved setbacks.
- k. Provide an updated site plan with final configuration and measurements as approved by the Board, this includes all watercraft for the site and their respective BSU if needed.
- l. Reflective material must be installed on the entirety of the dock structure.
- m. Any structures placed as part of this variance shall be maintained in good condition and shall promptly be removed, together with any watercraft stored on them, if this variance is ever revoked by action of the Board or if it is rendered null and void.
- n. This variance shall be rendered null and void in the event the Subject Property is subdivided. If the Subject Property is combined with another property, the Applicant shall request a review of the variance by the LMCD Executive Director to determine if a new or amended variance is required. If the Executive Director determines that a new or amended variance is required, the applicant shall submit an application for the variance to the LMCD within forty-five (45) days of the determination or bring the Subject Property into conformance with the Code without reliance on this variance within the same period.
- o. This variance grants no vested rights to the use of the Lake. Use of the Lake shall at all times remain subject to regulation by the LMCD to assure the public of reasonable and equitable access to the Lake.
- p. Utilization of the Lake pursuant to this variance constitutes, and shall be deemed, acceptance of, and agreement to, the terms and conditions of this variance without exception, qualification, or reservation.
- q. Any use of electrical equipment on the dock structure must comply with any and all state and municipal regulations.

BY ORDER OF THE BOARD OF DIRECTORS of the Lake Minnetonka Conservation
District this 13th day of March 2024.

Ann Hoelscher, Chair

ATTEST:

Mike Kirkwood, Secretary

DRAFT

EXHIBIT A

Legal Description of Subject Property

LOTS 6 AND 20 BLK 28 SETON AND LOTS 1
TO 3 INCL AND LOTS 10 TO 12 INCL BLK
29 SETON INCLUDING ADJOINING 1/2 OF
STREETS VACATED

EXHIBIT B
Site Plan

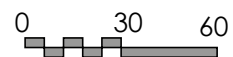
[attached hereto]

DRAFT

Designed for the
SWEENEY RESIDENCE

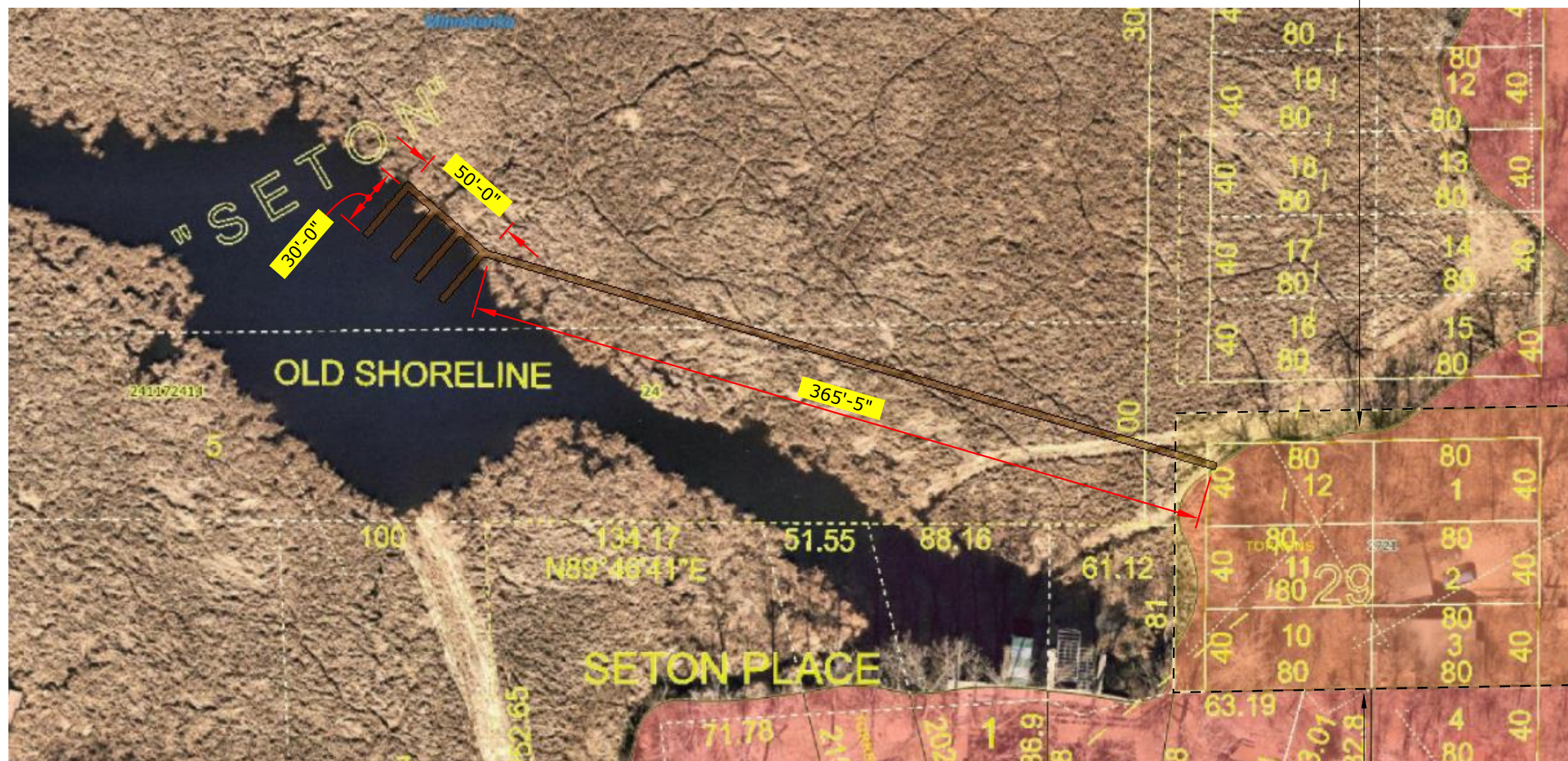
2721 Tyrone Lane, Mound MN 55364

Scale 1" = 60'



Aprox 210' of 929.4

2721 Tyrone Lane (My Property)






Item 11A

LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: February 28, 2023 (Prepared February 22, 2024)

TO: LMCD Board of Directors

FROM: Thomas Tully, Manager of Code Enforcement 

CC: Jim Brimeyer, Interim Executive Director

SUBJECT: Variance for Adjusted Dock Use Area and Length, 2721 Tyrone Lane Mound, MN 55364, Emerald Lake

ACTION

Board consideration of a variance for an adjusted dock use area and side setbacks for 2721 Tyrone Lane Mound on Emerald Lake in the City of Mound (PID 19-117-23-23-0123) and receive public input during the public hearing.

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

Approval

I make a motion to direct LMCD legal counsel to prepare Findings of Fact and Order approving the variance application from Owen Sweeny for the property located at 2721 Tyrone Lane in Mound for final approval at the March 13, 2024, LMCD Board meeting <subject to the following conditions>...

Denial

I make a motion to direct LMCD legal counsel to prepare Findings of Fact and Order denying the variance application from Owen Sweeny for the property located at 2721 Tyrone Lane in Mound for final Denial at the March 13, 2024, LMCD Board meeting based on...

APPLICATION SUMMARY

The applicant, Owen Sweeny (“Applicant”) has submitted a variance application to adjust the dock use area and allowed length for the dock structure located at 2721 Tyrone Lane in the City of Mound (“Site”). The Applicant’s parcel has approximately 210 feet of 929.4 OHW shoreline. The Applicant is proposing to adjust the residential sites dock use area and allowed dock length at the location due to abnormal site conditions. The variance application was submitted in an effort to resolve the issues of water depth, emergent vegetation and conflicting dock use areas.

Site Background

The Applicant has submitted a variance application to adjust the dock use area and allowed length for the dock structure located at 2721 Tyrone Lane located in the City of Mound. The applicant is proposing to increase the length of the dock structure due to water depth issues, emergent vegetation, and conflicting dock use areas. The applicant proposes to install a dock structure that would extend out into the lake approximately 415 feet. There is currently no existing dock structure at the site.

The Applicant's parcel has approximately 210 feet of 929.4 OHW shoreline. The applicant proposes to install a dock structure which would extend over the emergent vegetation located along the Sites to reach navigable water. The proposed Dock structure would have dock sections which would measure 3.5 feet in width. The Applicant is proposing 3 Boat Storage Units, ("BSU") each measuring 12 feet in width by 30 feet in length at the end of the dock structure for private use.

Through an onsite review by LMCD Staff, as well as a wetland delineation done by the applicant, LMCD staff have determined that there are multiple hardships which support the Applicants request.

Conflicting Dock Use Areas - The properties to the south of this parcel along the channel are licensed by the LMCD as an Association Multiple Dock which have an allowance to have 5 watercrafts. Implementation of another watercraft in this channel could potentially impede navigation to this multiple dock which has been given the right to use this area which includes Dock Use Area Associated with 2721 Tyrone Ln.

Emergent Vegetation- Majority of the 210 feet of 929.4 OHWL associated with this property is covered by emergent vegetation, as a part of this public hearing process LMCD Staff reached out to the MCWD regarding the proposal. MCWD staff have commented that this dock proposal would be a minimal Impact solution due to no dredging being implemented but instead a dock structure that acts as a boardwalk over the wetland to reach navigable water.

Water depth - Due to the shoreline being unusable for navigation. The Applicant is proposing to extend the dock structure at the Site out to the larger open area which the water depths at that location range from 2.5 feet to 4 feet which is acceptable by LMCD Code

There is currently no dock structure for the site. LMCD Code allows properties with shorelines greater than 60 feet to extend their dock structure out a distance into the lake equal to the length of their shoreline, but not more than 100 feet. The Applicant has chosen to ask for a variance to reach a more navigable depth. Additionally, there is a 10-foot setback for dock structure extending into the lake 0 to 50 feet, a 15 foot setback for dock structure extending 50-100 feet and a 20-foot setback for dock structure extending 100-200 feet. Originally, LMCD Staff were concerned that the dock structure encroached upon or into a City of Mound Dock Use Area to the North. Upon review LMCD Staff found the proposed Dock Structure would be meeting

standard setbacks regarding property lines. However, due to side opening slips at the end of the dock structure, the Applicant may need a setback Variance for encroachment upon the channel.

Water depths were taken by LMCD Staff for review. At 365.5 feet the average water depth for the property would be roughly 2.5 feet which ranges along that vegetation. The end of the proposed BSUs would be approximately 4.25 feet to 4.5 feet.

There is a minimum setback requirement for BSUs which open towards an extended side site line into the lake with a requirement for the setback to be equal to the length of the slip and be no less than 20 feet. Meaning that the proposed BSUs may or may not need a minor setback reduction to the channel. It should be noted that the LMCD typically does not enforce double setbacks for side opening slips on channels for residential properties.

Lastly there is set precedent for granting length variances in areas in which the applicant is proposing.

CONSIDERATIONS OF VARIANCE

The following items should be considered when reviewing a variance request:

1. Has the Applicant sufficiently demonstrated practical difficulties exist such that each of following are true?
 - a. Strict application of code prohibits property owner from using Lake in reasonable manner that is otherwise permitted by the code.
 - b. Granting a variance is within spirit and intent of the Code.
 - c. Plight of property owner is due to circumstances:
 - (1) Unique to property;
 - (2) Not created by property owner; and
 - (3) Not based solely on economic considerations.
 - d. Granting a variance does not alter essential character of the area.
2. Is the Applicant proposing a use not allowed under the code?
3. Would variance, if granted and with conditions imposed, adversely affect:
 - a. Purpose of Code?
 - b. Public health, safety, and welfare?
 - c. Reasonable access to or use of the Lake by public or riparian owners?

PUBLIC COMMENTS

In compliance with MN DNR General Permit 97-6098, the MN DNR, MCWD, the City of Mound, and the general public were provided information regarding the application on January 09, 2024. City and agency comments were due by January 20, 2024. Comments received as of February 22, 2024, are summarized below. Any comments received after February 22, 2024, will be provided at the Board meeting for review.

- Both the MCWD and City of Mound commented, which can be found as Attachments 5a and 5b respectively. The MCWD had no objection, and the City of Mound expressed

concern.

- No other agencies commented.

As of February 22, comments received by LMCD staff from the general public are summarized below:

- The LMCD Office has received 2 comments from the general public regarding concern for the location of the dock structure and the potential impact it may have.

PUBLIC HEARING

The public hearing provides an opportunity for interested individuals to present their views to the Board for consideration. This is an important part of reviewing the impact of a project. Only items under the LMCD Code and Board authority may be considered as part of any approval or denial decision.

The public hearing notice was published in both the January 11, 2024, and February 15, 2024 edition of the Sun Sailor (official newspaper) and the January 13, 2024, and February 17, 2024 edition of the Laker Pioneer. On January 9, 2024, a public hearing notice was mailed to persons who reside upon or are owners of property within 350 feet of the Site. In addition, the Board packet was posted online and the agenda was posted on the LMCD bulletin board.

RECOMMENDATION

Based on information available at the time of this report, LMCD Staff recommend Board Approval .

If the board chooses to approve the variance, based on review of the Considerations of Variance factors, the minimum recommendations are provided for consideration. The Board may wish to consider other items.

1. For the southern side setbacks, maintain a minimum 20 foot-setback from the dock structure to the channel as it extends into the lake as indicated on the site plan.
2. For the Northern side setbacks, maintain a minimum 10 foot setback from the City of Mound Dock Use Area until 150 feet is reached
3. The length of the dock structure and storage should be no longer than the proposed 415 feet from the 929.4 feet OHWL
4. Allow up to (3) BSUs for the Site.
5. Ensure all watercrafts (3) are contained within the BSUs located at the site.
6. Ensure proper reflective material is present along the entirety of the dock structure
7. Be in strict compliance with the Site Plan as approved by the board
8. Provide an updated site plan with final configuration and measurements as approved by the Board, this includes all watercraft for the site and their respective BSUs.
9. Apply standard variance conditions reflecting environment, nuisances, maintenance, etc.

BUDGET

N/A

STRATEGIC PRIORITIES

<input checked="" type="checkbox"/>	Docks, Applications, Licenses, Surface Water Management	<input type="checkbox"/>	Lake Use, Safety	<input type="checkbox"/>	Lake Protection	<input type="checkbox"/>	Operational Effectiveness	<input type="checkbox"/>	Other
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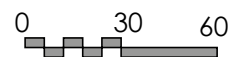
ATTACHMENTS

1. LMCD Code Excerpts
2. Aerial Imagery of Site
3. Proposed Site Plan
- ~~4. Site Overlay~~
4. Variance Application & Submitted Documents
5. MCWD & City of Mound Comment
6. Public Hearing Notice (Sun Sailor and Laker Pioneer)
7. Public Hearing Notice Mailing
8. 60 day extension

Designed for the
SWEENEY RESIDENCE

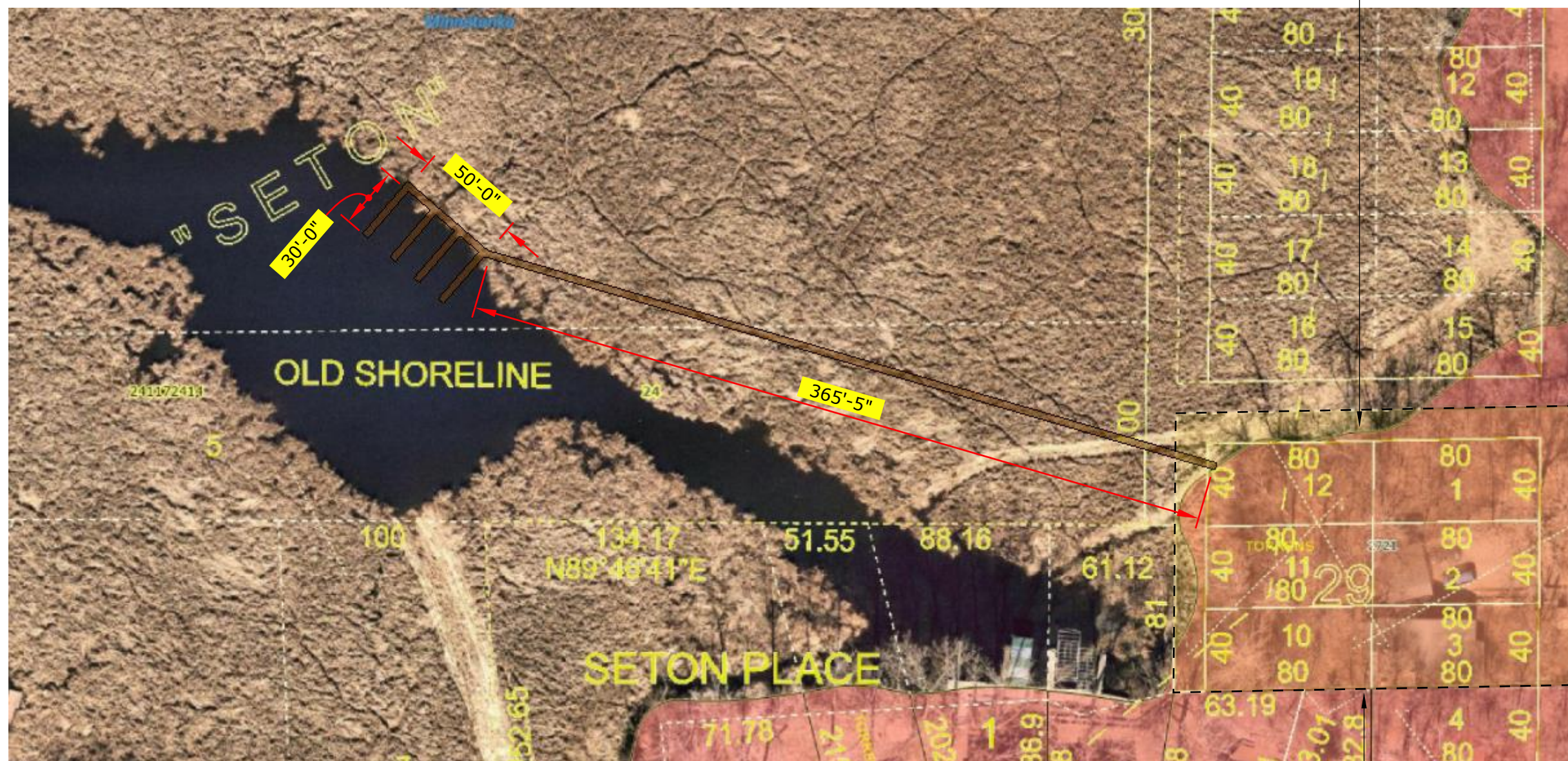
2721 Tyrone Lane, Mound MN 55364

Scale 1" = 60'



Aprox 210' of 929.4

2721 Tyrone Lane (My Property)



Item 11A Attachment 1

From: GABRIEL JABBOUR <gabrieljabbour@msn.com>

Sent: Friday, January 12, 2024 1:22 PM

To: rosemary.lavin@hennepin.us

Cc: Jeff Foster <jeff@mnlakesandrivers.org>; Joseph Shneider <jshneider@icloud.com>; Eric Evenson-Marden <evensoneric@comcast.net>; Jlm Brimeyer <jbrimeyer@lmcd.org>; Bill McNaughton <bmcnaughton@cityofmedicinela.com>

Subject: Fw: [External] AIS Prevention Aid program

Dear Ms. Lavin:

I have spoken with other lake associations regarding your response to our December 12, 2023 letter. It feels very much like Hennepin County is not taking the concerns we raised the Aquatic Invasive Species (AIS) Prevention Aid program with the same seriousness and urgency the lake associations and I intended.

Please understand, I am not asking for any money. I signed this letter out of concern over how the program is administered and because Hennepin County's process for awarding AIS grants is flawed. It saddens me to see how poorly these funds are used.

I have been intimately involved with AIS protection for over 40 years and in local government for over 50 years. I helped to get the legislation passed for the state's Aquatic Invasive Species Prevention Aid, out of which, Hennepin County receives over \$312,000 each year. While there is no assurance the legislature will continue to fund this program, the possibility of losing state funding will increase logarithmically if legislators hear rumblings from lake associations and others who are unhappy with how the funds are used. I do not want to see this happen.

Over the years, I have donated more of my own money to help fund research and fight AIS than Hennepin County has awarded in grants to lake associations. The funds I donate and grant programs that I have been involved with result tangible, measureable results that are used nationally, and which form the basis for many of the state's AIS programs. The concerns expressed in our letter reflect, not only our shared goal of the long-term health and sustainability of the county's water resources, but the respect for the taxpayers of Hennepin County and others, like me, who have contributed so much of our own time and money and time to protect water resources of the county and the state.

To reiterate, the lake associations and I are asking Hennepin County to make the following changes to its program:

- A higher percentage of the available funds being distributed via grants, with a target of 90%.
- More direct engagement in the decisions about the use of the funds.
- A new model for allocation decisions that includes committed AIS activists from lake associations and lake protection organizations who deeply care about our water resources.

It is simply not acceptable that it will take Hennepin County two years before changing how the program is administered and grants are awarded. I would like to set up a time for us to have a candid conversation about what must be done to make this program more within the spirit of the enabling legislation and to better fit the needs of our community.

Item 11A Attachment 2

December 12, 2023

Rosemary A Lavin
Hennepin County Environment and Energy Department
701 Fourth Ave S, Suite 700
Minneapolis, MN 55415

Dear Director Lavin,

In 2014, the State of Minnesota AIS Prevention Aid was signed into law by Governor Dayton. Through that legislation, \$10 million annually from the State's General Fund is distributed annually to the counties solely to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county. A defined formula determines the amount that goes to individual counties based on numbers of boat ramps and parking spots, and in 2024, Hennepin County will receive over \$312,000.

And as you probably know, the county board has broad discretion in the use of the funds to achieve compliance and who can get those funds.

Across Minnesota, a few approaches have been used by the counties. Some counties have established committees of concerned individuals to make funding recommendations while some, like Hennepin County, have chosen to make the allocation decisions internally. Virtually all counties use grant request programs with some counties distributing all their funds through grants, while other counties, like Hennepin County, limit the grant programs to less than 50% of the available funds while they make decisions internally about the rest of the funds.

Those of us who worked to secure the \$10 million hoped the funds would be used to supplement expenditures that they already had been making. And we are happy to note that Hennepin County has not chosen to use the funds for previously funded staff positions.

The AIS prevention challenges in Hennepin County are complex. The players and their inter-relationships are complex, yet public-private partnerships often lead to better solutions. The AIS impacts are real and have an impact on the dollars that will have to be spent in future years, because most AIS infestations have a long-term control cost routinely borne by lake associations and individuals. And as more new infestations are found, even more money will need to be spent on control. The tail of AIS is long and grows every year.

That said, the undersigned organizations are unanimous in their desire to have:

- A high percentage of the available funds being distributed via grants, with a target of 90%
- More direct engagement in the decisions about the use of the funds.
- A new model for allocation decisions that includes committed AIS activists from lake associations and lake protection organizations who deeply care about our water resources.

We look forward to working with you to see a way to better use Hennepin County's share of the AIS Prevention Aid.

Sincerely,

Gabe Jabbour, Owner, Lake Guardian and Minnetonka Marina
Todd Erickson, President, Christmas Lake Homeowner's Association
Tom Frahm, President, Lake Minnetonka Association
Bill McNaughton, Medicine Lake
Joe Shneider, Coalition of Minnehaha Creek Waters

Enclosure:

Letter from Jeff Forester, Executive Director, Minnesota Lakes and Rivers Advocates

Item 11A Attachment 3



PO Box 22262, St. Paul, MN 55122

Nov. 17, 2023

To whom it may concern,

MLR recognized early on that the MN DNR could not adequately manage either the prevention or management of AIS in Minnesota. The agency did not have the resources to protect lakes from infestation or manage lakes already infested, they did not have the scientific capacity to drive innovation. But most importantly they did not have the capacity to be responsive to the local communities that would be most impacted by AIS spread and degradation of local water resources.

Working with Sen. Rod Skoe, Chair of the Senate Taxes Committee, we developed the County AIS Prevention Aid formula as a way to get funding to where people had a sense of urgency and government was more responsive, collaborative and nimble than the MN DNR. Sen. Skoe understood that the larger the role played by citizens who were the most impacted by the problem had in working to solve the problem, the more efficient and effect our efforts would be.

The result was County AIS Prevention Aid Formula which sends \$10 million annually from the Dept. of Revenue directly to county government.

A few key points:

1. The funding does not come from the MN DNR, but from the Department of Revenue Directly to the counties. The source is the State General Fund, NOT County dollars.
2. The goal was to provide funding in the most engaged, collaborative and transparent way to support local communities.
3. Many Counties had AIS programs at that time, and we hoped that these would continue. The County AIS Prevention Aid should not supplant existing County AIS Programming.
4. Sen. Skoe and MLR hoped that by including the lake associations doing the work in the AIS planning, they would be able to leverage the local passion of the citizens. In many areas of the state this has been the case but not universally.
5. There are very few requirements put on the funds. We hoped to spark innovation and allow enough flexibility for different areas to put the best programs in place.
6. We hoped that providing this funding would foster communication and cooperation among the MN DNR, County AIS Managers and lake associations. To this end Minnesota Lakes and Rivers Advocates hosted the Aquatic Invaders Summits in 2014, 2016 and 2018. Attendees included representatives from the MAISRC, lake associations, MN DNR, tribes and county AIS programs. These events drew over 450 people. Attendees developed both the Local AIS Action Framework and the MN DNR Reporting form. For a time there was talk that the County AIS coordinators would pick up and continue the Aquatic Invaders Summit, but they never did. It is a real lost opportunity.

Ten years after passage the results of the County AIS Prevention Aid are mixed. Generally speaking county AIS programs have become more parochial, less transparent, and less cooperative.

With so many more infested lakes there should be more funding. Many areas do not focus enough on early detection and effective response. Many counties do not engage their lake associations partners at a level that will build energy around the effort.

What has emerged is a system where there are three primary AIS programs in MN. The MN DNR spends about \$8 million on AIS activities, the MN general Fund provides \$10 million for the county AIS programs, and lake associations spend \$6 million in voluntary contributions.

One of the biggest gaps in our efforts is a lack of alignment between these three. MLR worked hard to create this alignment, hosting Aquatic Invaders Summit in 2014, 2016 and 2018. We tried to pass the conference off to our partners in the counties and MN DNR, but were unsuccessful.

MLR has begun conversations with policy makers on both the levels of funding and the requirements placed upon the funding to improve the program, ensure greater responsiveness to the non-government partners doing the work, demand greater transparency in how the money is spent and tear down the silos between the players.

I hope this elucidates both the history of this fund and our efforts going forward.

Best to you,

A handwritten signature in black ink, appearing to read "Jeff Forester". The signature is fluid and cursive, with a large initial "J" and "F".

Jeff Forester, Executive Dir. Minnesota Lakes and Rivers Advocates



2023 Harrison's Bay Common Carp Ageing Analysis Report

March 6, 2024

Prepared for: Lake Minnetonka Conservation District

Prepared by:

Carp Solutions LLC

www.CarpSolutionsMN.com

Boat electrofishing was conducted in Harrison's Bay of Lake Minnetonka to capture 100 common carp (*Cyprinus carpio*) for aging analysis in mid-late October 2023. The purpose of the aging analysis was to determine the reproductive history of the Harrison's Bay carp population. Each survey consisted of one to two 20-minute electrofishing transects. During these surveys, an electric current was passed through the water, temporarily stunning fish within the electric field. Stunned carp were captured with dip nets and moved into the boat. Upon capture, all carp were inspected for fin clips, scanned for PIT tags, measured for length and weight, anesthetized, and euthanized. The otoliths were then dissected from the carp, embedded in epoxy, and sectioned using a jeweler's saw. The sections were examined under a microscope to determine the age of each fish by counting the number of annuli in their otolith.

Carp were easy to capture in Harrison's Bay. It took 82 minutes of electrofishing to capture 101 carp resulting in an average catch-per-unit-effort (CPUE) of 73.9 carp per hour (Table 1). Only one carp with a PIT tag was caught during both days of electrofishing. This individual, who had originally been tagged by Carp Solutions in Harrison's Bay on September 22, 2022, was immediately released to provide data for future management work. The average carp captured was 26.8 inches long and weighed 10.0 lbs (Figs. 1, 2). A length-weight regression was calculated using the lengths and weights of the 100 carp without PIT tags (Fig. 3) and can be used to estimate the weights of carp using their lengths.

Aging results

Of the 100 carp otoliths extracted, 94 were successfully aged. The youngest carp examined was 2 years old, the oldest was 62 years old, and the average age was 22 years old, and the median age was 21 years old (Fig. 4). Four clusters of age classes were observed: 5–10-year-olds, 18–23-year-olds, 30–37-year-olds, and 43–62-year-olds (Fig. 4). The first cluster (5–10-year-olds) was the most numerous and comprised 43.6% of the population.

There was no statistically significant correlation between age and length so, for example, 5-year-old carp were, on average, similar in length to 40+ year-old carp. This suggests that the carp in Harrison's Bay grow rapidly during the first few years of life and then their growth plateaus.

Conclusions

1. Common carp in Harrison's Bay are long-lived and their annual natural mortality rate is low (~6%). This means that they will persist for decades unless they are managed.
2. Over the last 60 years, four periods of increased carp reproduction occurred: 5–10 years ago, 18–23 years ago, 30–37 years ago, and 43–62 years ago. It would be interesting to determine if these periods correlate with significant events in the watershed (e.g., building or removing fish barriers, building wetlands, winterkills of native predators, etc.).
3. It is concerning that the youngest cluster (5–10 year-olds) dominated the population. This means that carp had multiple successful spawns in the last decade. In systems such as Harrison's Bay, where native fishes are abundant, carp nurseries are usually located in peripheral interconnected marshes, lagoons, and ponds, where carp migrate in the spring to spawn. Tracking the movement of carp to their nurseries could be accomplished by conducting movement analyses in the spring using radio telemetry and/or PIT antennas. Locating the nurseries and reducing carp reproduction should be a priority for carp management in Harrison's Bay. A separate PIT tagging study conducted in 2023 suggested that Painter's Creek is not the main carp nursery, as only 10% of tagged carp migrated to Painter's Creek in the spring of that year.

Another noteworthy observation is that only one previously tagged carp was recaptured among the 101 collected during electrofishing. This recapture rate is very low, given that 186 carp were previously tagged in Harrison's Bay (44 by Carp Solutions in Fall 2022 and 142 by the University of Minnesota in Spring 2023). Such a low recapture rate corroborates our previous conclusions that the carp population in Harrison's Bay is very high, likely exceeding 10,000 individuals (see our 2022 report for details).

Table 1: Harrison's Bay electrofishing data for adult carp by date. CPUE stands for Catch Per Unit Effort (carp caught per hour of shock time).

Date	Transects	Carp Caught	Shock Time (min)	CPUE	Mean Length (inches)	Mean Weight (lbs)
10/16/2023	2	55	45	73.3	26.1	9.2
10/25/2023	2	46	37	74.6	27.6	10.9
Average	2	51	41	73.9	26.8	10.0
Total	4	101	82			

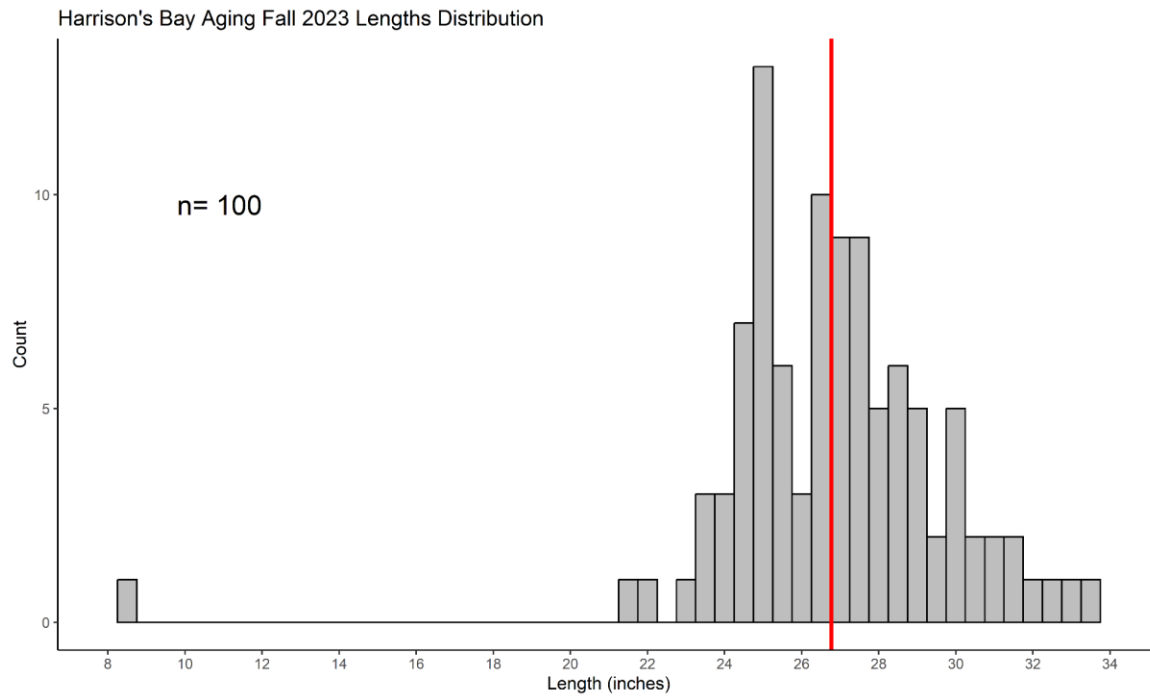


Figure 1: Length distributions from all carp collected during electrofishing in Harrison's Bay in October 2023. The red line indicates the median length.

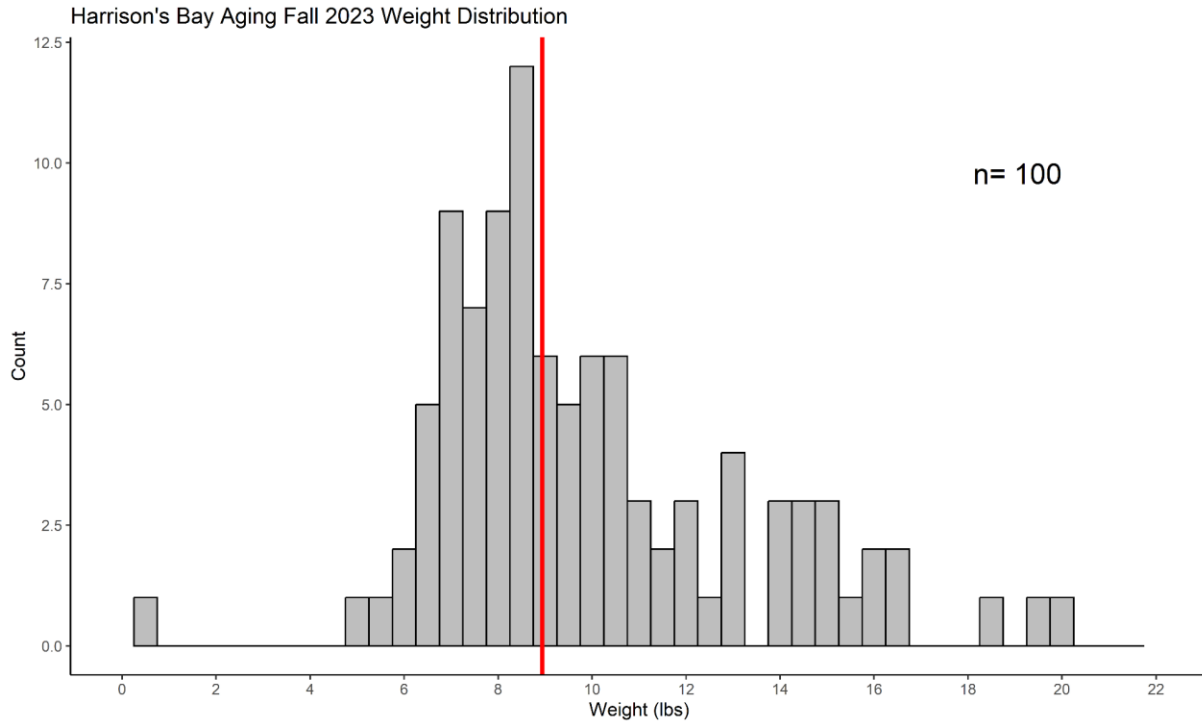


Figure 2: Weight distribution for all carp weighed during electrofishing in Harrison's Bay in October 2023. The red line indicates the median weight.

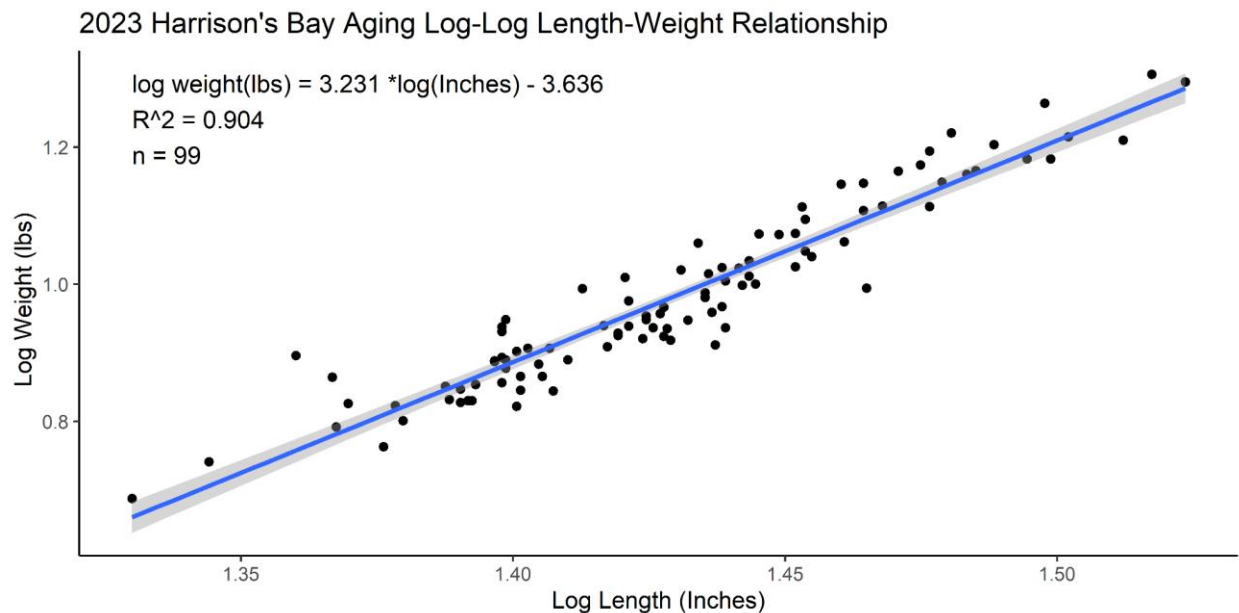


Figure 3: Log-transformed length-weight scatterplot for the carp collected for aging in Harrison's Bay in 2023. The regression (blue line) excludes the single juvenile carp that was caught. The equation of the regression line can be used to estimate carp weights from Harrison's Bay using the equation: $\text{weight} = 10^{3.231} \times \text{length}^{3.636}$ for weights in pounds and lengths in inches.

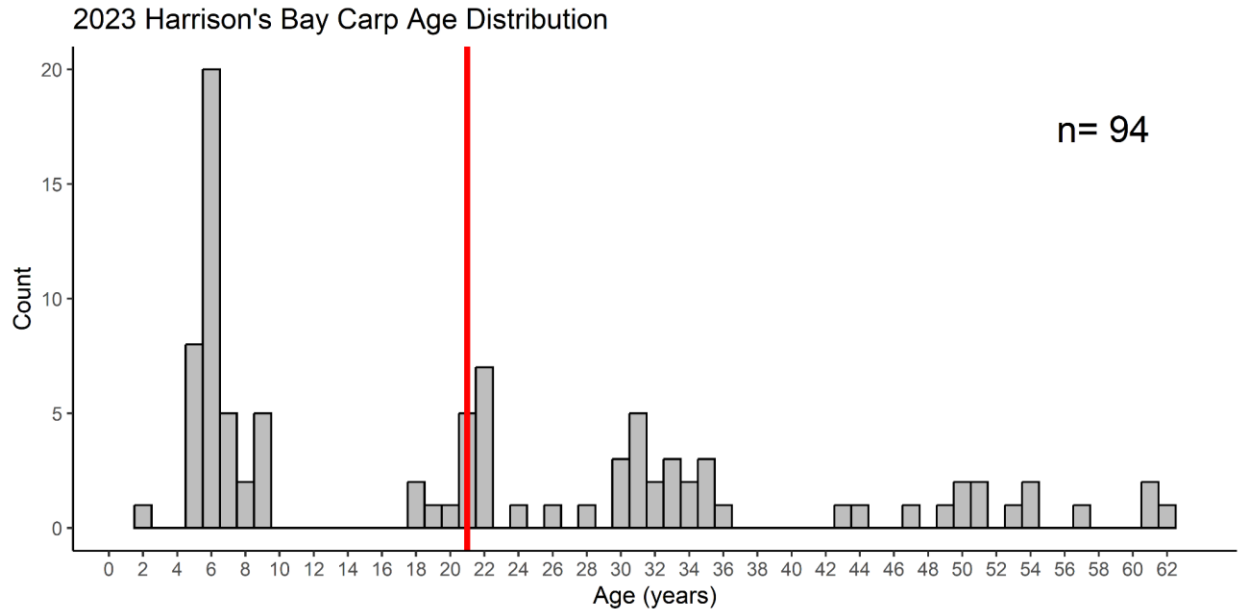


Figure 4: Age distribution of carp captured from Harrison's Bay in 2023. The red line represents the median age (21 years old).



LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: March 13, 2024 (Prepared March 4, 2024)

TO: LMCD Board of Directors

FROM: Jim Brimeyer, *James J. Brimeyer* Interim Executive Director

SUBJECT: LMCIT Liability Waiver Form

ACTION

Board approval to not waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

BACKGROUND

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from the LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision must be made before the effective date of the policy on May 1, 2024.

In the past, the Board has decided not to waive the protection of the statutory liability limits. The LMCIT liability coverage is \$2,000,000 and the State of Minnesota's tort liability is \$1,500,000. Staff recommends the Board select "Does Not Waive" the monetary limits on municipal tort liability. The following is a brief explanation of the options to waive or not waive.

Not Waive

If the Board elects to not waive the tort liability limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply and a total of all claimants in a single occurrence would be able to recover no more than \$1,500,000 combined.

Waive

With the additional \$500,000 of coverage being provided by the LMCIT, if the Board elects to waive the limits, a single claimant could potentially recover up to \$2,000,000. If the Board waives the tort limit, it is anticipated that the cost of the premium would increase.

BUDGET

If the Board does not waive coverage, a similar premium is expected for 2023-2024 coverage. The property and casualty premium for 2023-2024 was \$4302. If the Board waives the tort limit, it is anticipated that the cost of the premium would increase.

STRATEGIC PRIORITIES

<input type="checkbox"/>	Docks, Applications, Licenses, Surface Water Management	<input type="checkbox"/>	Lake Use, Safety	<input type="checkbox"/>	Lake Protection	<input type="checkbox"/>	Operational Effectiveness	<input checked="" type="checkbox"/>	Other
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ATTACHMENT

1. LMCIT Liability Coverage Waiver Form



LIABILITY COVERAGE WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before their effective date of coverage. Email completed form to your city's underwriter, to pstech@lmc.org, or fax to 651.281.1298.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary. The decision has the following effects:

- If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
• If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
• If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: _____

Check one:

- [] The member DOES NOT WAIVE the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.
[] The member WAIVES the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____

Position: _____



Item 13A

LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: March 13, 2024 (Prepared March 7, 2024)

TO: LMCD Board of Directors

FROM: *James L. Brimeyer*
Jim Brimeyer, Interim Director

SUBJECT: Board & Staff Survey Results

ACTION _____
NONE

Dr Fursman has submitted the results of the survey completed by the Board and the staff. Both copies are attached.

At the request of the Officer Work Group, she is preparing a short summary which will include her observations on the process and the results. That summary will be made available prior to the meeting on March 13th.

STRATEGIC PRIORITIES

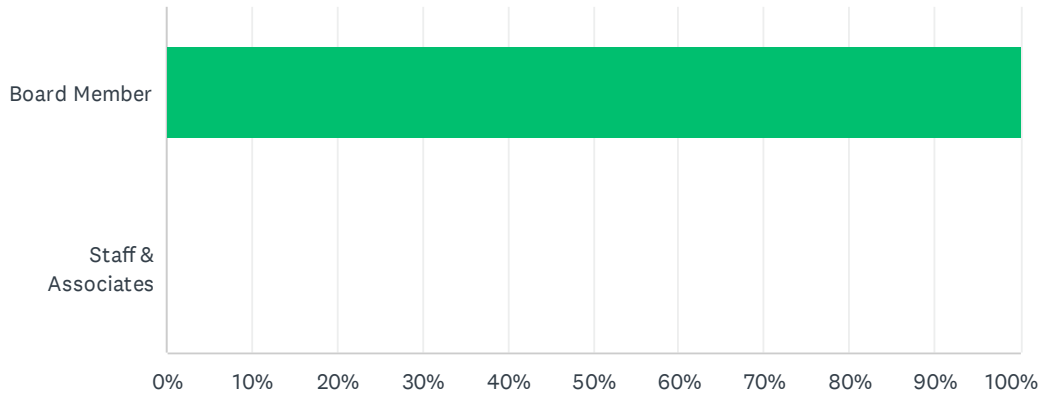
<input type="checkbox"/>	Docks, Applications, Licenses, Surface Water Management	<input type="checkbox"/>	Lake Use, Safety	<input type="checkbox"/>	Lake Protection	<input checked="" type="checkbox"/>	Operational Effectiveness
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ATTACHMENT

- Board Survey Results
- Staff Survey Results

Q1 What is your role at LMCD?

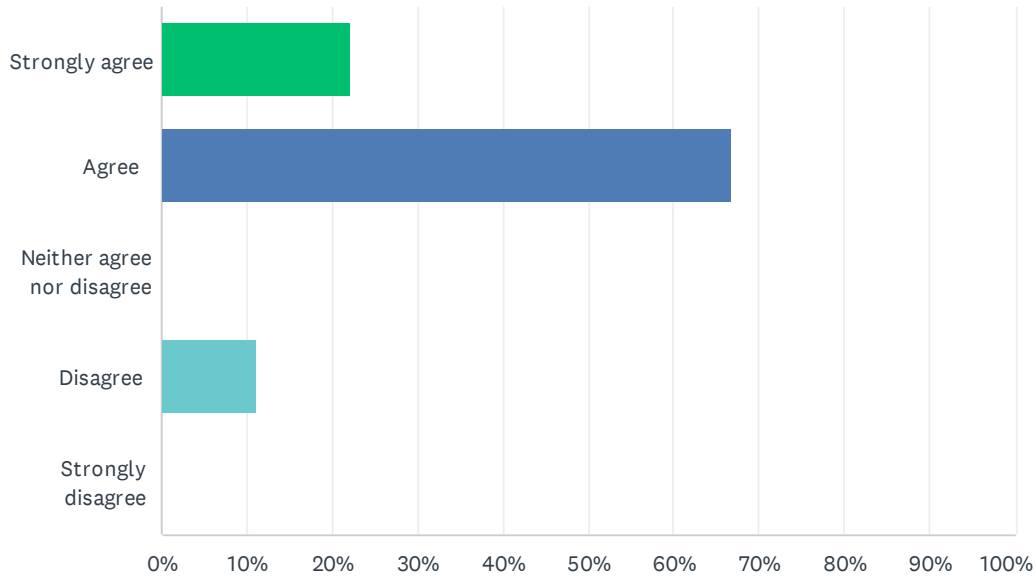
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Board Member	100.00%	10
Staff & Associates	0.00%	0
TOTAL		10

Q2 The organization’s current structure and governance model are aligned with the purpose and serve the organization well.

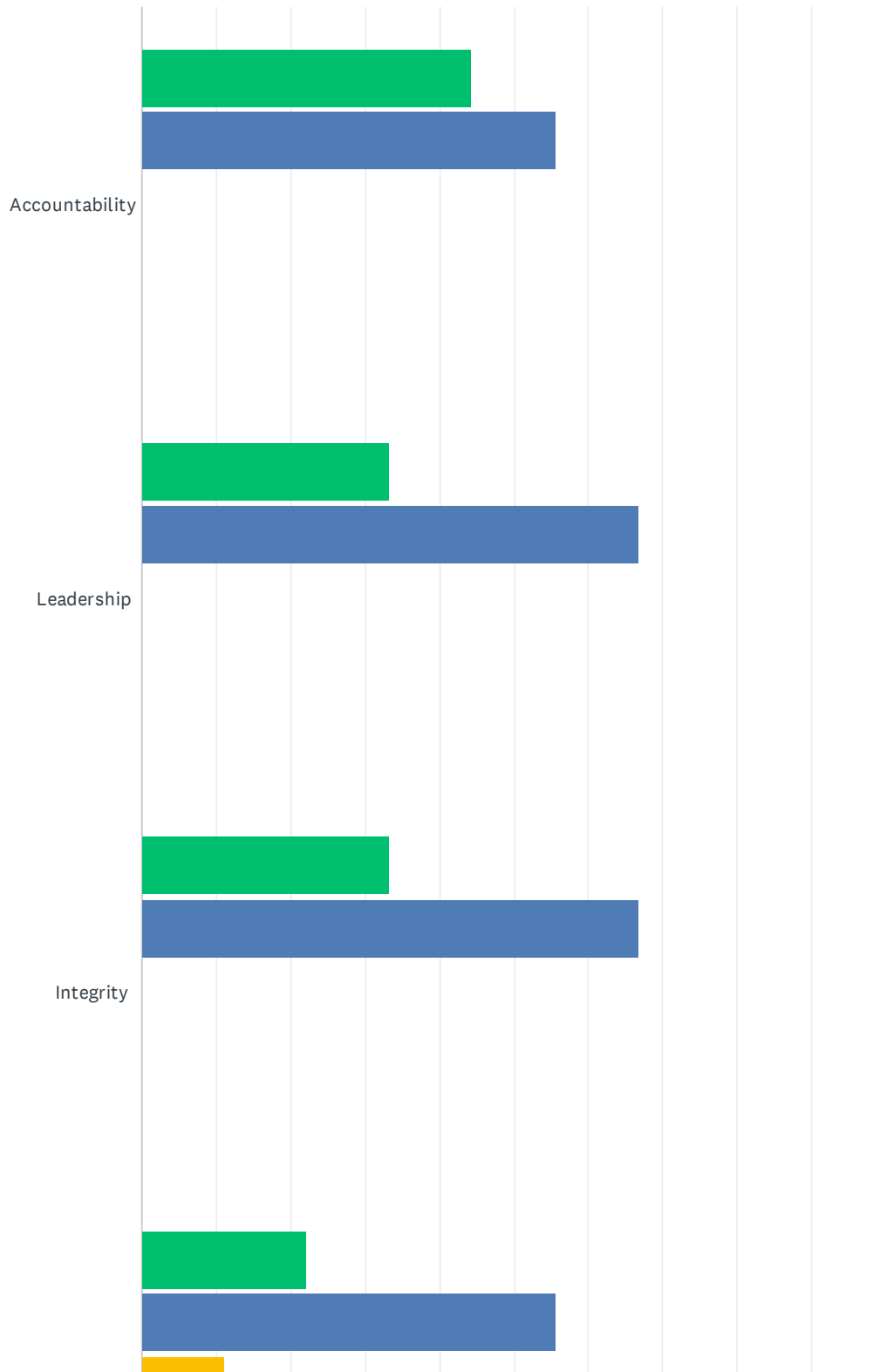
Answered: 9 Skipped: 1



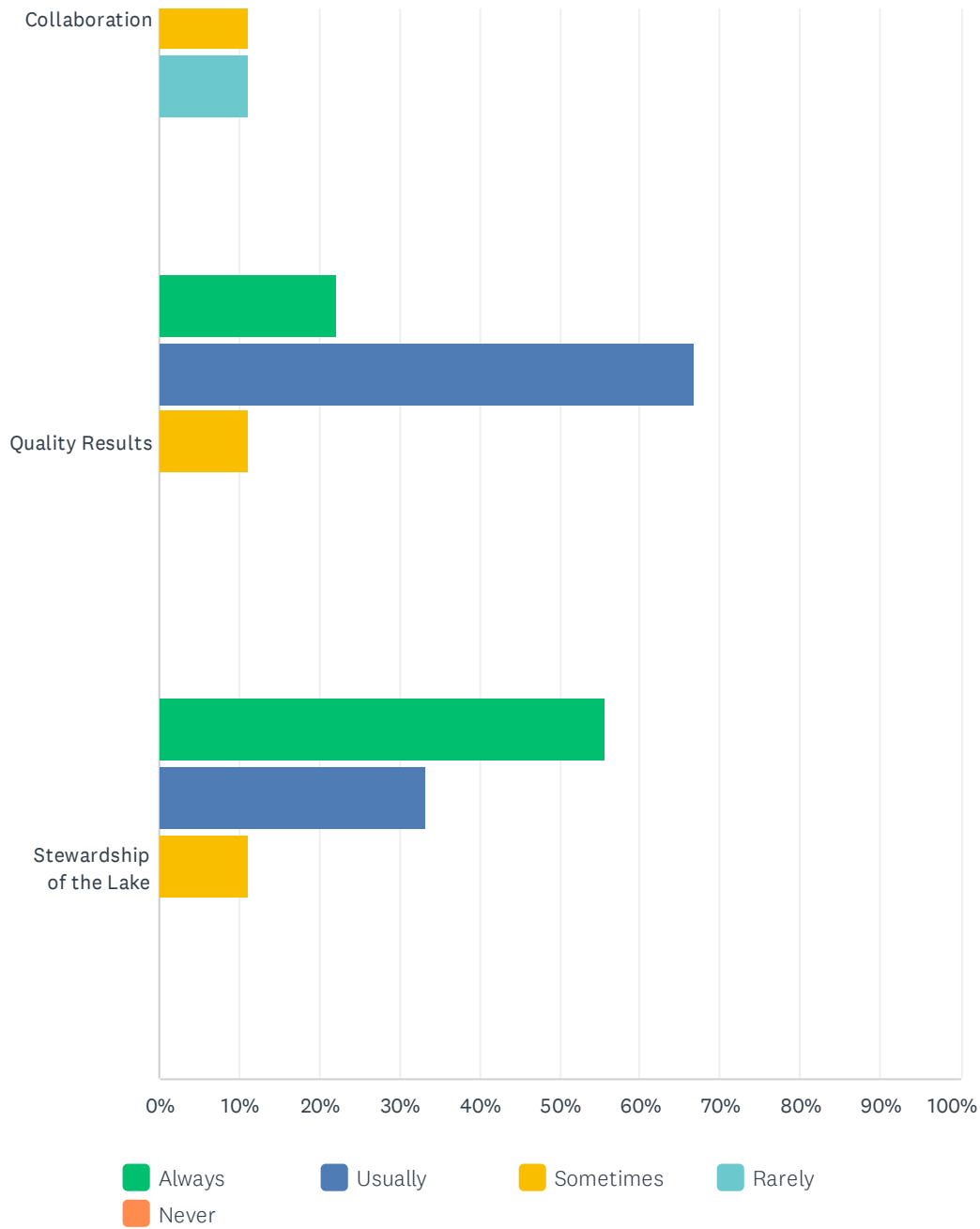
ANSWER CHOICES	RESPONSES	
Strongly agree	22.22%	2
Agree	66.67%	6
Neither agree nor disagree	0.00%	0
Disagree	11.11%	1
Strongly disagree	0.00%	0
Total Respondents: 9		

Q3 Organization's governing body is highly functioning and embodies the established values of the organization (consider The Board as ONE body, not individual members).

Answered: 9 Skipped: 1



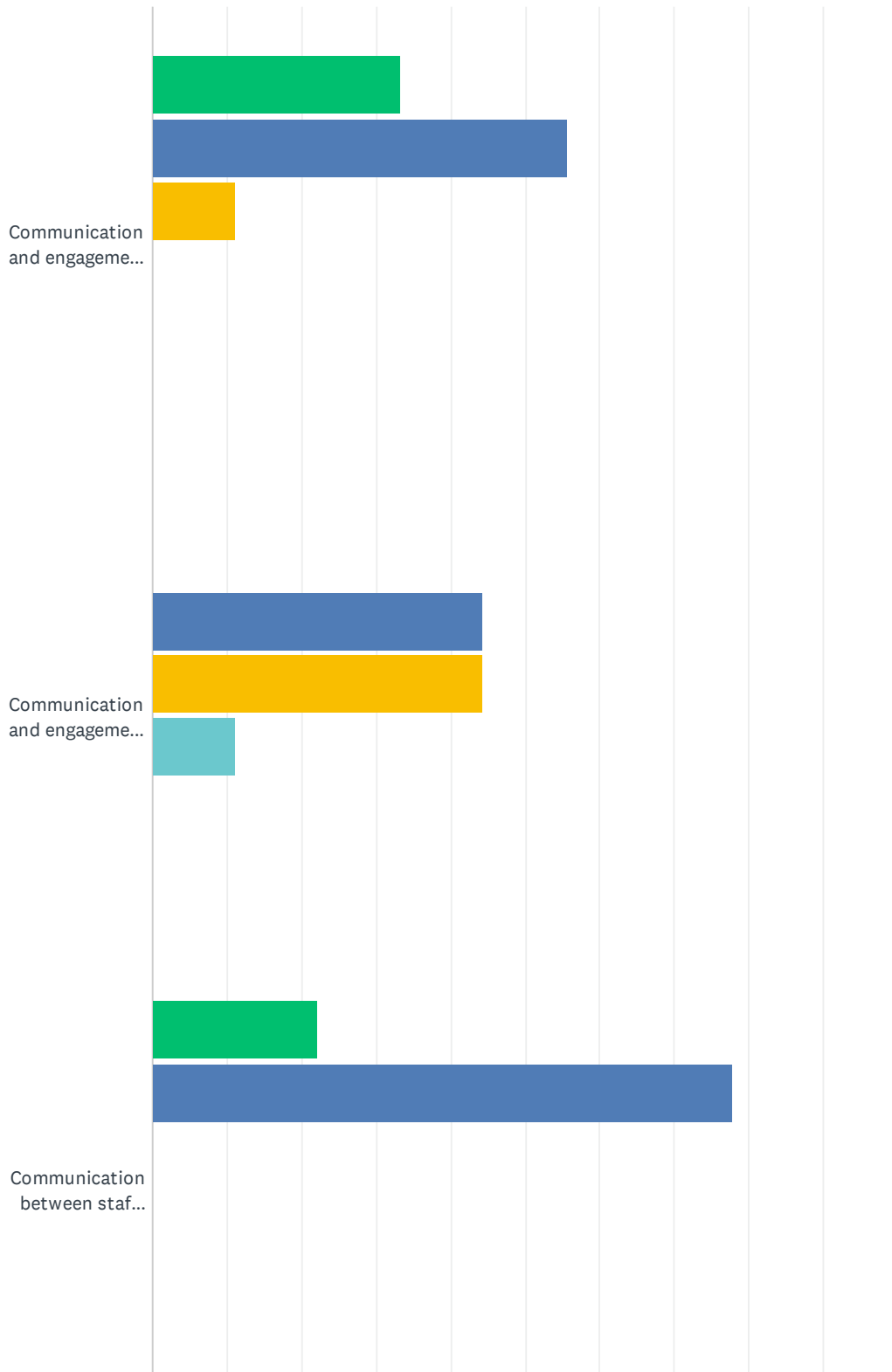
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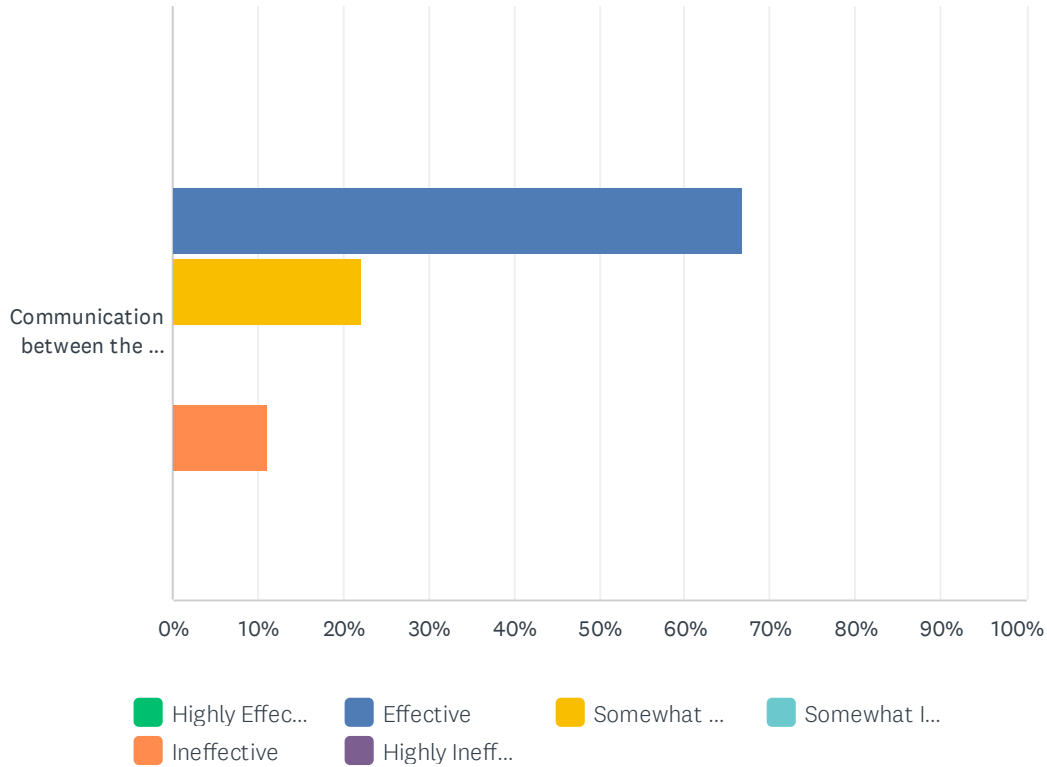
	ALWAYS	USUALLY	SOMETIMES	RARELY	NEVER	TOTAL	WEIGHTED AVERAGE
Accountability	44.44% 4	55.56% 5	0.00% 0	0.00% 0	0.00% 0	9	4.44
Leadership	33.33% 3	66.67% 6	0.00% 0	0.00% 0	0.00% 0	9	4.33
Integrity	33.33% 3	66.67% 6	0.00% 0	0.00% 0	0.00% 0	9	4.33
Collaboration	22.22% 2	55.56% 5	11.11% 1	11.11% 1	0.00% 0	9	3.89
Quality Results	22.22% 2	66.67% 6	11.11% 1	0.00% 0	0.00% 0	9	4.11
Stewardship of the Lake	55.56% 5	33.33% 3	11.11% 1	0.00% 0	0.00% 0	9	4.44

Q4 Communication: Effective communication, including engagement of stakeholders, is an important part of creating a high-performance organization. Please rate your communication effectiveness:

Answered: 9 Skipped: 1



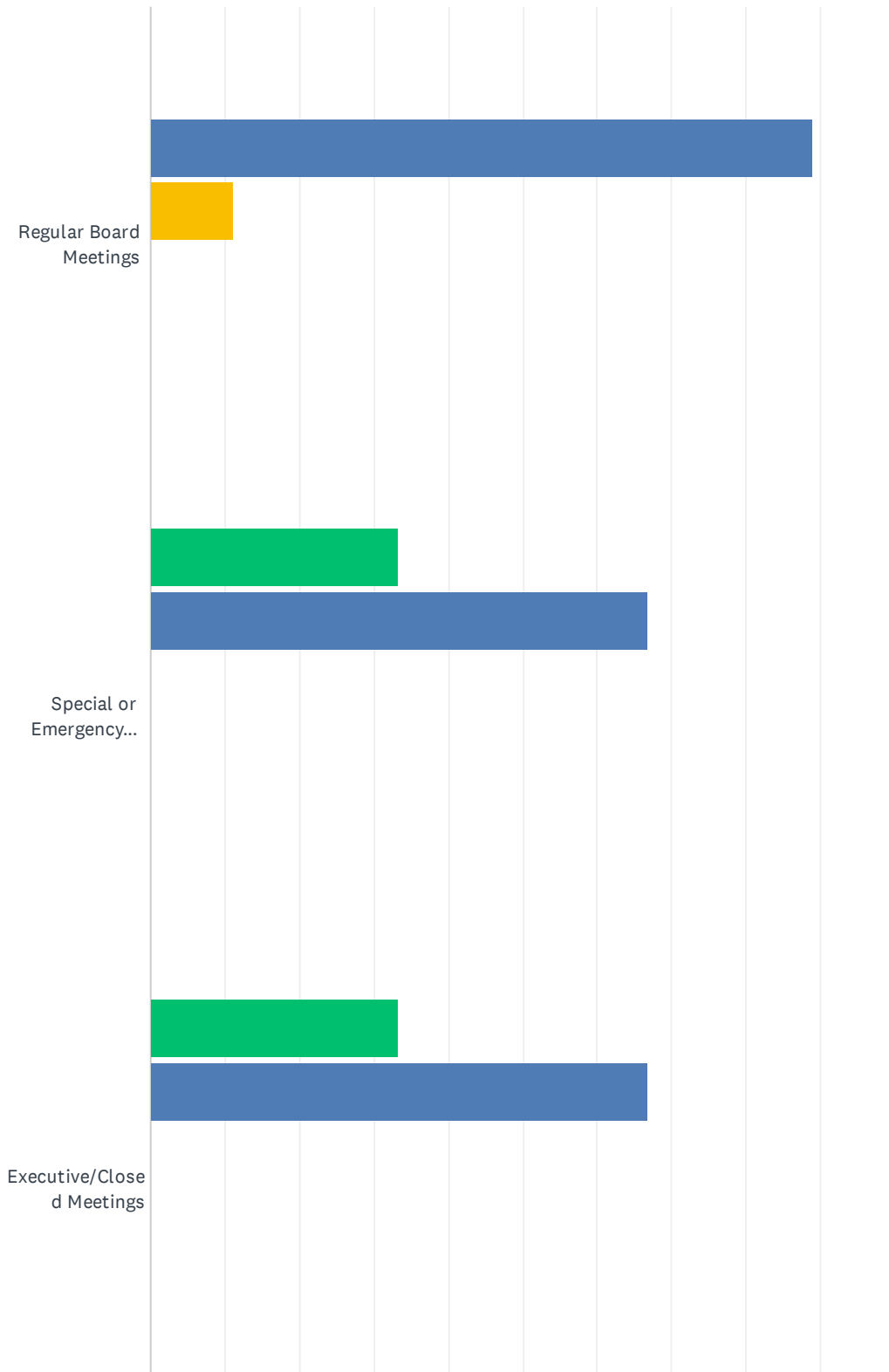
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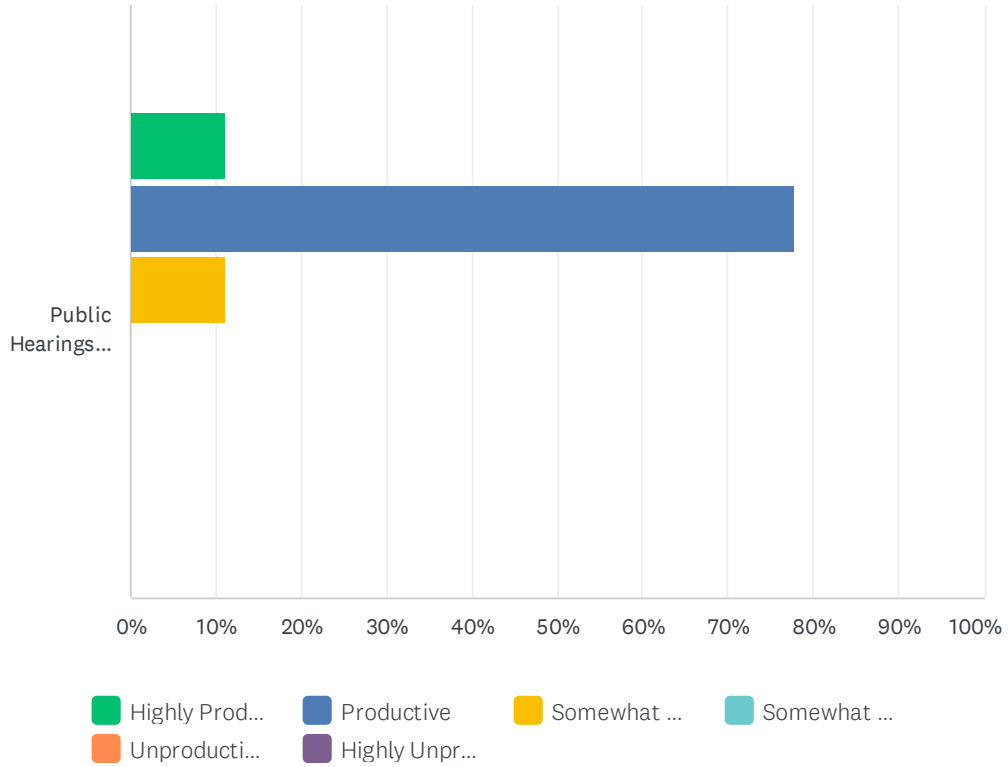
	HIGHLY EFFECTIVE	EFFECTIVE	SOMEWHAT EFFECTIVE	SOMEWHAT INEFFECTIVE	INEFFECTIVE	HIGHLY INEFFECTIVE	TOTAL	WEI AVE
Communication and engagement with stakeholders	33.33% 3	55.56% 5	11.11% 1	0.00% 0	0.00% 0	0.00% 0	9	
Communication and engagement among Board Members	0.00% 0	44.44% 4	44.44% 4	11.11% 1	0.00% 0	0.00% 0	9	
Communication between staff and the Board	22.22% 2	77.78% 7	0.00% 0	0.00% 0	0.00% 0	0.00% 0	9	
Communication between the 14 Cities and LMCD	0.00% 0	66.67% 6	22.22% 2	0.00% 0	11.11% 1	0.00% 0	9	

Q5 Convening: Productive meetings, including staff and Board meetings, are necessary for all parties involved to participate in the most meaningful way. Please rate your meetings structure, protocol, and etiquette:

Answered: 9 Skipped: 1



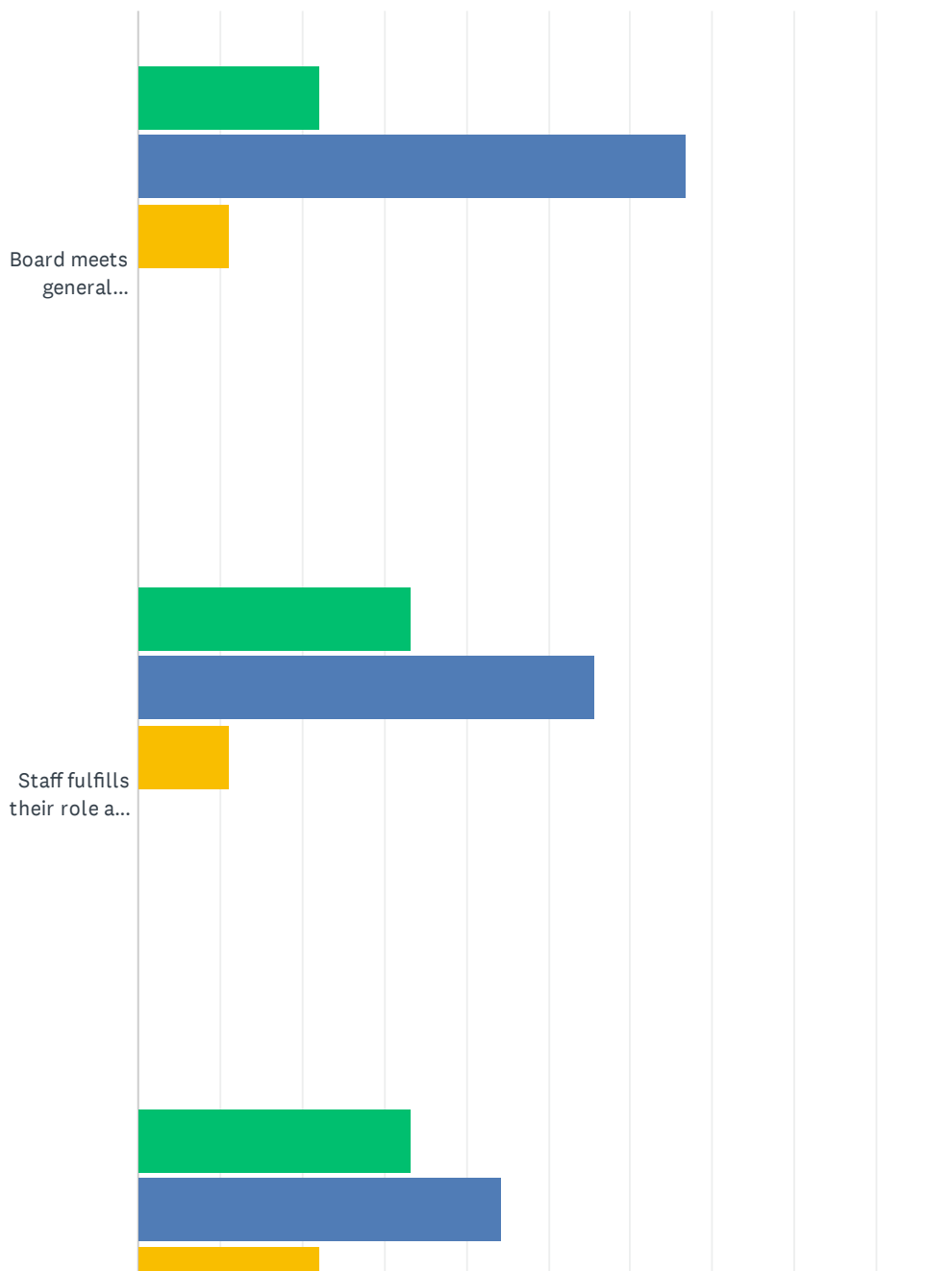
Lake Minnetonka Conservation District_2024 Board Review



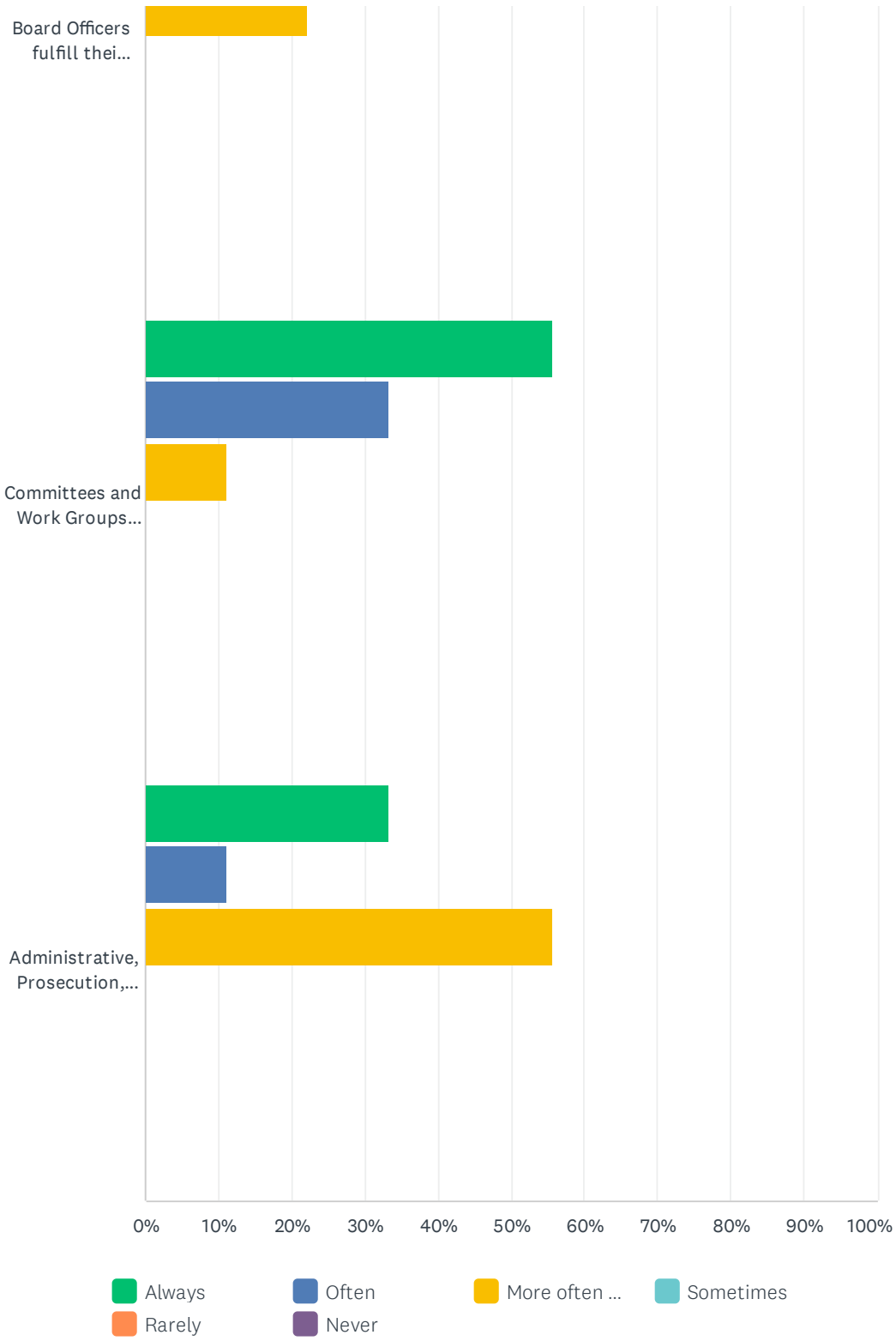
	HIGHLY PRODUCTIVE	PRODUCTIVE	SOMEWHAT PRODUCTIVE	SOMEWHAT UNPRODUCTIVE	UNPRODUCTIVE	HIGHLY UNPRODUCTIVE
Regular Board Meetings	0.00% 0	88.89% 8	11.11% 1	0.00% 0	0.00% 0	0.00% 0
Special or Emergency Meetings	33.33% 3	66.67% 6	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Executive/Closed Meetings	33.33% 3	66.67% 6	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Public Hearings /Stakeholder Meetings	11.11% 1	77.78% 7	11.11% 1	0.00% 0	0.00% 0	0.00% 0

Q6 Coordination of work: separation of power, roles, and responsibilities are necessary to manage the work of a system that is designed to serve the greater community, where multiple interests might be at play. Review your organization's committee structure, Board and staff expectations, roles, and responsibilities before responding to the following questions. Please rate on a scale of 1 (never) - 6 (always) as to how various groups are performing relative to the outlined expectations, roles, and responsibilities.

Answered: 9 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review



Lake Minnetonka Conservation District_2024 Board Review

	ALWAYS	OFTEN	MORE OFTEN THAN NOT	SOMETIMES	RARELY	NEVER	TOTAL	WEIGHTED AVERAGE
Board meets general expectations as outlined in the Board Guide (page 10)	22.22% 2	66.67% 6	11.11% 1	0.00% 0	0.00% 0	0.00% 0	9	5.11
Staff fulfills their role as outlined in the Board Guide (page 11)	33.33% 3	55.56% 5	11.11% 1	0.00% 0	0.00% 0	0.00% 0	9	5.22
Board Officers fulfill their responsibilities as outlined in Board Guide (page 11-12)	33.33% 3	44.44% 4	22.22% 2	0.00% 0	0.00% 0	0.00% 0	9	5.11
Committees and Work Groups fulfill their responsibilities as outlined in BG (Page 12-14)	55.56% 5	33.33% 3	11.11% 1	0.00% 0	0.00% 0	0.00% 0	9	5.44
Administrative, Prosecution, and Litigation Counsel fulfill their role and responsibilities to the satisfaction of the Board	33.33% 3	11.11% 1	55.56% 5	0.00% 0	0.00% 0	0.00% 0	9	4.78

Q7 Rate the Board’s performance related to self-governance: Establishing policies and rules over its own governance such as meeting protocol, communications, the appointment of committees and workgroups, etc.

Answered: 9 Skipped: 1

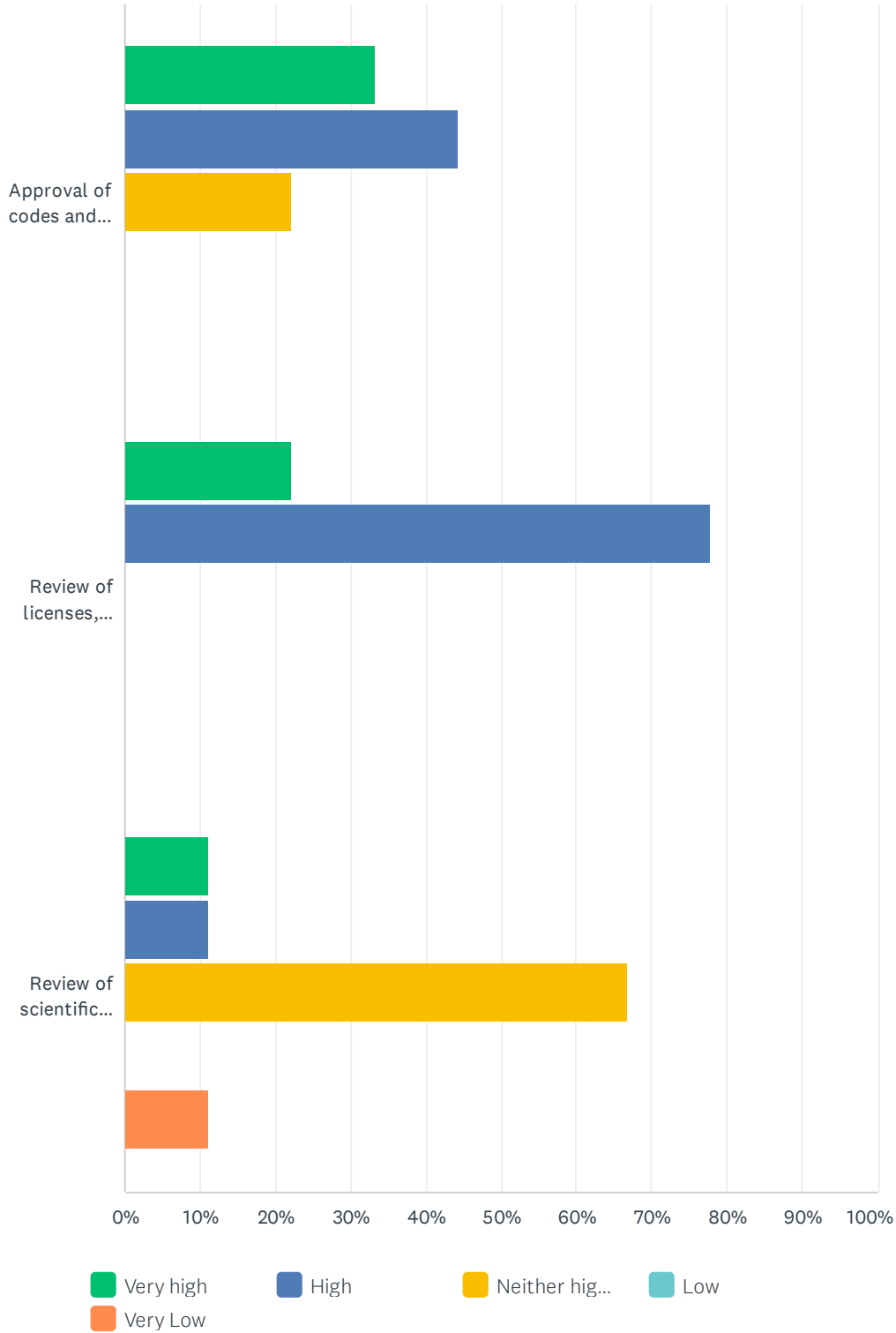
3.7★
average rating



	VERY LOW	LOW	NEITHER HIGH NOR LOW	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	11.11% 1	0.00% 0	22.22% 2	44.44% 4	22.22% 2	9	3.67

Q8 Rate the Board's performance related to legislation: Developing and interpreting ordinances and policies on behalf of Lake Minnetonka

Answered: 9 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

	VERY HIGH	HIGH	NEITHER HIGH NOR LOW	LOW	VERY LOW	TOTAL	WEIGHTED AVERAGE
Approval of codes and amendments.	33.33% 3	44.44% 4	22.22% 2	0.00% 0	0.00% 0	9	4.11
Review of licenses, permits, variances and similar actions.	22.22% 2	77.78% 7	0.00% 0	0.00% 0	0.00% 0	9	4.22
Review of scientific data, legal information, economic, environmental, or other supporting materials and information for decision-making.	11.11% 1	11.11% 1	66.67% 6	0.00% 0	11.11% 1	9	3.11

Q9 Rate the Board’s performance related to personnel: appointment and evaluation of the Executive Director’s position, roles, responsibilities, and performance.

Answered: 9 Skipped: 1

4.2★
average rating



	VERY LOW	LOW	NEITHER HIGH OR LOW	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	22.22% 2	33.33% 3	44.44% 4	9	4.22

Q10 Rate the Board’s performance related to finances: oversight and guidance provided to staff in revenues, expenditures, and contributions.

Answered: 9 Skipped: 1

4.4★
average rating



	VERY LOW	LOW	NEITHER HIGH NOT LOW	HIGH	VERY HIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	11.11% 1	33.33% 3	55.56% 5	9	4.44

Q11 Rate the Board’s performance related to business transactions: oversight of general business transactions such as contracts, agreements, and general work activities.

Answered: 9 Skipped: 1

4.2★
average rating



	VERY LOW	LOW	NEITHER LOW OR HIGH	HIGH	VERY HIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	11.11% 1	55.56% 5	33.33% 3	9	4.22

Q12 Rate the Board’s performance related to community leadership:
 Providing leadership in representing the organization to cities, legislators,
 public agencies, special events, with individuals, and the public.

Answered: 9 Skipped: 1

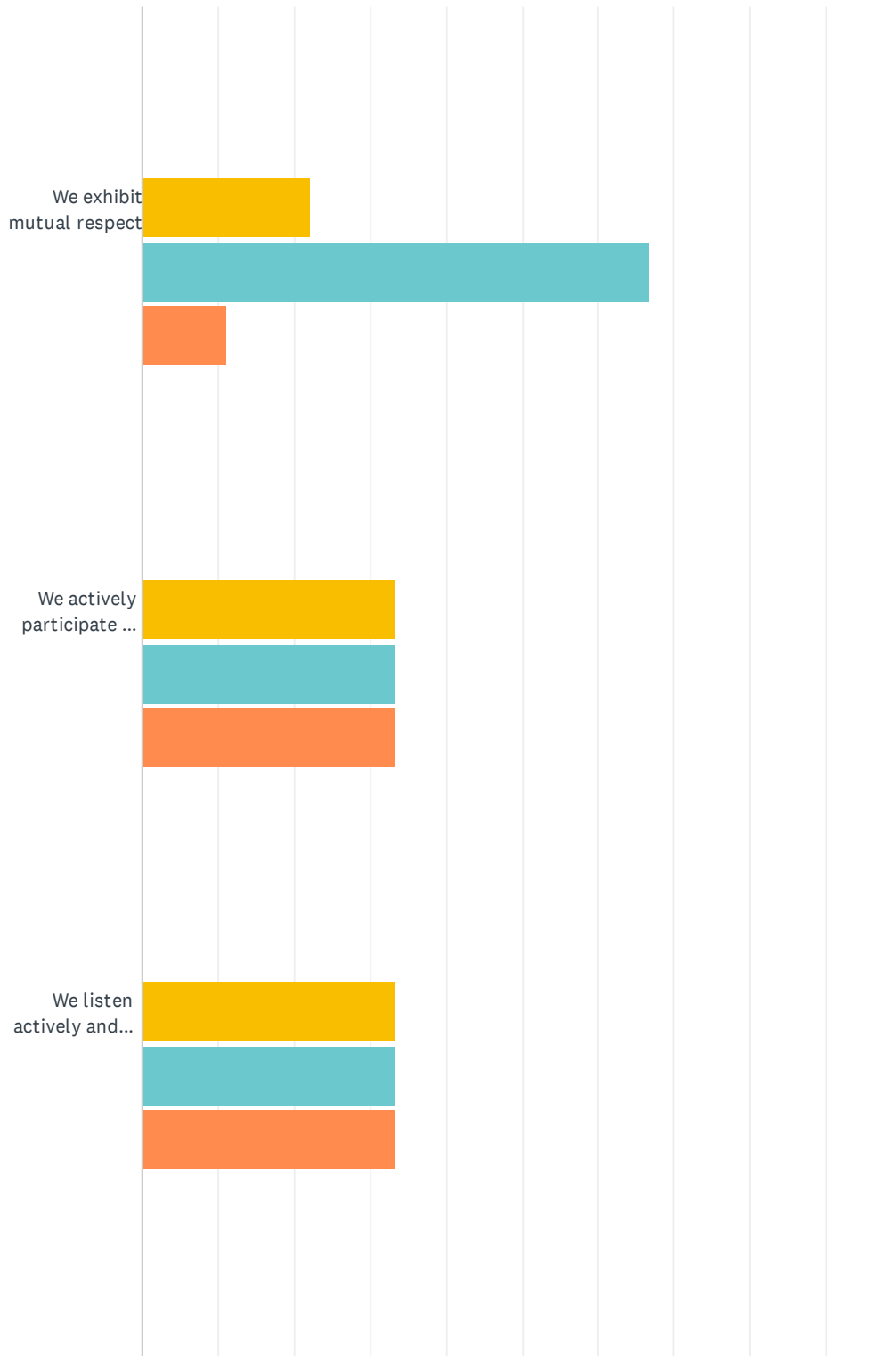
3.2★
 average rating



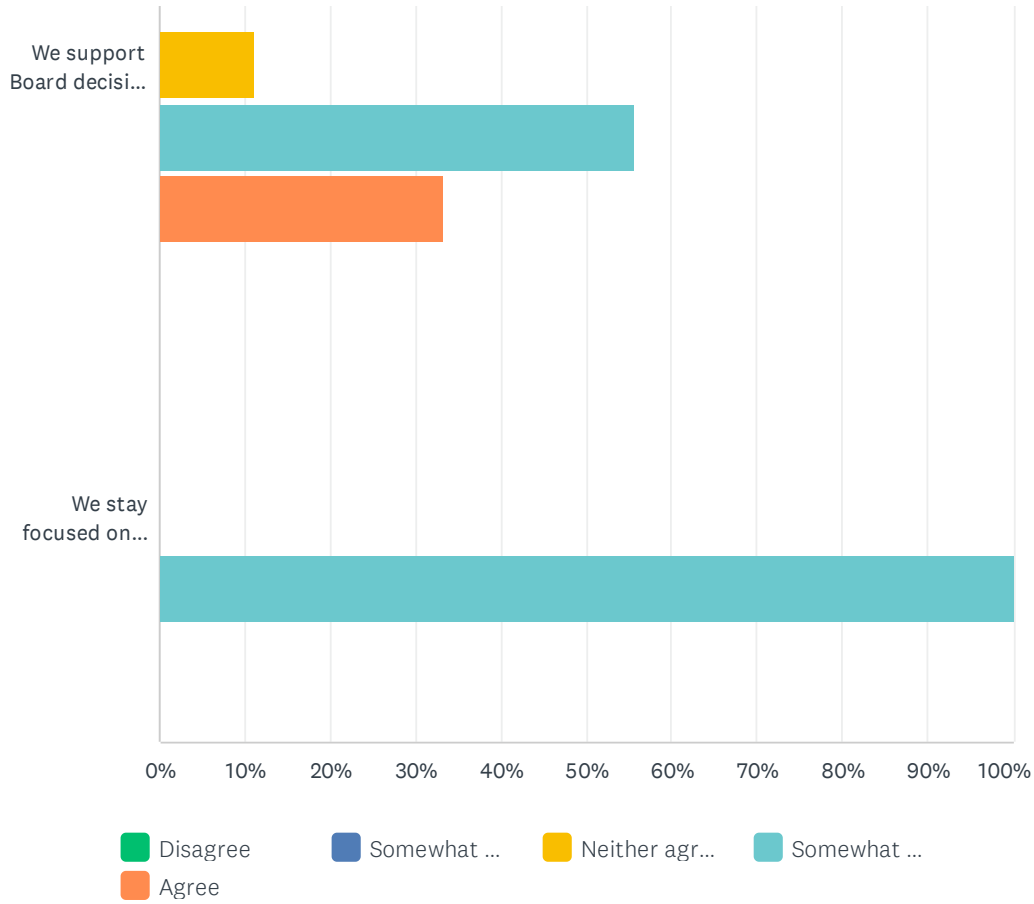
	VERY LOW	LOW	NEITHER LOW NOR HIGH	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	22.22% 2	33.33% 3	44.44% 4	0.00% 0	9	3.22

Q13 Professional Behavior: in the arena of professional behavior we established the following expectations. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's follow through on professional behavior expectations.

Answered: 9 Skipped: 1



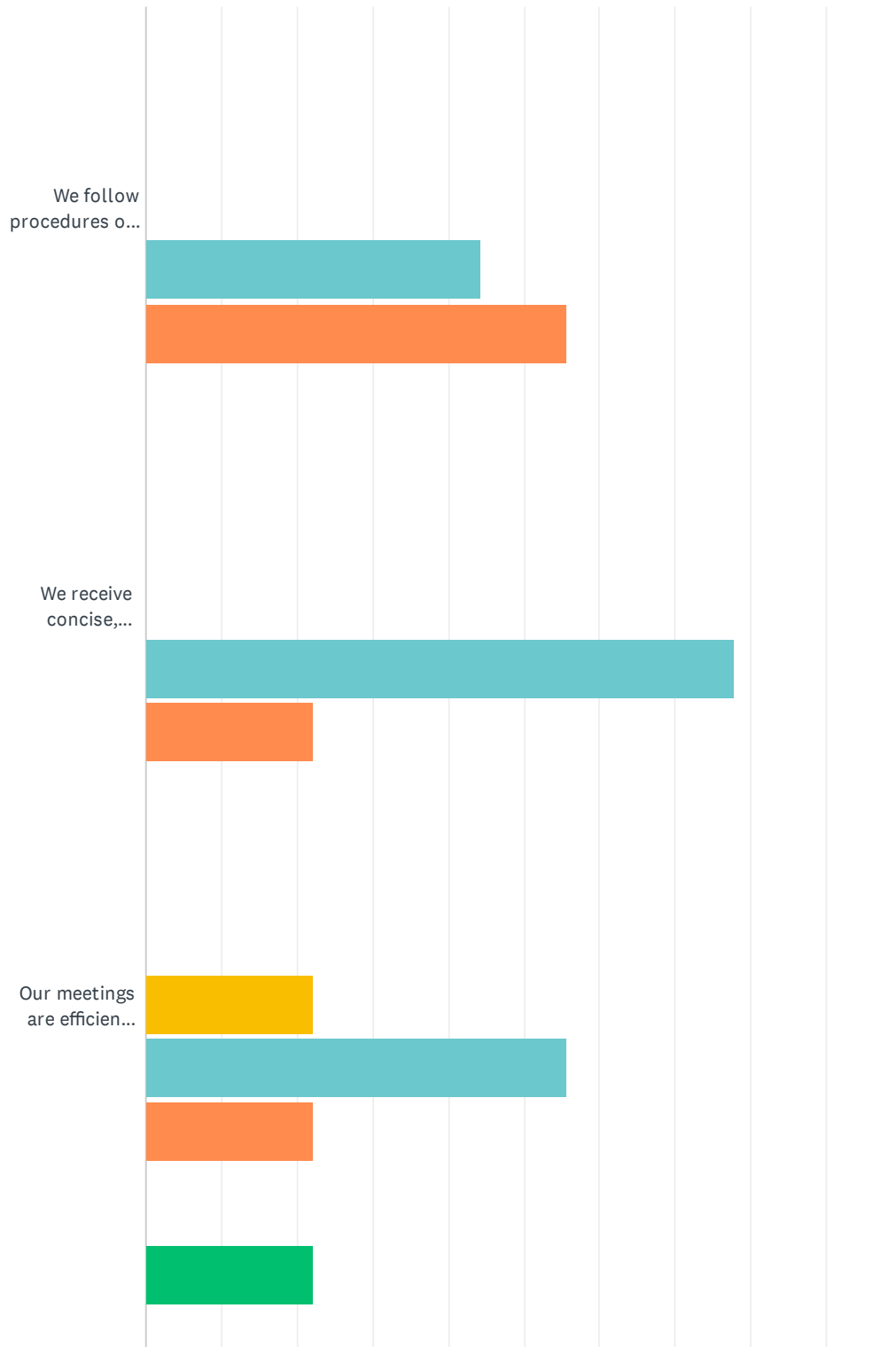
Lake Minnetonka Conservation District_2024 Board Review



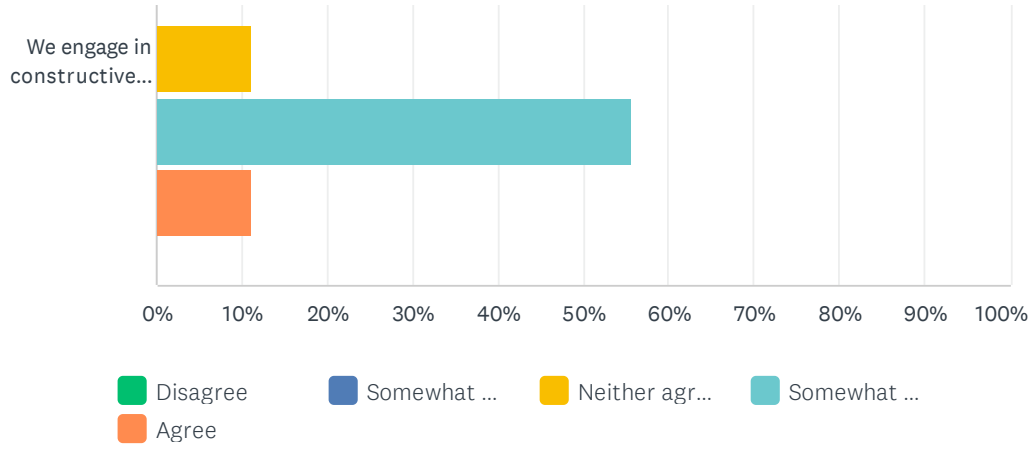
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We exhibit mutual respect	0.00% 0	0.00% 0	22.22% 2	66.67% 6	11.11% 1	9	3.89
We actively participate in the Board's work	0.00% 0	0.00% 0	33.33% 3	33.33% 3	33.33% 3	9	4.00
We listen actively and acknowledge different perspectives	0.00% 0	0.00% 0	33.33% 3	33.33% 3	33.33% 3	9	4.00
We support Board decisions after they are made	0.00% 0	0.00% 0	11.11% 1	55.56% 5	33.33% 3	9	4.22
We stay focused on agenda topics during the regular meetings	0.00% 0	0.00% 0	0.00% 0	100.00% 9	0.00% 0	9	4.00

Q14 Operational Efficiency: in the arena of operational efficiencies we agreed to the following procedures. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's experience relevant to operational efficiency.

Answered: 9 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

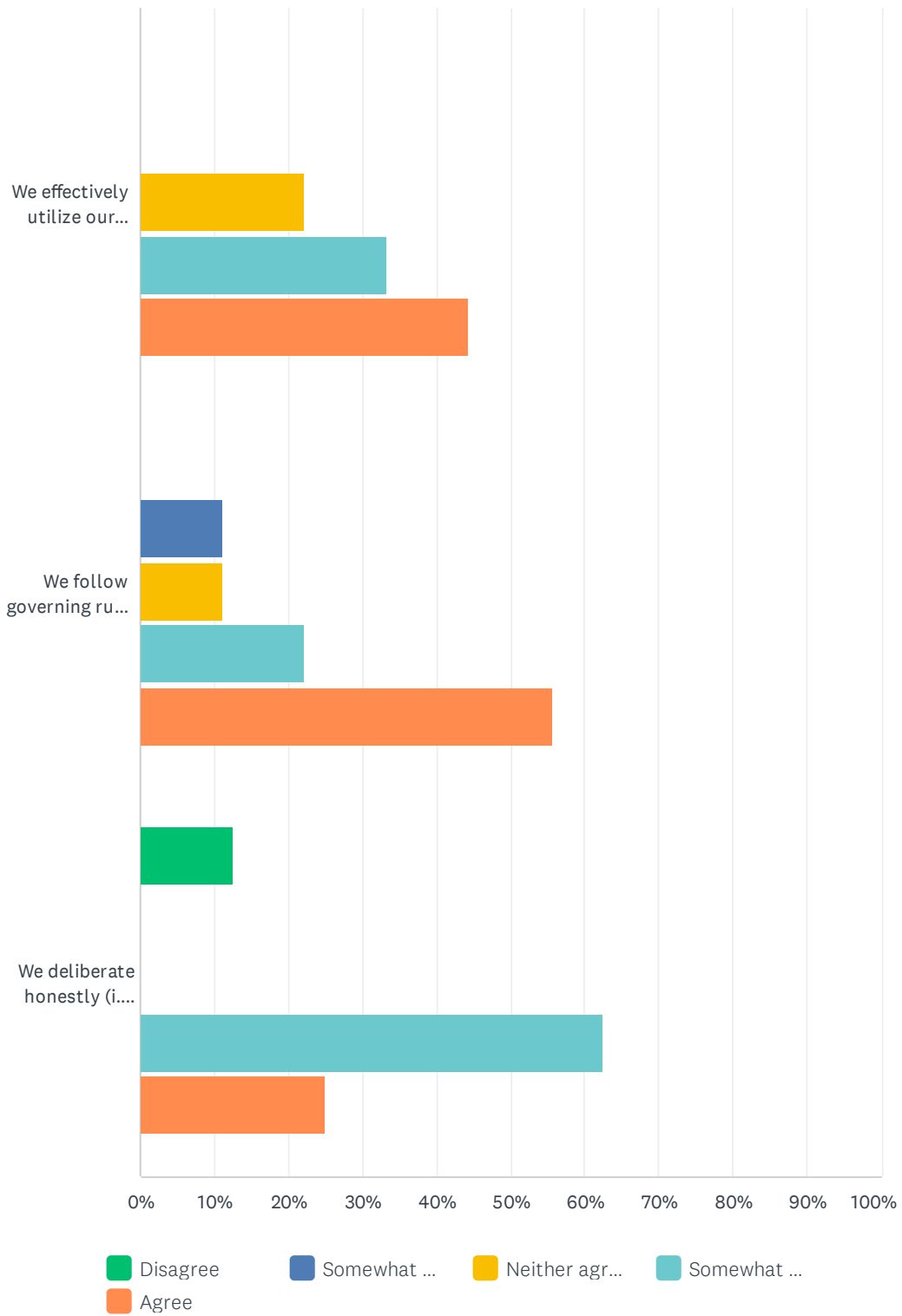


	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We follow procedures on Board operations	0.00% 0	0.00% 0	0.00% 0	44.44% 4	55.56% 5	9	4.56
We receive concise, relevant staff reports	0.00% 0	0.00% 0	0.00% 0	77.78% 7	22.22% 2	9	4.22
Our meetings are efficient and productive	0.00% 0	0.00% 0	22.22% 2	55.56% 5	22.22% 2	9	4.00
We engage in constructive brainstorm sessions/problem solving	22.22% 2	0.00% 0	11.11% 1	55.56% 5	11.11% 1	9	3.33

Q15 Decision Making: in the arena of decision making we committed to the following protocols. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to decision-making.

Answered: 9 Skipped: 1

Lake Minnetonka Conservation District_2024 Board Review

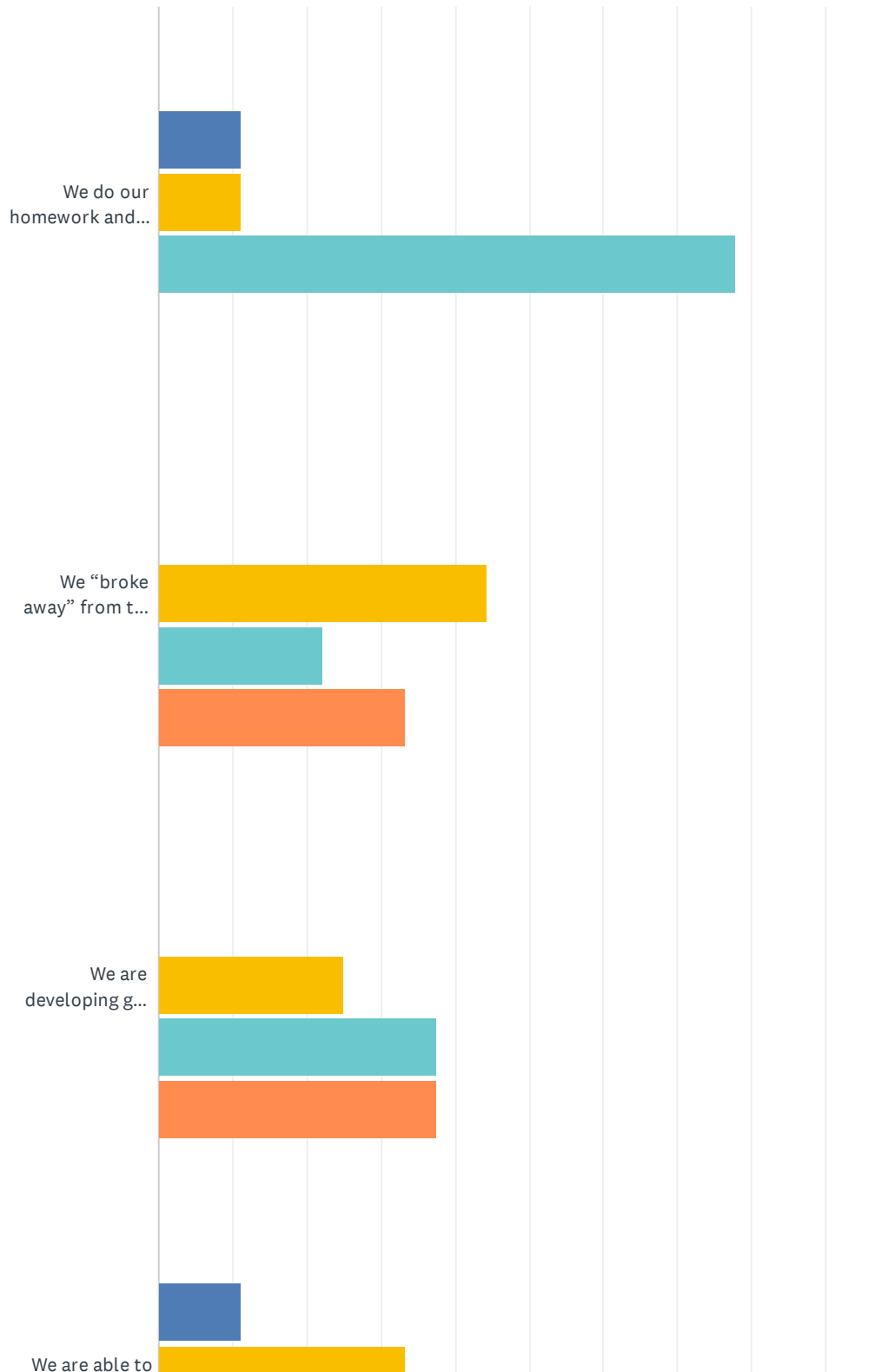


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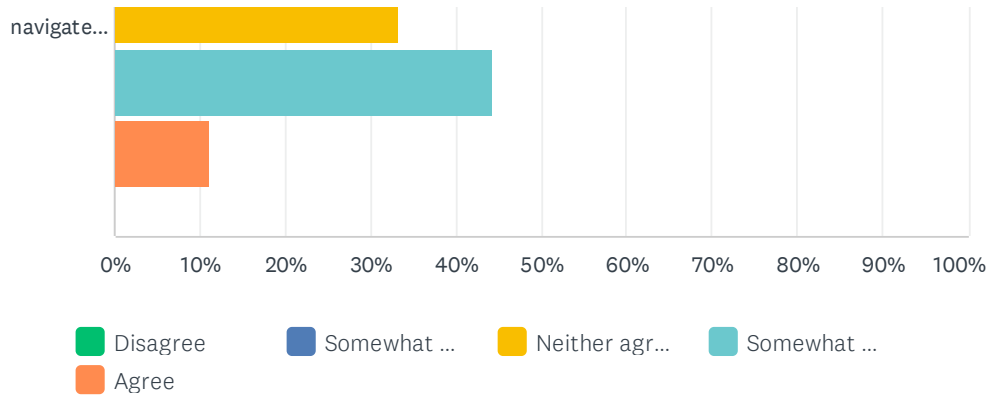
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We effectively utilize our newly established working group structure	0.00% 0	0.00% 0	22.22% 2	33.33% 3	44.44% 4	9	4.22
We follow governing rules effectively (i.e. Roberts rule of order)	0.00% 0	11.11% 1	11.11% 1	22.22% 2	55.56% 5	9	4.22
We deliberate honestly (i.e. total disclosure)	12.50% 1	0.00% 0	0.00% 0	62.50% 5	25.00% 2	8	3.88

Q16 Board Members Roles & Expectations. Please identify on a scale of 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board members' ability to meet the established expectations.

Answered: 9 Skipped: 1



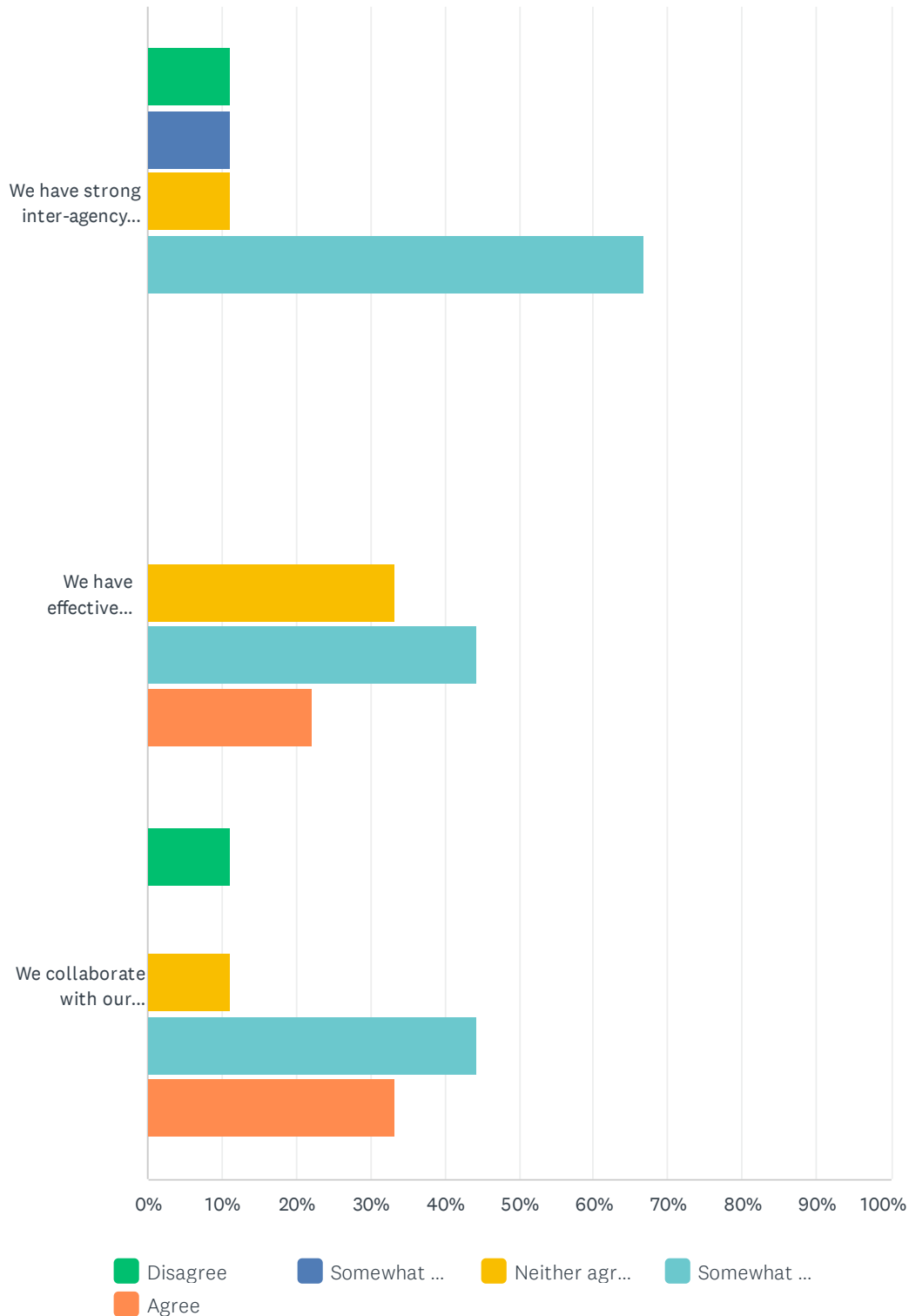
Lake Minnetonka Conservation District_2024 Board Review



	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We do our homework and come prepared for meetings	0.00% 0	11.11% 1	11.11% 1	77.78% 7	0.00% 0	9	3.67
We "broke away" from the way it was always been done	0.00% 0	0.00% 0	44.44% 4	22.22% 2	33.33% 3	9	3.89
We are developing good working relationship with each other	0.00% 0	0.00% 0	25.00% 2	37.50% 3	37.50% 3	8	4.13
We are able to navigate individual interests effectively	0.00% 0	11.11% 1	33.33% 3	44.44% 4	11.11% 1	9	3.56

Q17 Collaboration: in the arena of collaboration we agreed to the following norms. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to collaboration.

Answered: 9 Skipped: 1

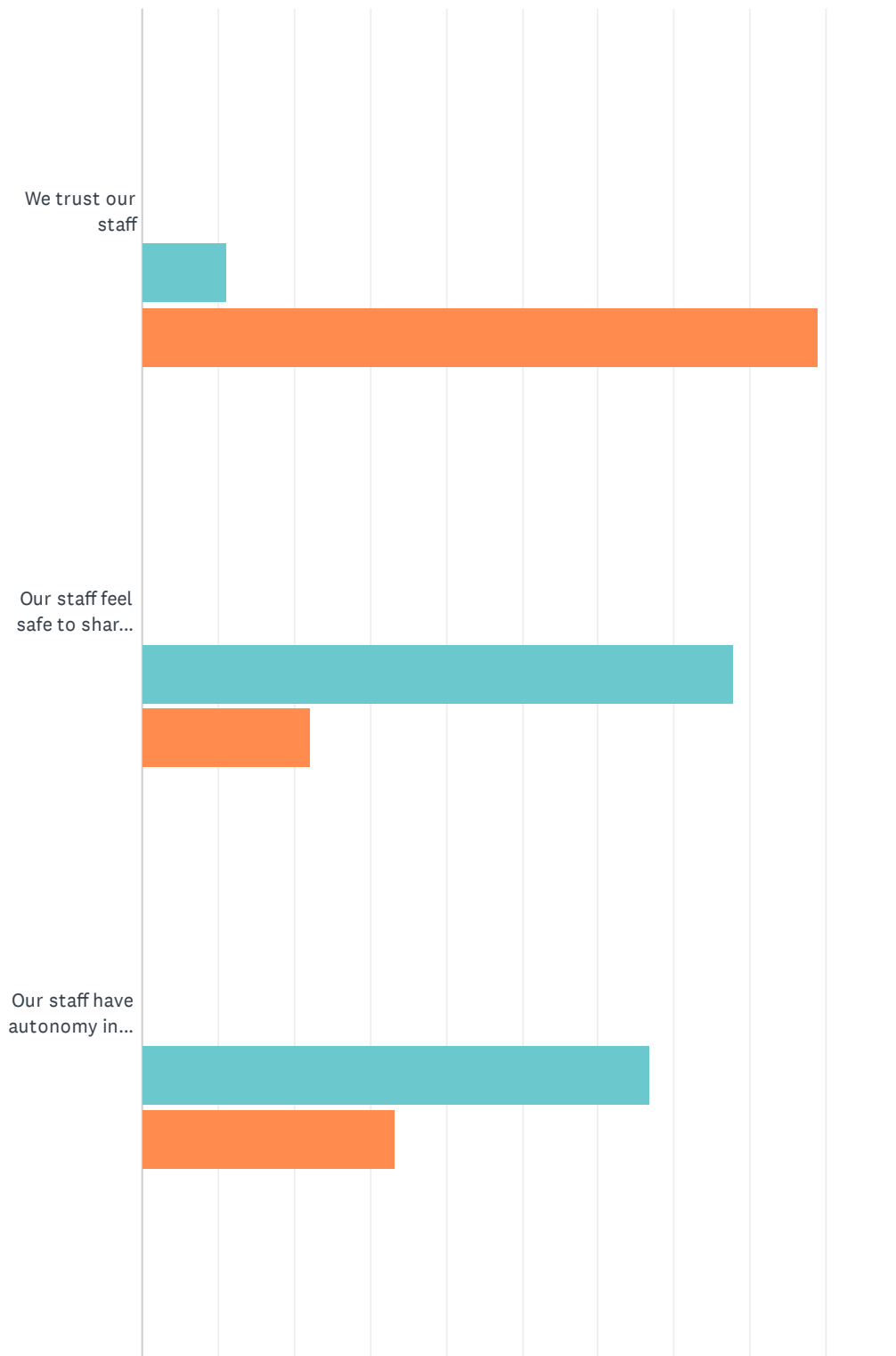


Lake Minnetonka Conservation District_2024 Board Review

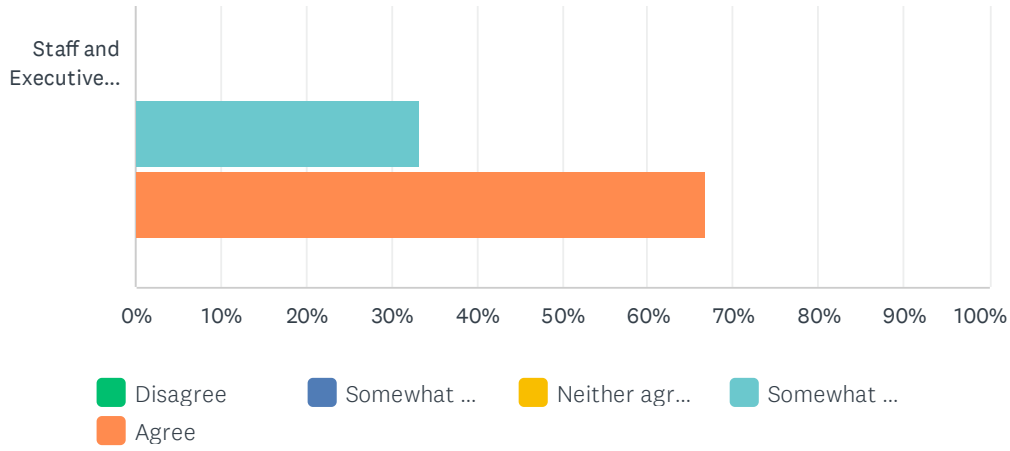
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We have strong inter-agency relationships	11.11% 1	11.11% 1	11.11% 1	66.67% 6	0.00% 0	9	3.33
We have effective relationships with relative third parties (Sheriff, LMA, Three Rivers, etc.)	0.00% 0	0.00% 0	33.33% 3	44.44% 4	22.22% 2	9	3.89
We collaborate with our respective communities	11.11% 1	0.00% 0	11.11% 1	44.44% 4	33.33% 3	9	3.89

Q18 Staff Empowerment: in the arena of staff empowerment we established the following practices. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to staff empowerment.

Answered: 9 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

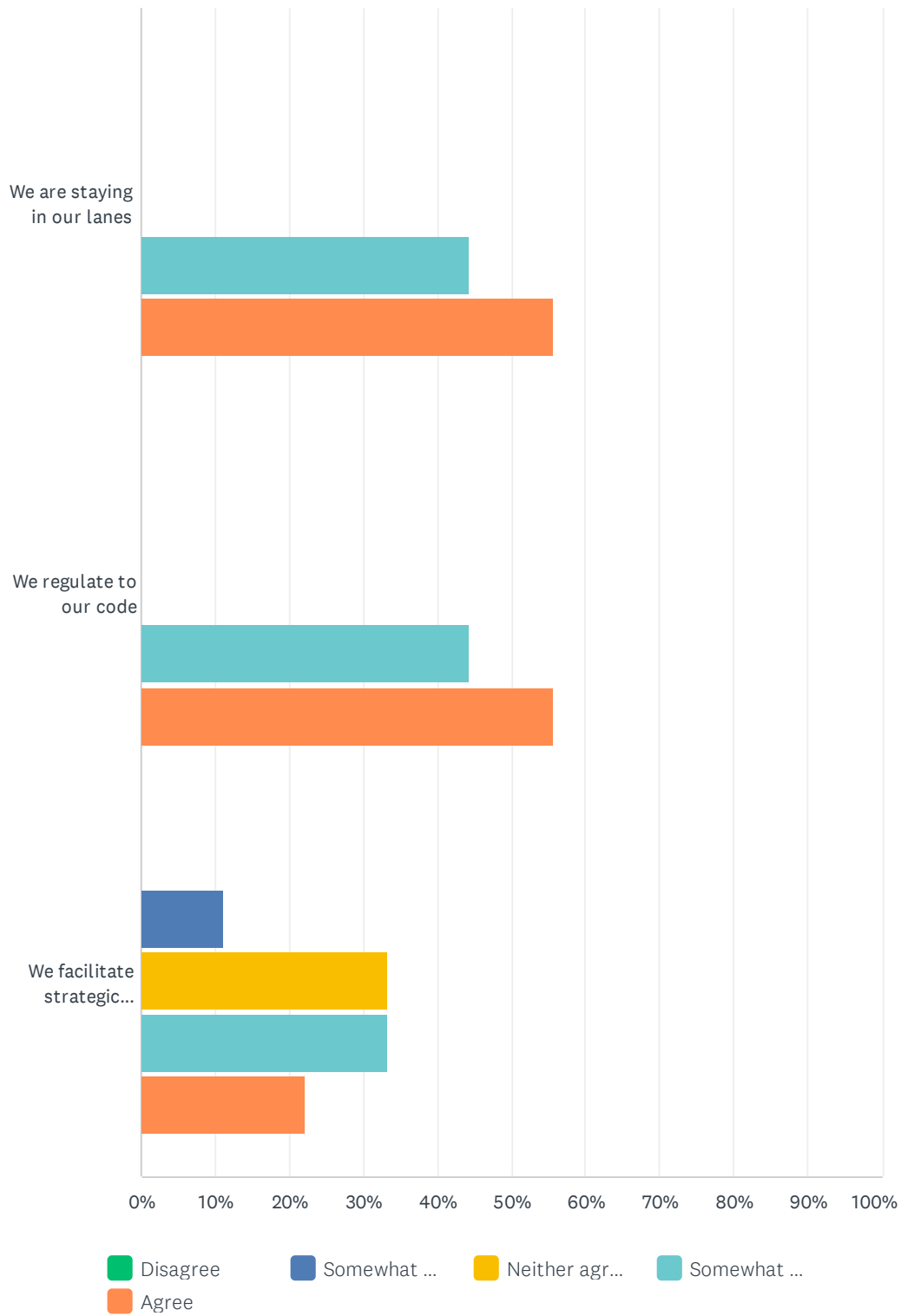


	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We trust our staff	0.00% 0	0.00% 0	0.00% 0	11.11% 1	88.89% 8	9	4.89
Our staff feel safe to share ideas with the Board	0.00% 0	0.00% 0	0.00% 0	77.78% 7	22.22% 2	9	4.22
Our staff have autonomy in decision making within their role	0.00% 0	0.00% 0	0.00% 0	66.67% 6	33.33% 3	9	4.33
Staff and Executive Director roles and responsibilities are clear	0.00% 0	0.00% 0	0.00% 0	33.33% 3	66.67% 6	9	4.67

Q19 Lane Control: in the arena of our work we established two lanes and committed to staying in our lanes. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant lane control.

Answered: 9 Skipped: 1

Lake Minnetonka Conservation District_2024 Board Review



Lake Minnetonka Conservation District_2024 Board Review

	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We are staying in our lanes	0.00% 0	0.00% 0	0.00% 0	44.44% 4	55.56% 5	9	4.56
We regulate to our code	0.00% 0	0.00% 0	0.00% 0	44.44% 4	55.56% 5	9	4.56
We facilitate strategic partnerships	0.00% 0	11.11% 1	33.33% 3	33.33% 3	22.22% 2	9	3.67

Q20 What qualities, skills, and background/experiences will you be looking for in the next executive director?

Answered: 7 Skipped: 3

#	RESPONSES	DATE
1	City manager background, part time, serve as a consultant/expert to staff	2/21/2024 12:09 PM
2	I think experience on the lake is important, but not critical for the next executive director. I think having someone who is a good delegator and manager of processes, code enforcement, and relationships is critical. The next executive director needs to be a positive face to the public representing the LMCD in our role on Lake Minnetonka, and in the public perception through relationships with the cities, lake property owners, and other agencies.	2/14/2024 12:29 PM
3	same as jim	2/8/2024 4:55 PM
4	Strong leadership and decision-making qualities. Experience supervising staff and an office.	2/6/2024 9:58 AM
5	organizational leadership experience; financial management experience and wisdom, candor and assertive leadership where required in managing board members; willingness to work for increased effectiveness through cooperation/partnership with other lake stakeholder/agencies.	2/5/2024 11:10 AM
6	Experience leading a municipality or non-profit organization would be great. Someone who can lead our staff effectively while recognizing their strengths and weaknesses. Must be able to reign in the board members that need to be.	2/4/2024 8:31 AM
7	Communication skills	2/1/2024 9:18 AM

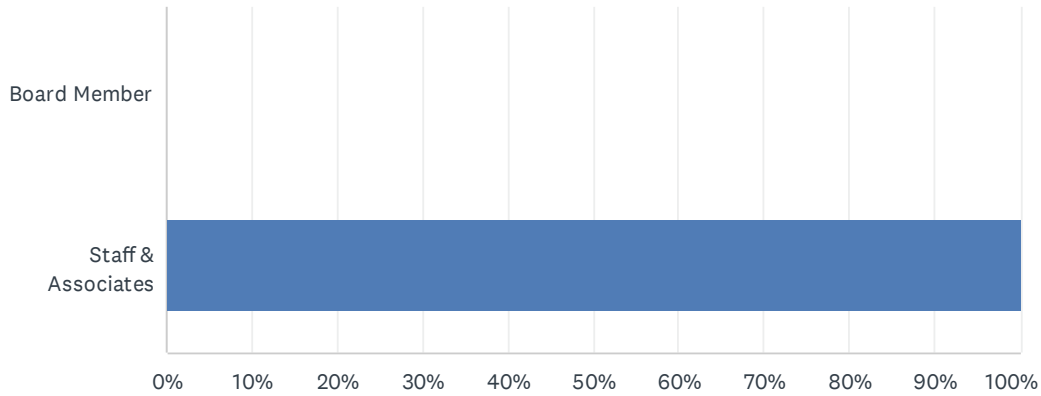
Q21 Thank you so much for filling out the survey! Please share any additional thoughts and comments that did not fit into any of the questions asked in this survey.

Answered: 5 Skipped: 5

#	RESPONSES	DATE
1	Board members need to be coached to keep personal interests absent from work/comments/decisions. To the public, this appears to be a self-serving privileged perspective vs neutral community member serving the interests of all.	2/21/2024 12:09 PM
2	we came a long , it is hard for me to rat the board as we have many at 90+% and others ay 30-% that make it look that the board rating is bad, one item concern me if you take Jim out and 3-4 of the board the place might go back to the bottom of the scall. if the board keep the staff that Jim trained in charge we have some hope in keep going in the wright direction.	2/8/2024 4:55 PM
3	Executive ideally would coordinate joint presentations to city councils with the city LMCD representative.	2/5/2024 11:10 AM
4	None at this time.	2/4/2024 8:31 AM
5	All good	2/1/2024 9:18 AM

Q1 What is your role at LMCD?

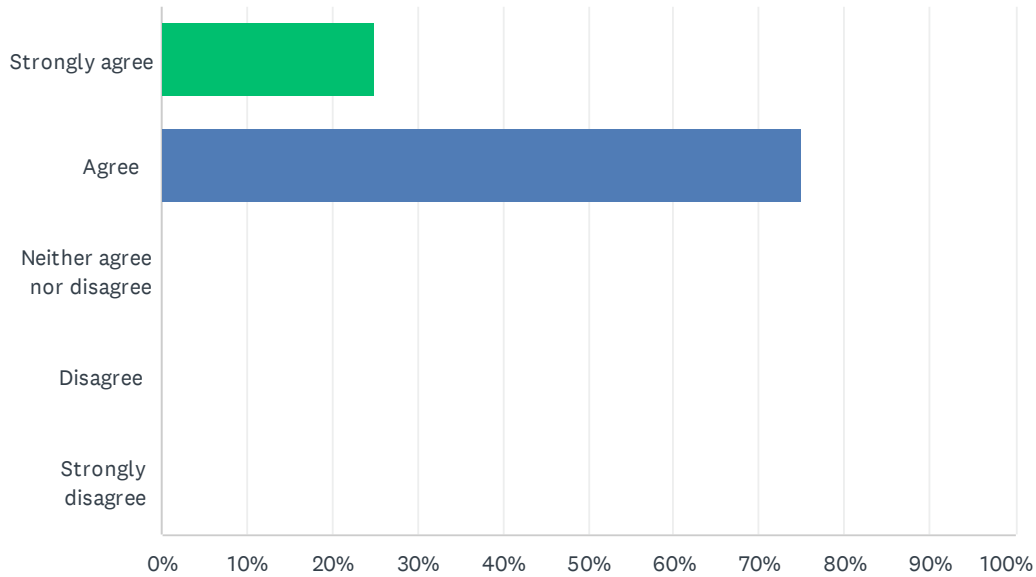
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Board Member	0.00%	0
Staff & Associates	100.00%	5
TOTAL		5

Q2 The organization’s current structure and governance model are aligned with the purpose and serve the organization well.

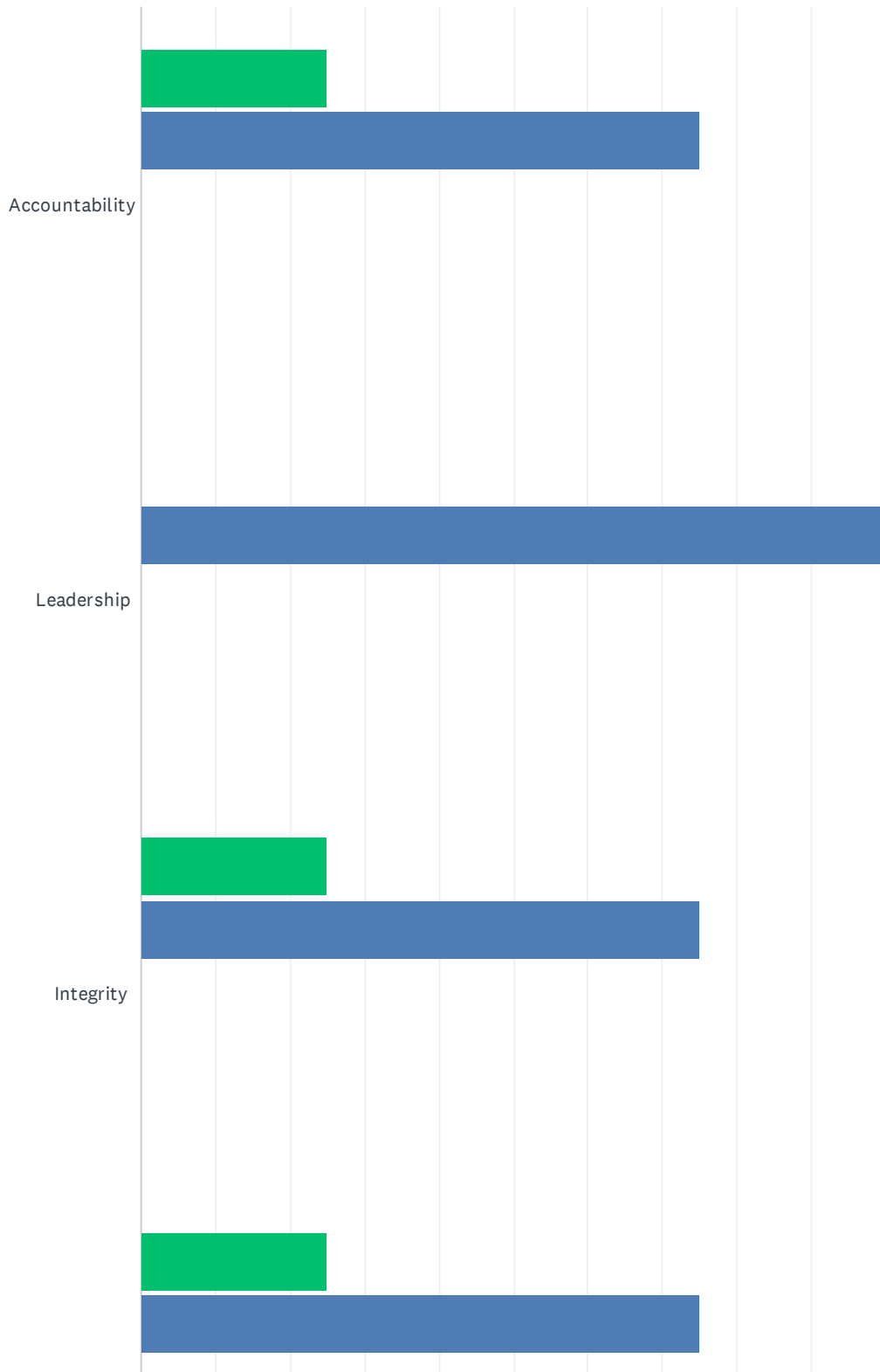
Answered: 4 Skipped: 1



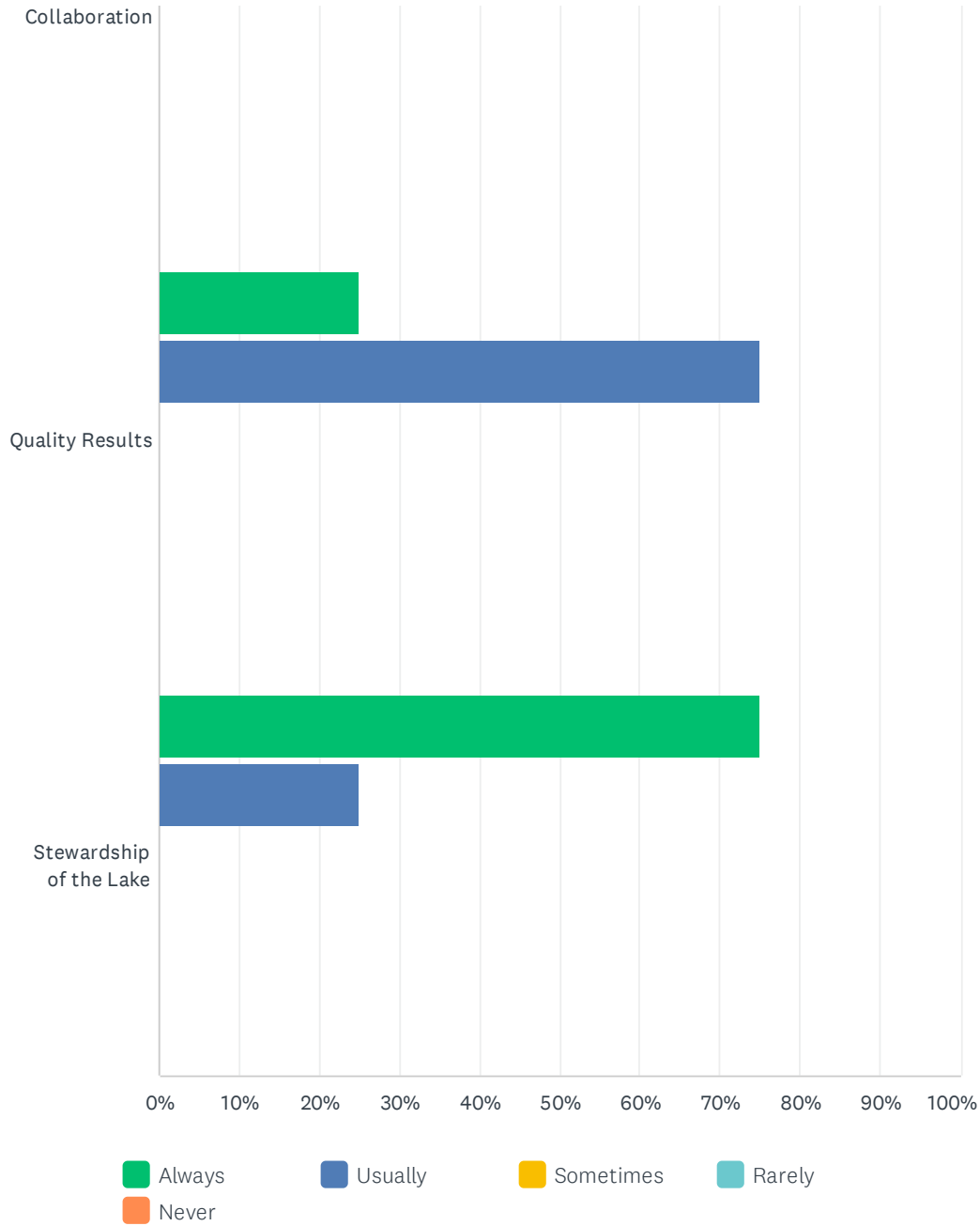
ANSWER CHOICES	RESPONSES	
Strongly agree	25.00%	1
Agree	75.00%	3
Neither agree nor disagree	0.00%	0
Disagree	0.00%	0
Strongly disagree	0.00%	0
Total Respondents: 4		

Q3 Organization's governing body is highly functioning and embodies the established values of the organization (consider The Board as ONE body, not individual members).

Answered: 4 Skipped: 1



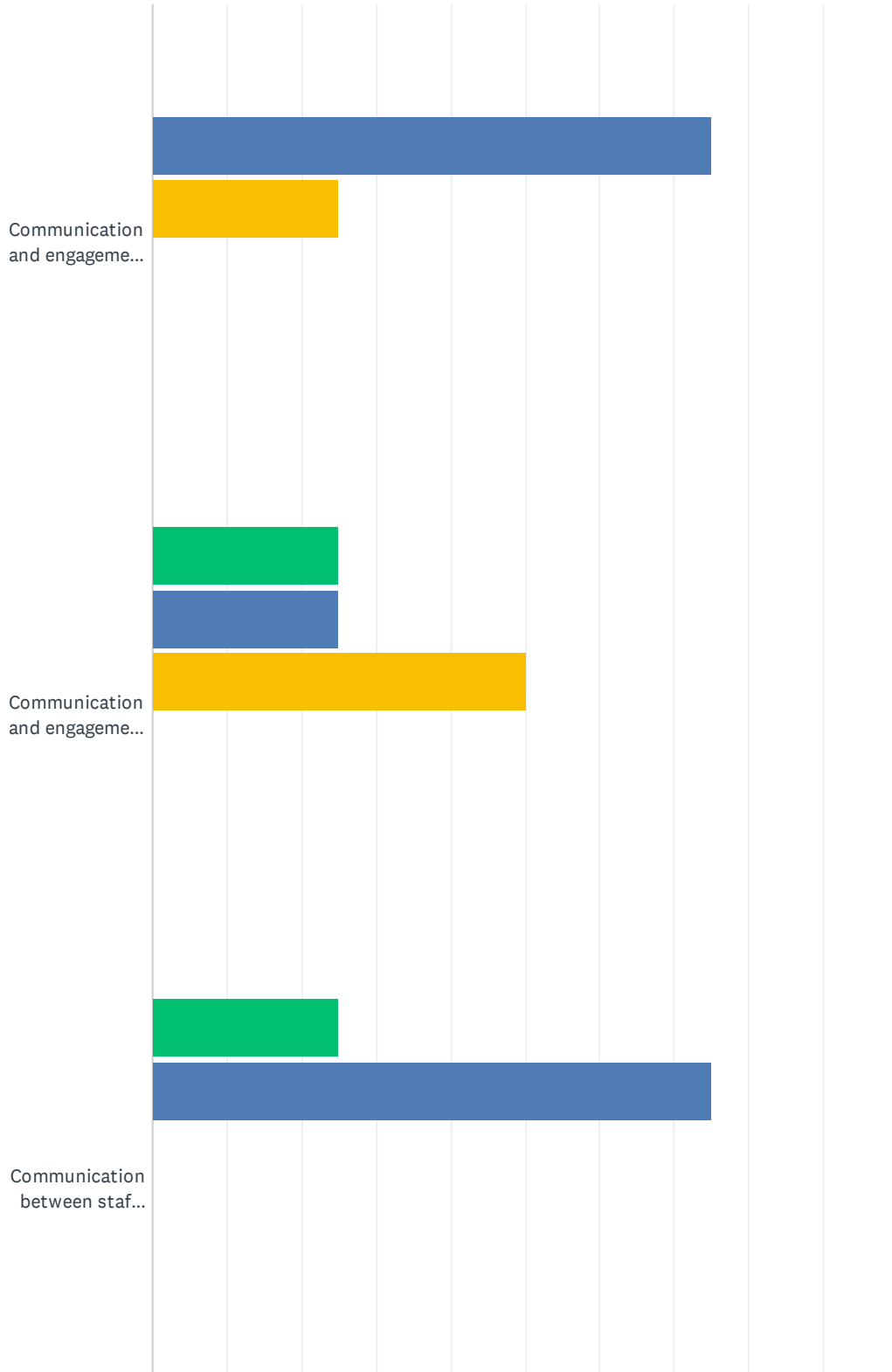
Lake Minnetonka Conservation District_2024 Board Review



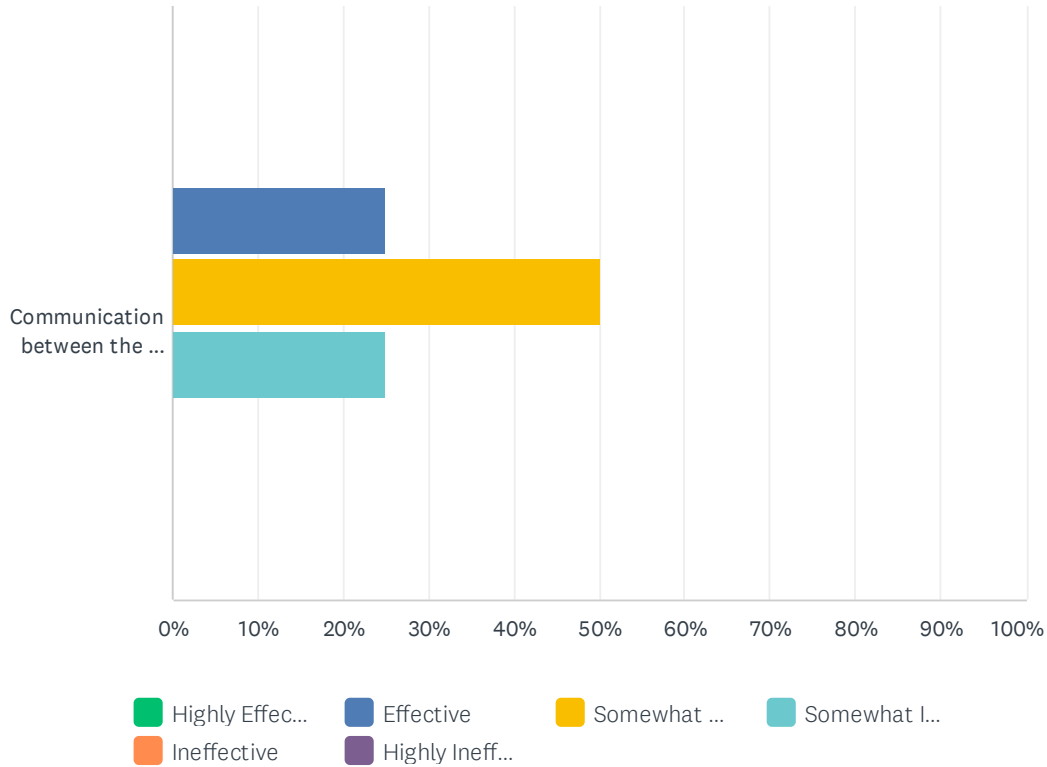
	ALWAYS	USUALLY	SOMETIMES	RARELY	NEVER	TOTAL	WEIGHTED AVERAGE
Accountability	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	4	4.25
Leadership	0.00% 0	100.00% 4	0.00% 0	0.00% 0	0.00% 0	4	4.00
Integrity	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	4	4.25
Collaboration	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	4	4.25
Quality Results	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	4	4.25
Stewardship of the Lake	75.00% 3	25.00% 1	0.00% 0	0.00% 0	0.00% 0	4	4.75

Q4 Communication: Effective communication, including engagement of stakeholders, is an important part of creating a high-performance organization. Please rate your communication effectiveness:

Answered: 4 Skipped: 1



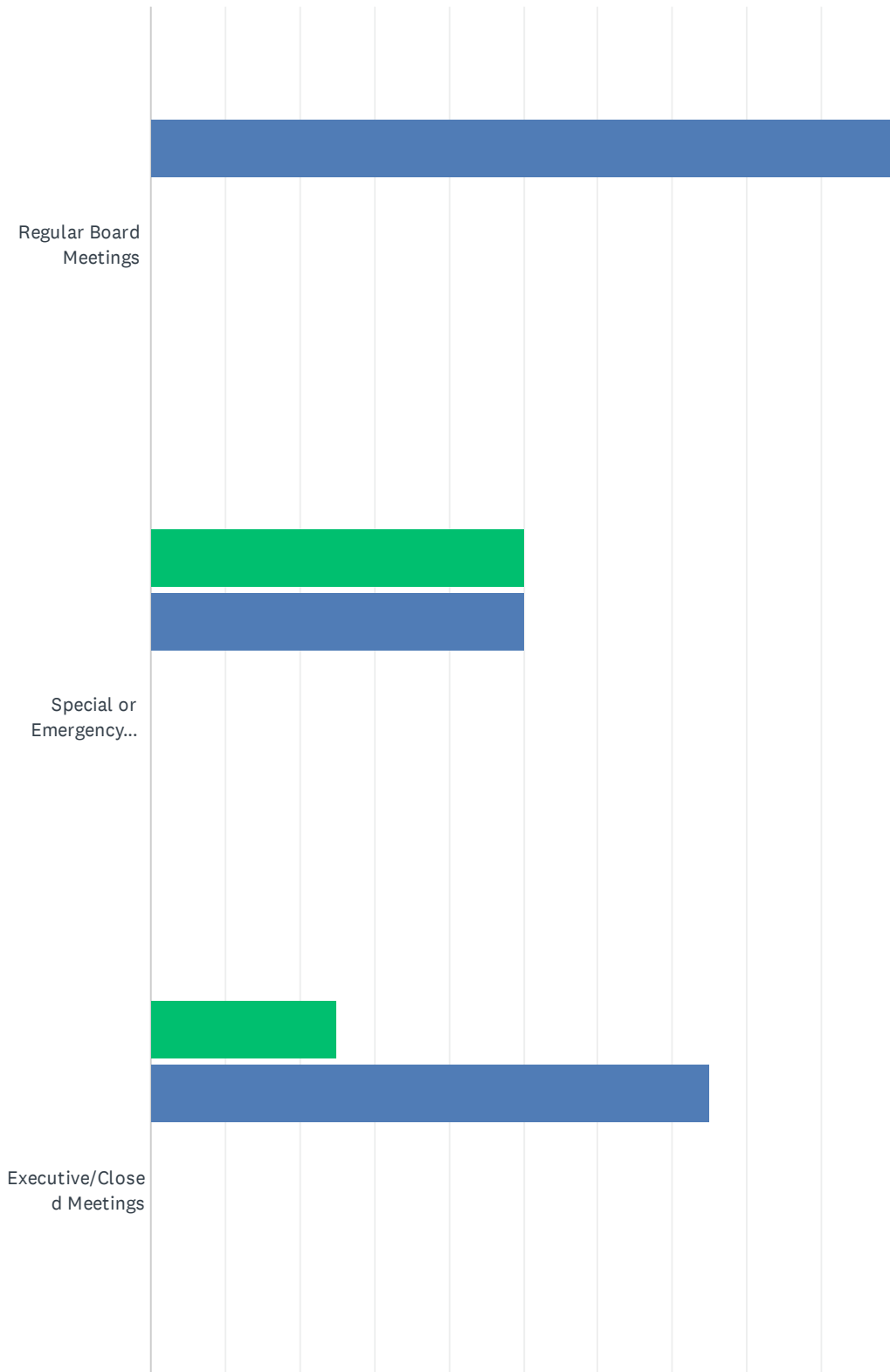
Lake Minnetonka Conservation District_2024 Board Review



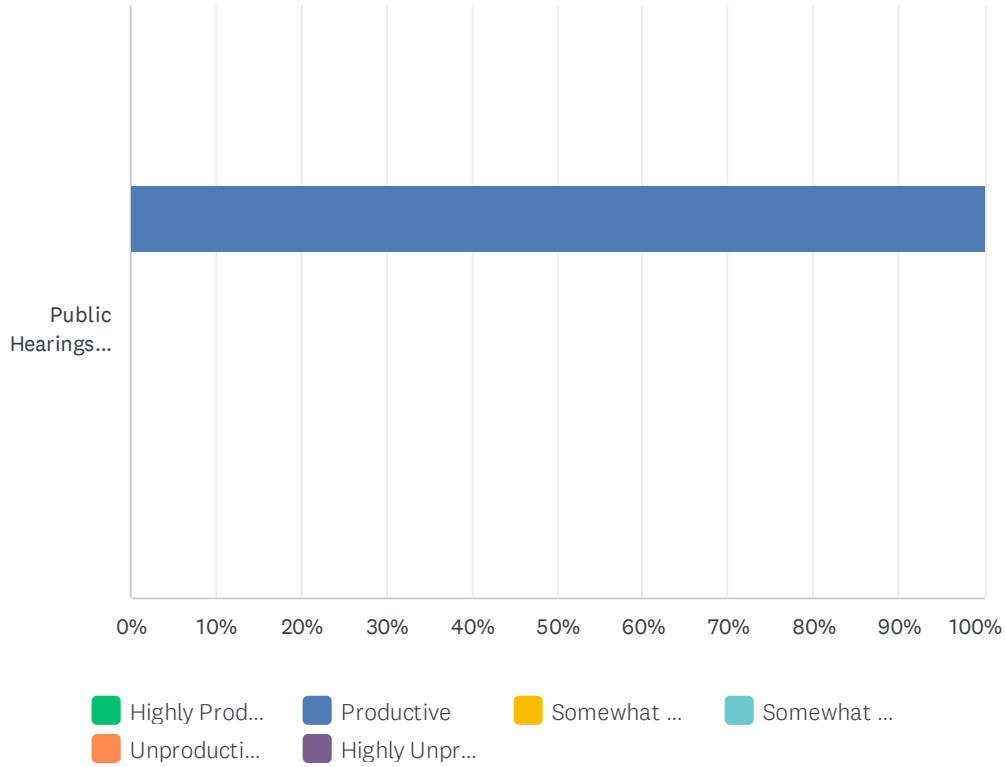
	HIGHLY EFFECTIVE	EFFECTIVE	SOMEWHAT EFFECTIVE	SOMEWHAT INEFFECTIVE	INEFFECTIVE	HIGHLY INEFFECTIVE	TOTAL	WEI AVE
Communication and engagement with stakeholders	0.00% 0	75.00% 3	25.00% 1	0.00% 0	0.00% 0	0.00% 0	4	
Communication and engagement among Board Members	25.00% 1	25.00% 1	50.00% 2	0.00% 0	0.00% 0	0.00% 0	4	
Communication between staff and the Board	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	0.00% 0	4	
Communication between the 14 Cities and LMCD	0.00% 0	25.00% 1	50.00% 2	25.00% 1	0.00% 0	0.00% 0	4	

Q5 Convening: Productive meetings, including staff and Board meetings, are necessary for all parties involved to participate in the most meaningful way. Please rate your meetings structure, protocol, and etiquette:

Answered: 4 Skipped: 1



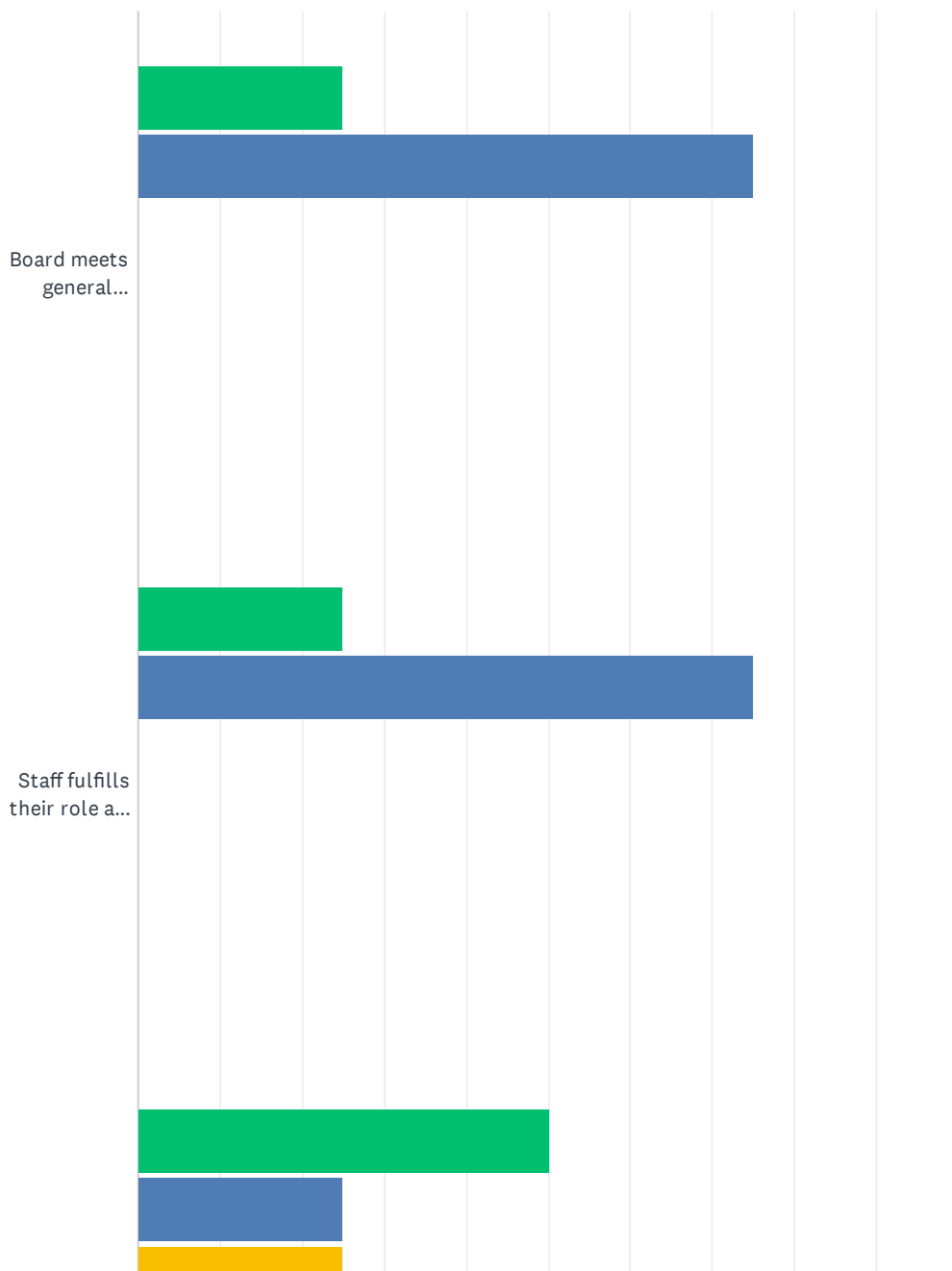
Lake Minnetonka Conservation District_2024 Board Review



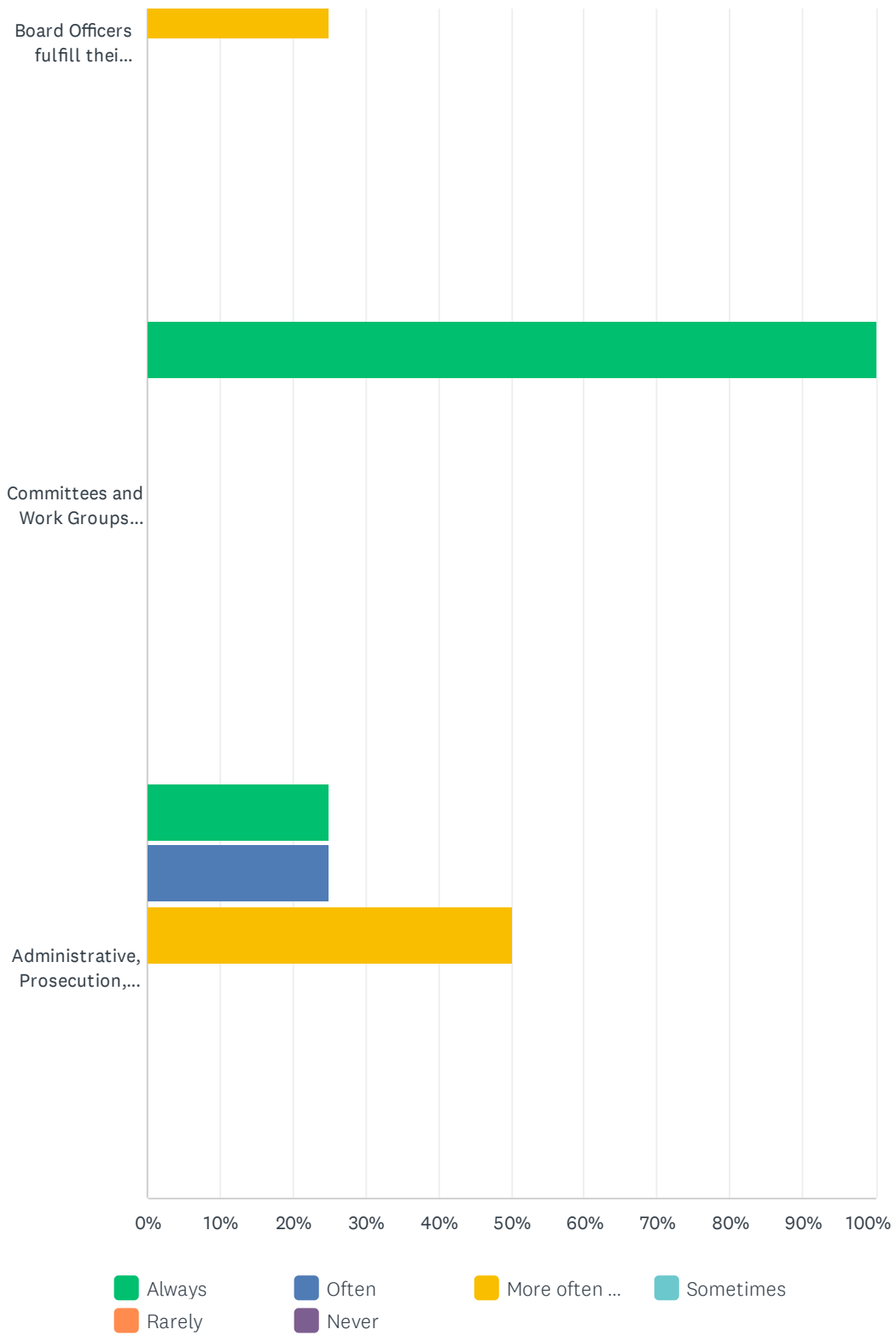
	HIGHLY PRODUCTIVE	PRODUCTIVE	SOMEWHAT PRODUCTIVE	SOMEWHAT UNPRODUCTIVE	UNPRODUCTIVE	HIGHLY UNPRODUCTIVE
Regular Board Meetings	0.00% 0	100.00% 4	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Special or Emergency Meetings	50.00% 2	50.00% 2	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Executive/Closed Meetings	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Public Hearings /Stakeholder Meetings	0.00% 0	100.00% 4	0.00% 0	0.00% 0	0.00% 0	0.00% 0

Q6 Coordination of work: separation of power, roles, and responsibilities are necessary to manage the work of a system that is designed to serve the greater community, where multiple interests might be at play. Review your organization's committee structure, Board and staff expectations, roles, and responsibilities before responding to the following questions. Please rate on a scale of 1 (never) - 6 (always) as to how various groups are performing relative to the outlined expectations, roles, and responsibilities.

Answered: 4 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review



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	ALWAYS	OFTEN	MORE OFTEN THAN NOT	SOMETIMES	RARELY	NEVER	TOTAL	WEIGHTED AVERAGE
Board meets general expectations as outlined in the Board Guide (page 10)	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	0.00% 0	4	5.25
Staff fulfills their role as outlined in the Board Guide (page 11)	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	0.00% 0	4	5.25
Board Officers fulfill their responsibilities as outlined in Board Guide (page 11-12)	50.00% 2	25.00% 1	25.00% 1	0.00% 0	0.00% 0	0.00% 0	4	5.25
Committees and Work Groups fulfill their responsibilities as outlined in BG (Page 12-14)	100.00% 4	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	4	6.00
Administrative, Prosecution, and Litigation Counsel fulfill their role and responsibilities to the satisfaction of the Board	25.00% 1	25.00% 1	50.00% 2	0.00% 0	0.00% 0	0.00% 0	4	4.75

Q7 Rate the Board's performance related to self-governance: Establishing policies and rules over its own governance such as meeting protocol, communications, the appointment of committees and workgroups, etc.

Answered: 4 Skipped: 1

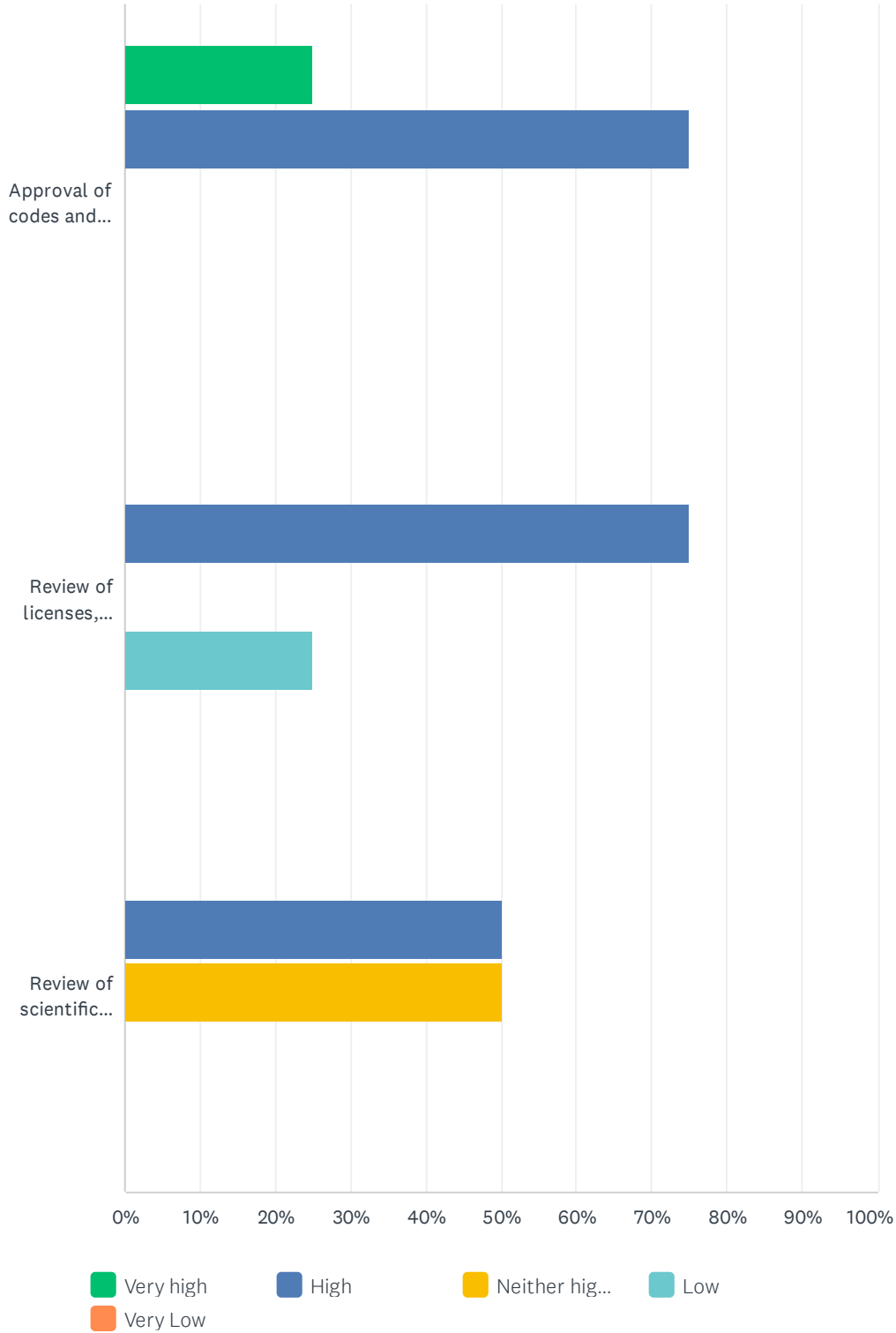
4.0★
average rating



	VERY LOW	LOW	NEITHER HIGH NOR LOW	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	0.00% 0	100.00% 4	0.00% 0	4	4.00

Q8 Rate the Board's performance related to legislation: Developing and interpreting ordinances and policies on behalf of Lake Minnetonka

Answered: 4 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

	VERY HIGH	HIGH	NEITHER HIGH NOR LOW	LOW	VERY LOW	TOTAL	WEIGHTED AVERAGE
Approval of codes and amendments.	25.00% 1	75.00% 3	0.00% 0	0.00% 0	0.00% 0	4	4.25
Review of licenses, permits, variances and similar actions.	0.00% 0	75.00% 3	0.00% 0	25.00% 1	0.00% 0	4	3.50
Review of scientific data, legal information, economic, environmental, or other supporting materials and information for decision-making.	0.00% 0	50.00% 2	50.00% 2	0.00% 0	0.00% 0	4	3.50

Q9 Rate the Board’s performance related to personnel: appointment and evaluation of the Executive Director’s position, roles, responsibilities, and performance.

Answered: 4 Skipped: 1

4.0★
average rating



	VERY LOW	LOW	NEITHER HIGH OR LOW	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00

Q10 Rate the Board’s performance related to finances: oversight and guidance provided to staff in revenues, expenditures, and contributions.

Answered: 4 Skipped: 1

4.5★
average rating



	VERY LOW	LOW	NEITHER HIGH NOT LOW	HIGH	VERY HIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50

Q11 Rate the Board's performance related to business transactions: oversight of general business transactions such as contracts, agreements, and general work activities.

Answered: 4 Skipped: 1

4.0★
average rating



	VERY LOW	LOW	NEITHER LOW OR HIGH	HIGH	VERY HIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	0.00% 0	100.00% 4	0.00% 0	4	4.00

**Q12 Rate the Board’s performance related to community leadership:
Providing leadership in representing the organization to cities, legislators,
public agencies, special events, with individuals, and the public.**

Answered: 4 Skipped: 1

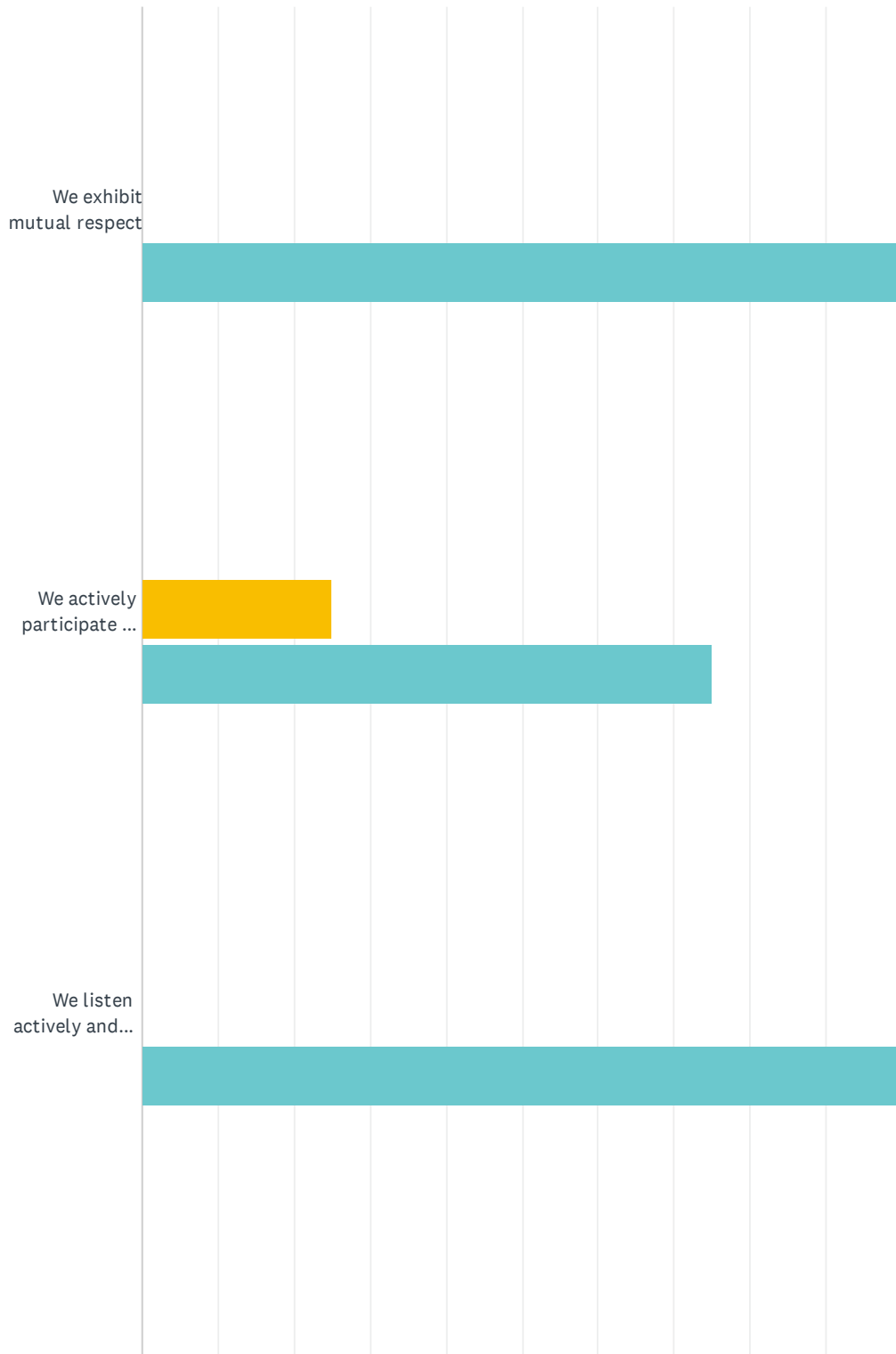
3.3★
average rating



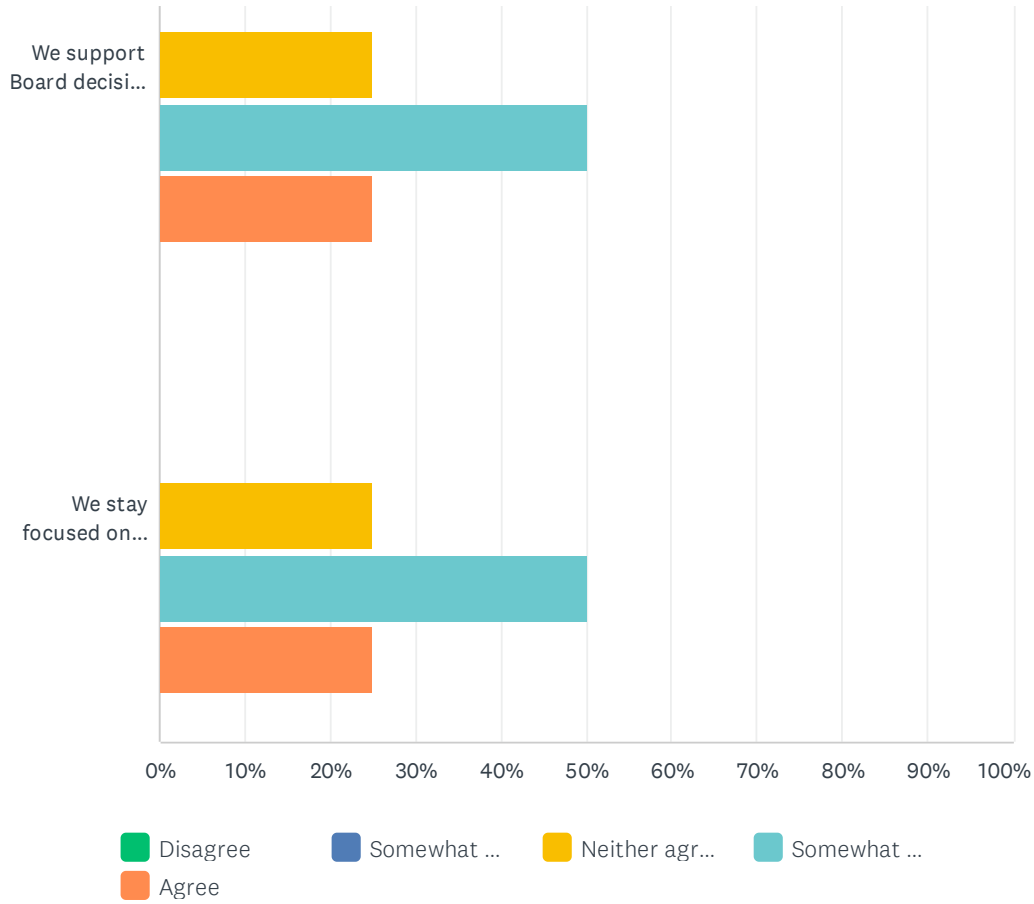
	VERY LOW	LOW	NEITHER LOW NOR HIGH	HIGH	VERY HEIGH	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	75.00% 3	25.00% 1	0.00% 0	4	3.25

Q13 Professional Behavior: in the arena of professional behavior we established the following expectations. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's follow through on professional behavior expectations.

Answered: 4 Skipped: 1



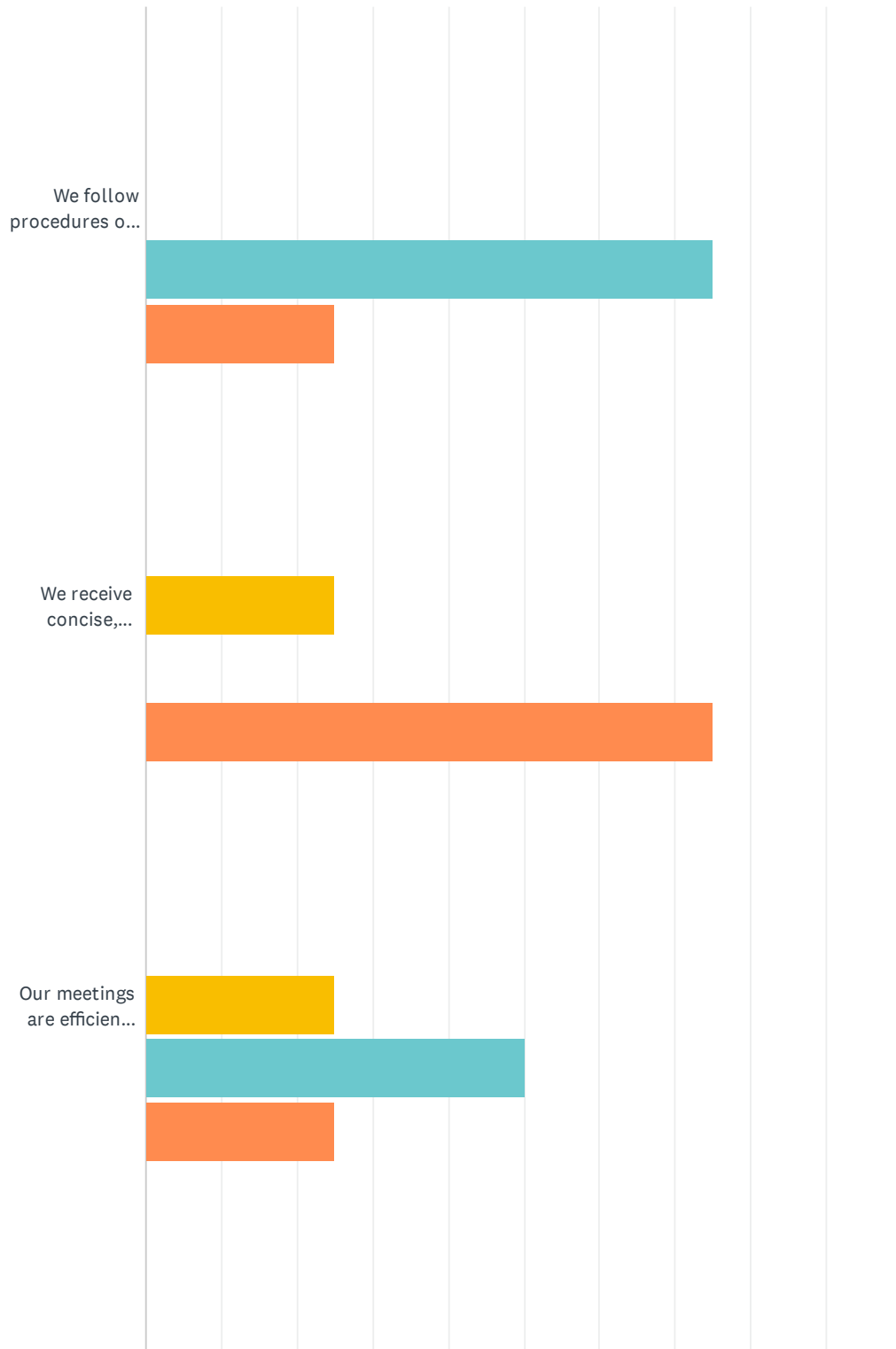
Lake Minnetonka Conservation District_2024 Board Review



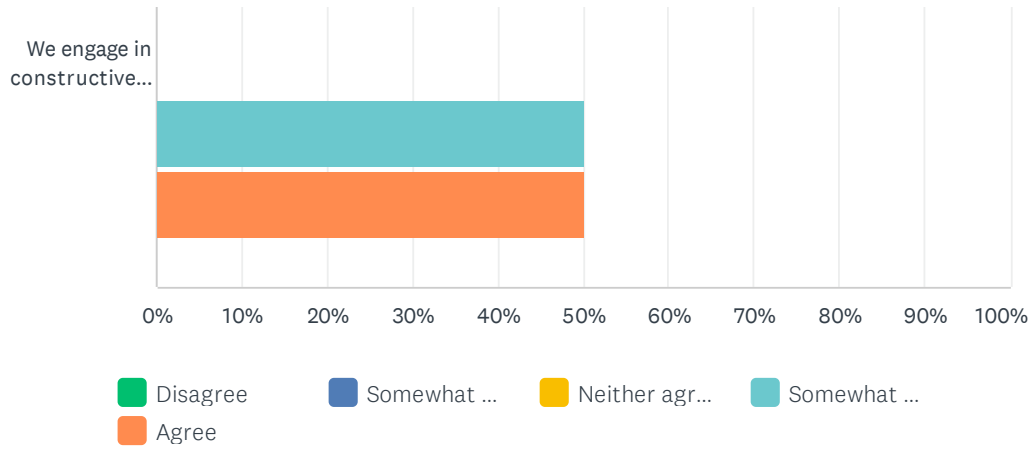
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We exhibit mutual respect	0.00% 0	0.00% 0	0.00% 0	100.00% 4	0.00% 0	4	4.00
We actively participate in the Board's work	0.00% 0	0.00% 0	25.00% 1	75.00% 3	0.00% 0	4	3.75
We listen actively and acknowledge different perspectives	0.00% 0	0.00% 0	0.00% 0	100.00% 4	0.00% 0	4	4.00
We support Board decisions after they are made	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00
We stay focused on agenda topics during the regular meetings	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00

Q14 Operational Efficiency: in the arena of operational efficiencies we agreed to the following procedures. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's experience relevant to operational efficiency.

Answered: 4 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

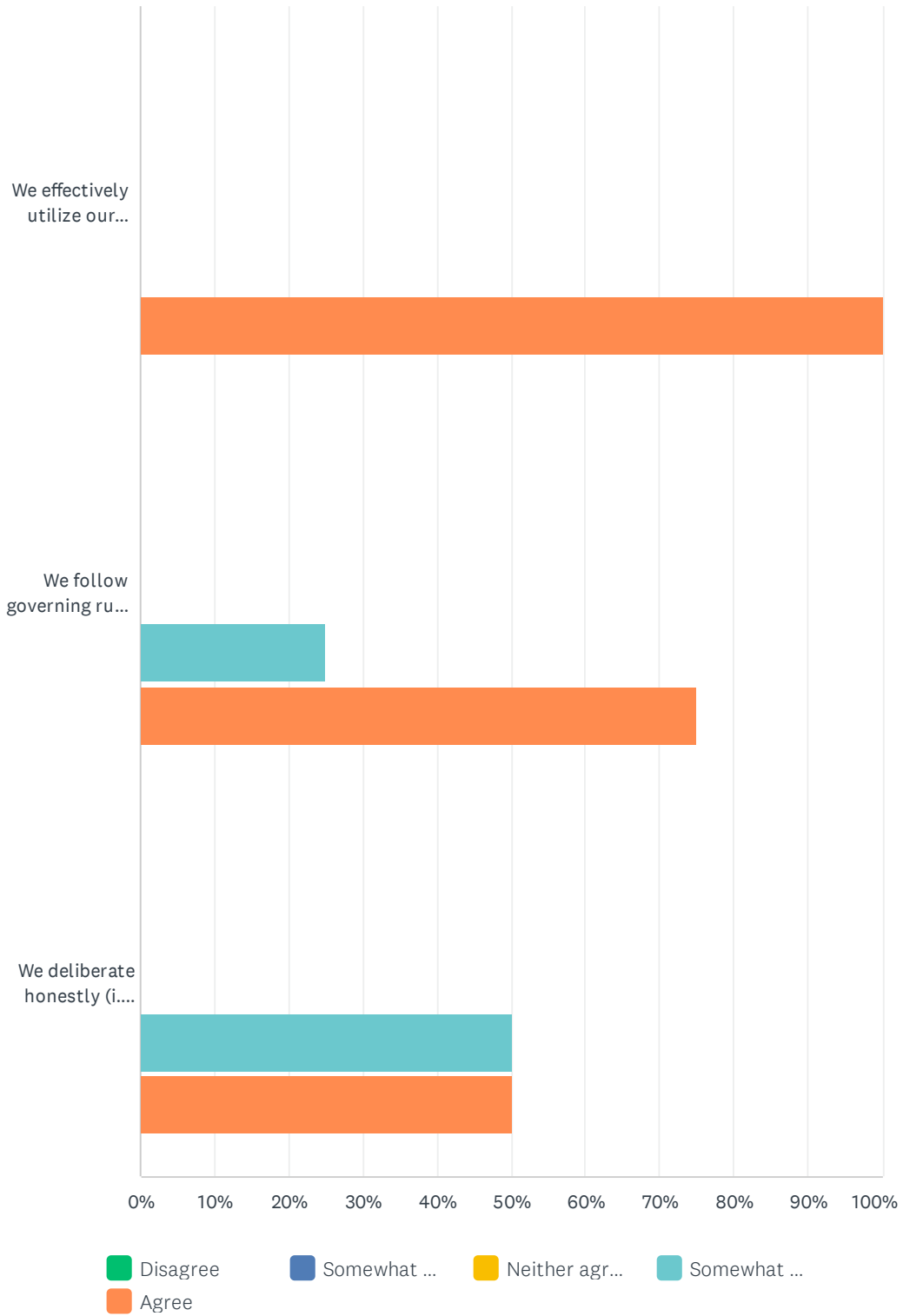


	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We follow procedures on Board operations	0.00% 0	0.00% 0	0.00% 0	75.00% 3	25.00% 1	4	4.25
We receive concise, relevant staff reports	0.00% 0	0.00% 0	25.00% 1	0.00% 0	75.00% 3	4	4.50
Our meetings are efficient and productive	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00
We engage in constructive brainstorm sessions/problem solving	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50

Q15 Decision Making: in the arena of decision making we committed to the following protocols. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to decision-making.

Answered: 4 Skipped: 1

Lake Minnetonka Conservation District_2024 Board Review

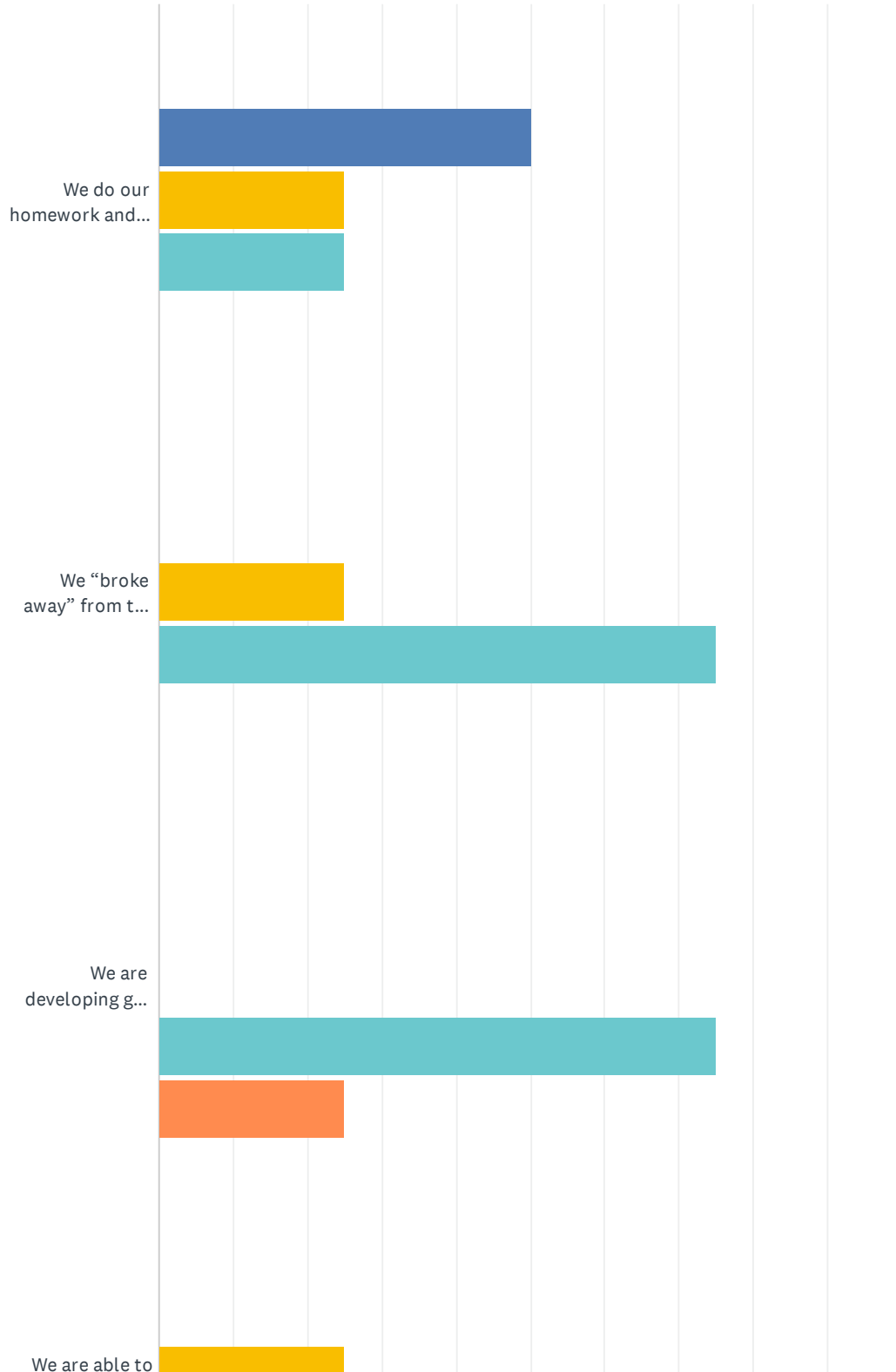


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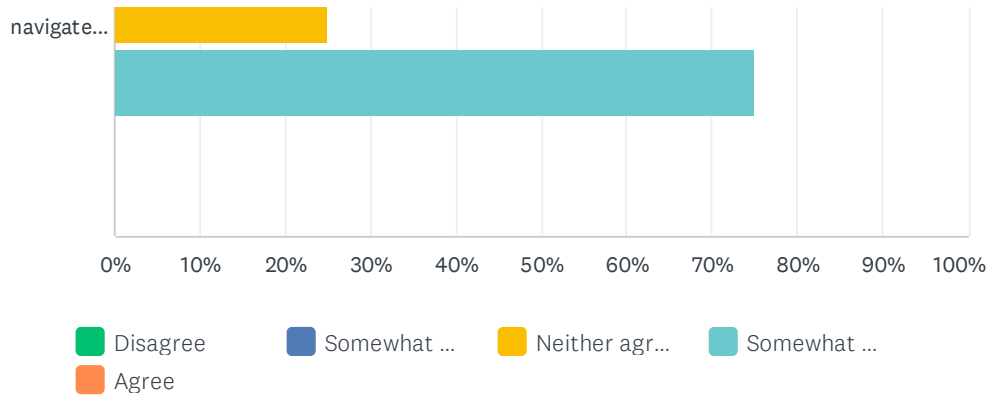
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We effectively utilize our newly established working group structure	0.00% 0	0.00% 0	0.00% 0	0.00% 0	100.00% 4	4	5.00
We follow governing rules effectively (i.e. Roberts rule of order)	0.00% 0	0.00% 0	0.00% 0	25.00% 1	75.00% 3	4	4.75
We deliberate honestly (i.e. total disclosure)	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50

Q16 Board Members Roles & Expectations. Please identify on a scale of 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board members' ability to meet the established expectations.

Answered: 4 Skipped: 1



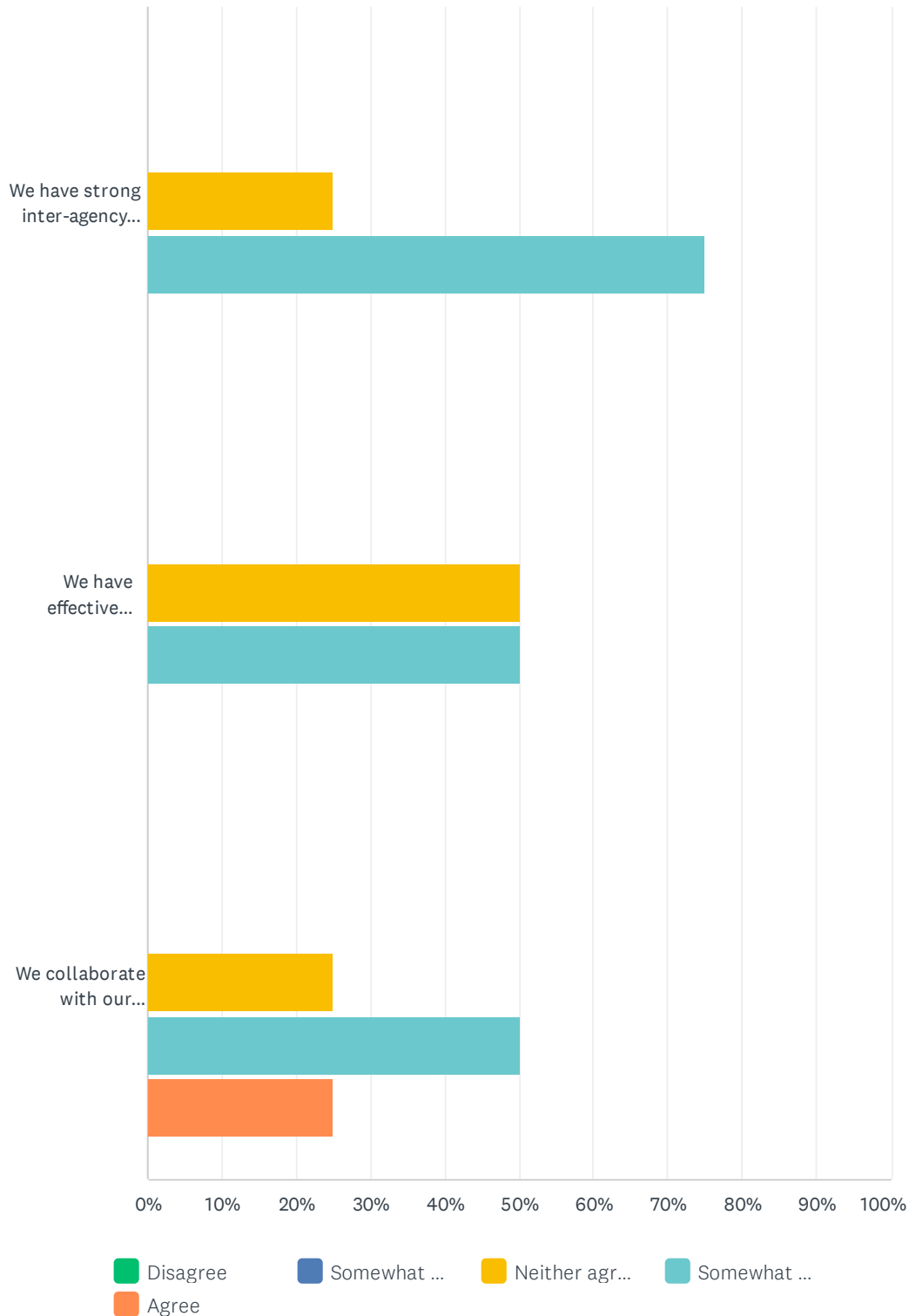
Lake Minnetonka Conservation District_2024 Board Review



	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We do our homework and come prepared for meetings	0.00% 0	50.00% 2	25.00% 1	25.00% 1	0.00% 0	4	2.75
We "broke away" from the way it was always been done	0.00% 0	0.00% 0	25.00% 1	75.00% 3	0.00% 0	4	3.75
We are developing good working relationship with each other	0.00% 0	0.00% 0	0.00% 0	75.00% 3	25.00% 1	4	4.25
We are able to navigate individual interests effectively	0.00% 0	0.00% 0	25.00% 1	75.00% 3	0.00% 0	4	3.75

Q17 Collaboration: in the arena of collaboration we agreed to the following norms. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to collaboration.

Answered: 4 Skipped: 1

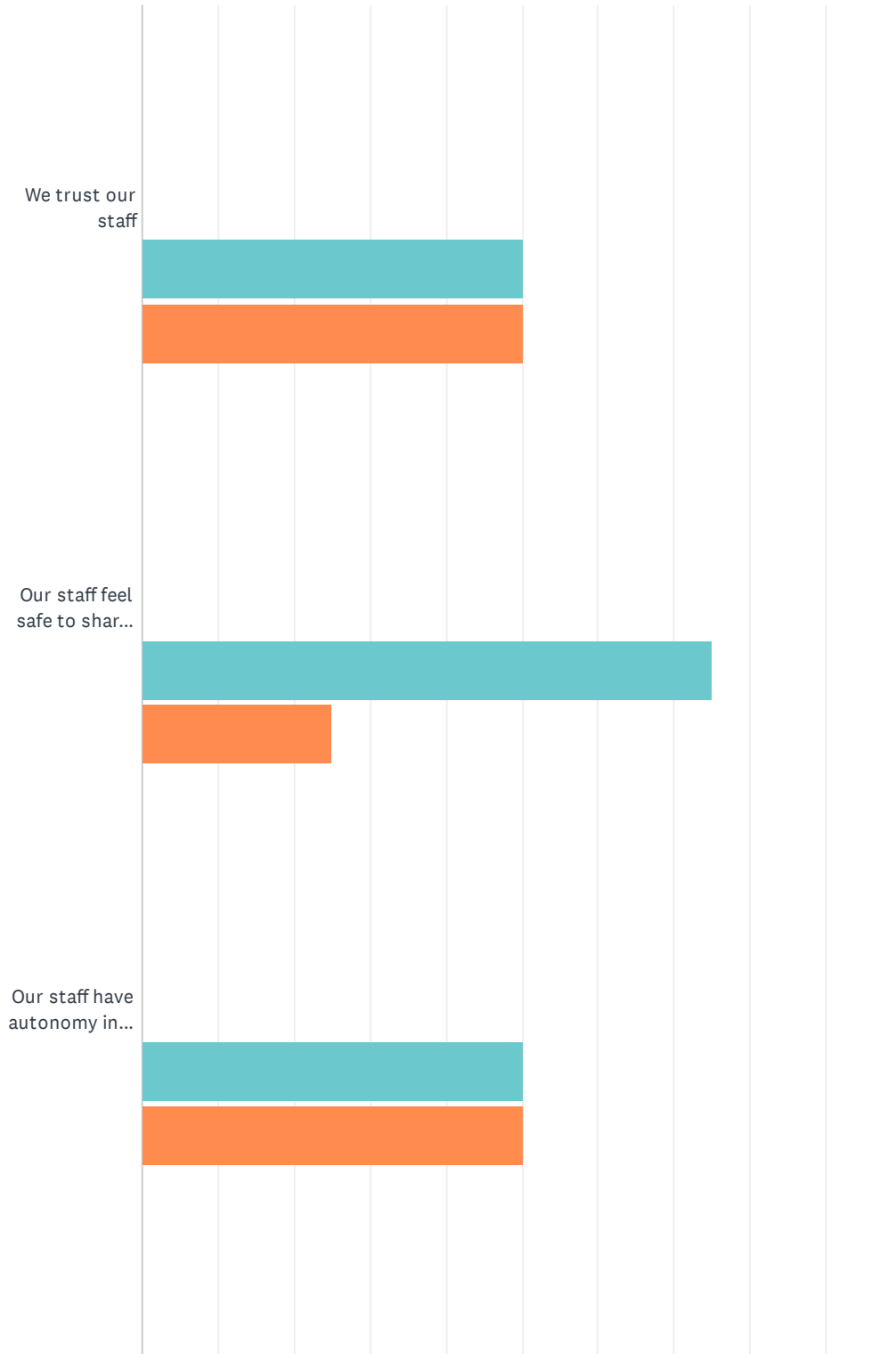


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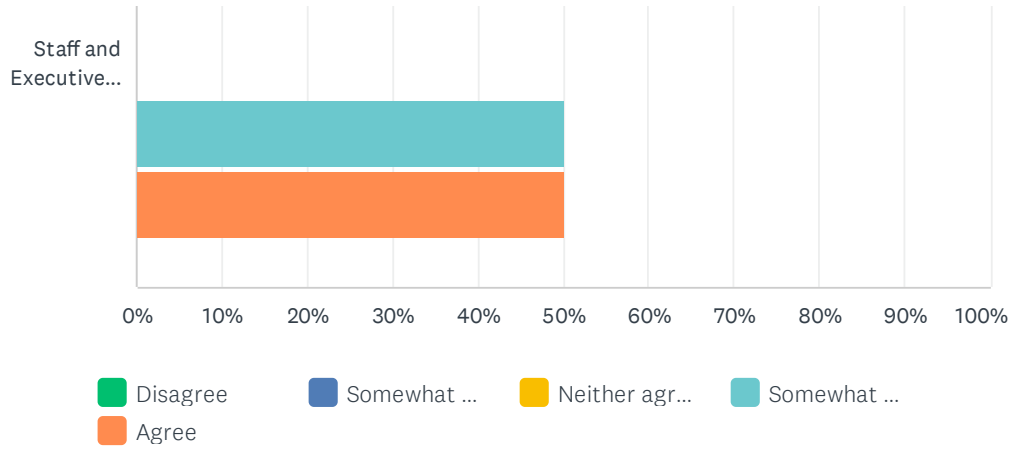
	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We have strong inter-agency relationships	0.00% 0	0.00% 0	25.00% 1	75.00% 3	0.00% 0	4	3.75
We have effective relationships with relative third parties (Sheriff, LMA, Three Rivers, etc.)	0.00% 0	0.00% 0	50.00% 2	50.00% 2	0.00% 0	4	3.50
We collaborate with our respective communities	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00

Q18 Staff Empowerment: in the arena of staff empowerment we established the following practices. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant to staff empowerment.

Answered: 4 Skipped: 1



Lake Minnetonka Conservation District_2024 Board Review

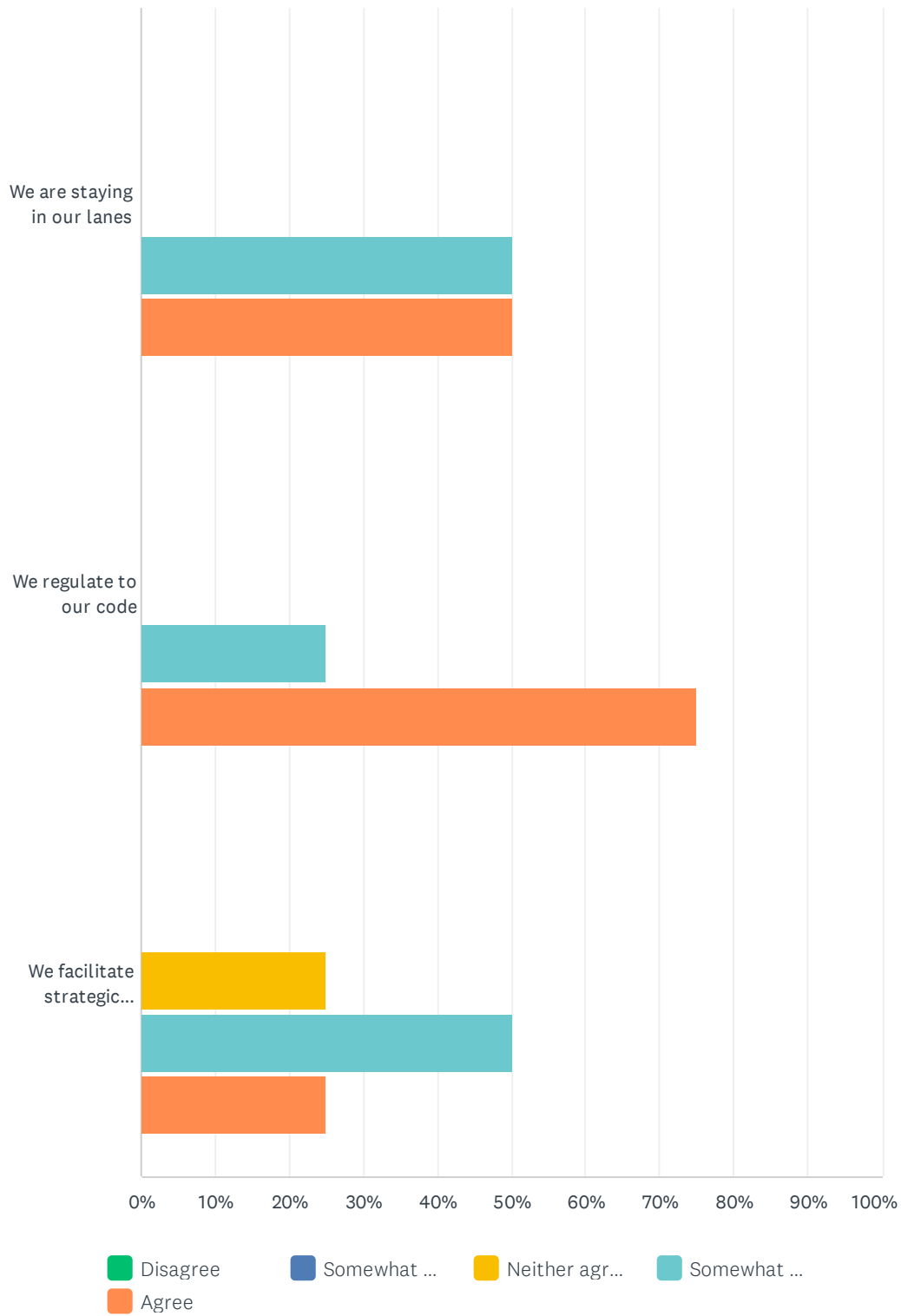


	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We trust our staff	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50
Our staff feel safe to share ideas with the Board	0.00% 0	0.00% 0	0.00% 0	75.00% 3	25.00% 1	4	4.25
Our staff have autonomy in decision making within their role	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50
Staff and Executive Director roles and responsibilities are clear	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50

Q19 Lane Control: in the arena of our work we established two lanes and committed to staying in our lanes. Please identify on a scale 1 (Disagree) -5 (Strongly Agree), what your assessment is of the Board's actions relevant lane control.

Answered: 4 Skipped: 1

Lake Minnetonka Conservation District_2024 Board Review



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	DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOT DISAGREE	SOMEWHAT AGREE	AGREE	TOTAL	WEIGHTED AVERAGE
We are staying in our lanes	0.00% 0	0.00% 0	0.00% 0	50.00% 2	50.00% 2	4	4.50
We regulate to our code	0.00% 0	0.00% 0	0.00% 0	25.00% 1	75.00% 3	4	4.75
We facilitate strategic partnerships	0.00% 0	0.00% 0	25.00% 1	50.00% 2	25.00% 1	4	4.00

Q20 What qualities, skills, and background/experiences will you be looking for in the next executive director?

Answered: 4 Skipped: 1

#	RESPONSES	DATE
1	Jim is a good example of someone this organization needs in the executive director role. He is willing to listen to others, seriously consider differing opinions/options laid out in front of him and can then pull from his years of experience to come to a well thought out conclusion. He does not hesitate to ask questions if something is unclear. Staff need a director who is willing to delegate tasks and trusts they will get their work done once clear goals have been set but still checks in regularly. The board needs an organized leader who doesn't shy away from conflict. When considering a new director, I think personality should be given more weight than background/skills.	2/1/2024 5:51 PM
2	I want someone who is outcome focused, organized, and detail-oriented, enables staff to work independently so they build confidence and can grow in their role.	2/1/2024 10:47 AM
3	Confident. Ability to collaborate and work with others including staff, stakeholders, Board members. Background in Permitting, Code, Management.	2/1/2024 10:47 AM
4	Supervisory experience; sense of humor; prioritize activities; establish roles and responsibilities of staff; work with the management teams in each city; involve board members that want to be involved; have some feel for the lake culture; recognition that the system does not allow for a strong executive; be flexible.	2/1/2024 10:18 AM

Q21 Thank you so much for filling out the survey! Please share any additional thoughts and comments that did not fit into any of the questions asked in this survey.

Answered: 1 Skipped: 4

#	RESPONSES	DATE
1	Things are going well from a staff perspective.	2/1/2024 10:18 AM



LAKE MINNETONKA CONSERVATION DISTRICT

5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • PH: (952) 745-0789

DATE: March 13, 2024
TO: LMCD Board of Directors
FROM: Jim Brimeyer, Interim Executive Director
SUBJECT: Budget Calendar - 2025 Budget

The Board has established a Budget Workgroup to work with the Director and staff on preparing the proposed budget for 2025.

Attached is a proposed Budget Calendar to guide that process.

If you have any questions, please contact Interim Director Jim Brimeyer or Office and Finance Manager, Maisyn Reardan.

Sincerely,

A handwritten signature in cursive script that reads "James J. Brimeyer".

Jim Brimeyer
Interim Executive Director



LAKE MINNETONKA CONSERVATION DISTRICT

5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • PH: (952) 745-0789

Budget Calendar – 2025 Budget

March 6th – Preliminary discussion on 2025 at Officers Group

March 13th – Appointment of Budget Workgroup (BW)

April 3rd – BW to discuss preliminary budget; review 2023 audit; develop investment schedule/liquidity needs, reserve fund balance, equipment & capital needs.

April 10th - Brief board discussion of preliminary budget.

April 17th – BW to review preliminary budget.

May 1st – May 15th, upon request, discuss preliminary budget with staff of member cities.

May 18th – BW adopts final budget for 2025.

May 22nd – Board to review and discuss budget.

June 5th – BW approves final 2025 budget.

June 12th – Final review and adoption by LMCD Board.

June 19th – 2025 budget presented to member cities.

Balance Sheet

As of February 29, 2024

	<u>Feb 29, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
Bridgewater Checking	102,725.38
Bridgewater Savings	564,246.04
1010M10 · Petty Cash	38.60
Total Checking/Savings	<u>667,010.02</u>
Accounts Receivable	
1150M10 · Accounts Rec. - Gen	10,378.25
Total Accounts Receivable	<u>10,378.25</u>
Total Current Assets	677,388.27
Fixed Assets	
1640M90 · Fixed Assets	155,233.00
1645M90 · Accumulated Depreciation	-95,427.00
Total Fixed Assets	<u>59,806.00</u>
Other Assets	
1650M90 · Leased Asset	172,361.00
1655M90 · Accumulated Amortization-Lease	-22,969.00
Total Other Assets	<u>149,392.00</u>
TOTAL ASSETS	<u>886,586.27</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2090 · Accounts Payable	1,210.14
Total Accounts Payable	<u>1,210.14</u>
Other Current Liabilities	
2050M10 · Accrued Payroll - Gen	5,068.00
2150M90 · Accrued compensated absences	14,439.00
2151M90 · Current portion of comp absens	3,337.93
2916M90 · Lease Liability - Short Term	25,290.00
Total Other Current Liabilities	<u>48,134.93</u>
Total Current Liabilities	49,345.07
Long Term Liabilities	
2915M90 · Lease Liability - Long Term	126,242.00
Total Long Term Liabilities	<u>126,242.00</u>
Total Liabilities	175,587.07
Equity	
Retained Earnings	
2910M10 · Fund Balance - Admin.	793,294.38
2910M20 · Fund Balance - S/L	48,727.51
2910M30 · Fund Balance - EWM	226,468.17
2910M50 · Fund Balance - Equip Repl	40,088.85
2910M90 · Fixed Assets - Conversion Fund	79,004.07
Net Income	-585,738.00
Total Equity	<u>109,154.22</u>
TOTAL LIABILITIES & EQUITY	<u>886,586.27</u>

Lake Minnetonka Conservation District
2024 General Income & Expense Budget Comparison
 January through February 2024

	Jan - Feb 24	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Grants & Other Income			
3080M10 · Interest - Gen	4,277.73	3,000.00	1,277.73
3260M10 · Court Fines - Admin.	6,940.00	50,000.00	-43,060.00
3300M10 · Other Income - Admin.	8,701.30	3,000.00	5,701.30
Total Grants & Other Income	19,919.03	56,000.00	-36,080.97
Licenses/Permits			
3110M10 · Multiple/Perm. Dock Lic -Admin.	75,945.13	85,000.00	-9,054.87
3120M10 · DMA license - Admin.	3,300.00	3,000.00	300.00
3130M10 · Deicing License - Admin.	0.00	6,000.00	-6,000.00
3170M10 · Variances - Admin.	0.00	15,000.00	-15,000.00
3240M10 · Charter Boats - Admin.	3,050.00	3,000.00	50.00
3280M10 · Liquor/Beer/Wine License-Admin.	17,850.00	19,000.00	-1,150.00
Total Licenses/Permits	100,145.13	131,000.00	-30,854.87
3020M10 · Municipal Dues - Admin.	63,761.75	255,000.00	-191,238.25
3400M10 · Transfers In - Admin.	0.00	125,000.00	-125,000.00
Total Income	184,518.41	567,000.00	-382,481.59
Gross Profit	184,518.41	567,000.00	-382,481.59
Expense			
AIS Administration			
4111M30 · Legal	0.00	50,000.00	-50,000.00
Total AIS Administration	0.00	50,000.00	-50,000.00
General & Admin Expenses			
4060 · Telephone/Internet	664.34	3,700.00	-3,035.66
4070M10 · Webpage & Digital	3,780.00	500.00	3,280.00
4090M30 · DMV	0.00	40.00	-40.00
4340M10 · Insurance - Admin.	0.00	6,000.00	-6,000.00
4340M30 · Insurance W/C	0.00	0.00	0.00
4350M30 · Ins./Equip.	0.00	0.00	0.00
4360M10 · Subs/Memberships - Admin.	0.00	2,600.00	-2,600.00
Total General & Admin Expenses	4,444.34	12,840.00	-8,395.66
Legal			
4110M10 · Public Info Legal Fees- Admin.	442.05	2,000.00	-1,557.95
4620M10 · Civil Legal Fees - Admin.	2,982.15	27,000.00	-24,017.85
4640M10 · Prosecution Legal Fees - Admin.	6,357.89	30,000.00	-23,642.11
4641M10 · Other Legal Fees - Admin	0.00	4,000.00	-4,000.00
Total Legal	9,782.09	63,000.00	-53,217.91
Office, Supplies, Equip			
4080 · Postage	186.85	3,000.00	-2,813.15
4100M10 · Printing - Admin.	0.00	2,000.00	-2,000.00
4140M10 · Office Equipment R&M - Admin.	463.15	8,000.00	-7,536.85
4220M10 · Office Supplies -Admin.	371.91	2,500.00	-2,128.09
4230M10 · Meeting Exp. - Admin.	478.75	8,700.00	-8,221.25
4320M10 · Office Rent - Admin.	3,640.32	22,000.00	-18,359.68
4400M10 · Mileage/Exp's - Admin.	0.00	400.00	-400.00
4410M10 · Training/Prof. Devel.	0.00	1,000.00	-1,000.00
4520M10 · Furniture & Equip - Admin.	0.00	1,000.00	-1,000.00
4530M10 · Comp. Sftwr & Hdwr - Admin.	1,054.04	7,000.00	-5,945.96
4531M30 · Software & Hardware/Training	0.00	500.00	-500.00
Total Office, Supplies, Equip	6,195.02	56,100.00	-49,904.98

Lake Minnetonka Conservation District
2024 General Income & Expense Budget Comparison
 January through February 2024

	Jan - Feb 24	Budget	\$ Over Budget
Personnel Expenses			
4020M10 · Salaries-002 - Admin	33,230.66	240,000.00	-206,769.34
4021M10 · ER Share of Admin FICA/Medicare	2,539.84	19,000.00	-16,460.16
4022M10 · ER PERA - Admin	2,489.92	18,000.00	-15,510.08
4380M10 · Employee Benefits - Admin.	7,444.26	40,000.00	-32,555.74
Total Personnel Expenses	52,144.68	317,000.00	-264,855.32
Professional Services- ADM			
4040M10 · Auditing - Admin.	0.00	10,000.00	-10,000.00
4180M10 · Professional Services - Admin.	1,731.64	3,000.00	-1,268.36
4181M10 · Professional Comp. Serv.-Admin.	1,403.00	4,000.00	-2,597.00
4182M10 · Media (Cable/Internet) - Admin.	1,100.00	3,500.00	-2,400.00
4183M10 · Prof/ Serv. - Communications	3,740.24	40,000.00	-36,259.76
Total Professional Services- ADM	7,974.88	60,500.00	-52,525.12
Public Education & Safety			
4160M10 · Watercraft/Vehicle Maint	0.00	1,000.00	-1,000.00
4535M10 · Public Safety - SolarLights	0.00	3,560.00	-3,560.00
Total Public Education & Safety	0.00	4,560.00	-4,560.00
Total Expense	80,541.01	564,000.00	-483,458.99
Net Ordinary Income	103,977.40	3,000.00	100,977.40
Net Income	103,977.40	3,000.00	100,977.40

Lake Minnetonka Conservation District
2024 STL Income & Expense Budget Comparison
 January through February 2024

	Jan - Feb 24	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Contributions			
3001M20 · Donations (General) - S/L	5,176.82	46,050.00	-40,873.18
Total Contributions	5,176.82	46,050.00	-40,873.18
Grants & Other Income			
3300M20 · Other Income - S/L	0.00	750.00	-750.00
Total Grants & Other Income	0.00	750.00	-750.00
3400M20 · Transfers In - S/L	0.00	42,000.00	-42,000.00
Total Income	5,176.82	88,800.00	-83,623.18
Gross Profit	5,176.82	88,800.00	-83,623.18
Expense			
Office, Supplies, Equip STL			
4080M20 · Postage - S/L	0.00	800.00	-800.00
4100M20 · Printing - S/L	0.00	1,000.00	-1,000.00
Total Office, Supplies, Equip STL	0.00	1,800.00	-1,800.00
Public Education & Safety			
4535M10 · Public Safety - SolarLights	0.00	87,000.00	-87,000.00
Total Public Education & Safety	0.00	87,000.00	-87,000.00
Total Expense	0.00	88,800.00	-88,800.00
Net Ordinary Income	5,176.82	0.00	5,176.82
Net Income	5,176.82	0.00	5,176.82

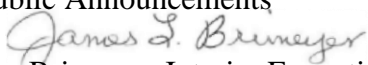


LAKE MINNETONKA CONSERVATION DISTRICT

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

DATE: March 7, 2024

TO: Public Announcements

FROM: 
Jim Brimeyer, Interim Executive Director

SUBJECT: Lake Minnetonka Low Water Conditions Update

Due to the lack of precipitation this winter and the fast-approaching 2024 Lake Minnetonka boating season, there have been concerns from the public regarding potential low Lake levels this year. To address this, the Lake Minnetonka Conservation District (LMCD) Code of Ordinances Section 10-2.01. Subd. 1. states “When the Lake level falls below elevation 928.0 NGVD, the Board may declare low water conditions by resolution. The resolution shall identify the effective date of the declaration. Upon such declaration, the Executive Director shall take appropriate steps to notify the public of the low water conditions.”

LMCD uses readings provided by USGS to monitor Lake levels. Current gage readings show a Lake elevation of 928.72 ft.

We will continue to monitor Lake level readings. In the meantime, there will be **no** considerations for a low water declaration by the LMCD until Lake levels have fallen below an elevation of 928.0 NGVD per LMCD Code of Ordinances.