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, July 10, 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
7:00 p.m.

The purpose of the Work Session is to allow staff to seek input from the Board and for the Board to discuss matters in greater detail than generally available at the formal Board Session. The Board may give staff direction or express a preference but does not formally vote on matters during Work Sessions. While all meetings of the Board are open to the public, Work Session discussions are generally limited to the Board, staff, and designated representatives. Work Sessions are not videotaped. The work session may be continued after the formal meeting, time permitting.

1. Save The Lake – Past, Present, & Future

FORMAL MEETING AGENDA
7:30 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
A) Dan Baasen Recognition

6) APPROVAL OF MINUTES (06/12/2024 LMCD Regular Board Meeting)

7) APPROVAL OF CONSENT AGENDA
A) Audit of Vouchers (06/16/2024 – 06/30/2024) & (07/01/2024 – 07/15/2024)
B) Resolution 268 Accepting Save the Lake Contributions (06/07/2024 – 07/03/2024)
C) Findings of Fact and Order – The Cove HOA

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
A) Length Variance - 1065 Ferndale Rd W

11) OTHER BUSINESS

12) OLD BUSINESS

13) NEW BUSINESS

14) TREASURER REPORT
A) June Balance Sheet
B) June General and STL Income & Expense Reports

15) EXECUTIVE DIRECTOR UPDATE/OTHER REPORTS
A) Meetings & Documents Portal

16) ADJOURNMENT

Work Session

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

DATE: July 10, 2024 (Prepared July 3, 2024)

TO: Board of Directors

FROM: James L Brimeyer, Interim Executive Director

SUBJECT: Save The Lake – Past, Present & Future

The Save The Lake discussion is scheduled for the Work Session on July 10, 2024.
The work session will take place beginning at 7:00pm prior to the regular Board meeting.

BACKGROUND

This item was discussed briefly at the Board's strategic planning session some time ago.

Since then, there has been substantial discussion about paying for the extra water patrol for the summer boating season. The initial budget discussion for 2025 had the payment coming from the General Fund. A final decision was to use STL funds.

When this payment comes due for 2024, we may have to consider using some of the $90,000.00 STL funds from the Money Market account. We will not have sufficient funds for donations to make the payment.

PAST

Attached is the document establishing the Save The Lake Committee as a 501C3 charity organization. This was done after the statutory formation of the Lake Minnetonka Conservation District. The stated purpose of the STL is to fund non-levy activities such as lake safety, solar lights, supervision, boater safety training and other programs.

PRESENT

Attached is a document summarizing the donations for the past 10-12 years and how the funds were utilized over this same period of time.

Also in this document is a suggested format (similar to the one used at the Board planning session) that might serve to facilitate the discussion at the Work Session.

STRATEGIC PRIORITIES

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

WS Attachment 1

Save the Lake Overview

1) What is Save the Lake (STL)?

Save the Lake is an initiative of the Lake Minnetonka Conservation District that was established in the 1970's to provide a supplemental funding source to the LMCD's primary operating budget. This fund was created to help address the Lake's needs of public safety, environment, public service, and education.

Contributions to Save the Lake are generally tax deductible under the IRS Code 26 USC Section 170 (b)(1)(a) because contributions to any political subdivision of any state for exclusively public purposes are deductible. The LMCD is a political subdivision of the State of Minnesota under Minnesota Statutes Section 103B.605, Subdivision 1.

2) How are/were STL funds raised?

a) Biannual direct mail solicitations
b) Outreach at public community events
c) Sale of lake photographs
d) Annual dinner and action

3) How much is raised annually by STL?

From QuickBooks. Annual totals are as follows:

2023 – $30,065.63
2022 - $64,873.23
2021 - $118,996.00 (including $78,250 for Water Patrol funding)
2020 - $36,250. 40
2019 – $29,865.17
2018 - $35,877.19
2017 - $29,978.47
2016 - $21,425.24
2015 - $32,005.31
2014 - $70,647.74
2013 – $40,278.39
2012 - $44,520.88
2011 - $46,836.87

4) How were/are STL grants awarded?

2015 - 2024 – Grants ranging from $29,000 - $87, 000 were awarded to the Hennepin County Sheriff's Office Water Patrol for designating one/or two patrol officer(s) on the lake during summer boating season.

2019 - $3000 was granted to the Libbs Lake Association to fund mechanical AIS removal.

2018 - $2,500 was granted to the Libbs Lake Association to fund mechanical AIS removal.

2017 - $2,500 was granted to the Libbs Lake Association to fund mechanical AIS removal.

2016 - $3,053 was granted to the Long Lake Fire Department to fund the purchase of Life Jackets and a Waterous Portable Pump. $2,240 was granted to Mound Fire Department for purchase of ice and cold-water rescue suits and ice and cold-water training. $2,500 was granted to Excelsior Fire District for cold water rescue suits and ice rescue equipment.

2015 - $4,650 was granted to the Mound Fire Department for purchase of public safety equipment; $12,300 was granted to Hennepin County Environmental Services for installation of an electronic changeable message sign at Spring Park public access.

2014 - $4,600 was granted to the Mound Fire Department for life safety equipment including ice rescue suits, a floatable water pump, and portable radio with headset. $3,500 was awarded to Rolyan Buoys to place non anchored buoys near Big Island. $4376.82 was allocated to Solar Light replacement.

2012 - $13,676 was granted to Hennepin Country Sheriff's Foundation for the purchase of a Remote Operated Vehicle (ROV); $12,500 was granted to LMA for coordinated herbicide treatments on Carmans, Gideon, Grays, Phelps, and St. Albans Bays; $4,168 was granted to Long Lake Fire Department for the purchase of ice rescue suits; $2,470 was awared to Libbs Lake POA for herbicide treatment on Libbs Lake.

2011 – $5,430 was granted to Wayzata Fire Department for replacement of fire rescue boat and safety equipment; $5,451 was granted to Hennepin County Sheriff's Water Patrol for purchase of safety equipment: $7,500 was granted to LMA for herbicide treatment in Carmans, Grays, and Phelps Bays.

2010 – $3526.49 was granted to Hennepin County Water Patrol for purchase of flashlights, fire hose nozzles, and fire fighting hoses. $7,500 was granted to LMA for herbicide treatment in Carmans, Grays, and Phelps Bays: $15,000 was granted to the Museum of Lake Minnetonka for Minnehaha Steamboat repairs.

5) **What is the future of STL?**

What does STL look like in 2025-26+

What are barriers to achieving our “ideal scenario”?

What can we do to overcome the barriers to achieve our ideal scenario?

What action steps need to be taken to overcome the barriers to get to a “perfect world?

Who is responsible for doing this?

And, in what timeframe?

SAVE THE LAKE

COMMITTEE DESCRIPTION

Committee Definition

The Legislature of the State of Minnesota created the Lake Minnetonka Conservation District in 1967-68 through State Statute 103B.635 to bring together the 14 cities that surround Lake Minnetonka with a common platform to protect and preserve, Lake Minnetonka's environment, economy, and vitality. This coordinating governmental unit is supported by annual levy of its surrounding cities to care for and regulate one of Minnesota's most important resources in a way that is consistent across all jurisdictions.

A few short years after its creation by the Legislature and its adaptation by the Lake cities, the LMCD leadership created Save The Lake Fund as a 501C3 charity funding vehicle that would provide for funding for non-regulatory goals and non- levy activities like lake safety, solar lights program, supervision, boater safety training, and other programing.

Committee Objectives

Save the Lake Fund Mission

To keep Lake Minnetonka safe and healthy for current and future generations. To support activities for lake environment, boater education, and lake safety including critical emergency response.

- **Public Safety**
  Improve public safety on the lake through lessening conflicts among lake surface users, enhancing safe boat operation, and assuring greater personal safety.

- **Environmental**
  Fund research or program implementation that studies or protects the lake environment that:
  - Protects the lake from infestation of exotic aquatic plants or animals
  - Prevents the spread of exotic aquatic plants or animals from the lake
  - Allows or enhances enjoyment and use of the lake while preserving the lake from environmental degradation.

- **Public Service & Education**
  Provide information and opportunities that:
  - Benefit the general public use of Lake Minnetonka
  - Make Lake Minnetonka more accessible to persons unable, or choosing not to, access the lake by their own boat
  - Encourage public participation in lake clean-up
  - Promote courteous boat operation
  - Recognize achievements in community service by individuals or groups that benefit Lake Minnetonka.
  - Advance the historical significance of Lake Minnetonka.

Background

Shortly after the LMCD was created by the Legislature, LMCD leadership created Save The Lake Fund as a 501C3 charity funding vehicle that would provide funding for non-regulatory goals and objectives like lake safety, supervision, boater safety training, and other programing.

The Save the Lake Committee meets 6 times per year and has 6-8 members, several from the LMCD Board of Directors and at least 2 members of the public.

Committee Members

- Chairman Dan Baasen, LMCD
- Gregg Thomas, LMCD
- Bill Cook, LMCD
- Denny Newell, LMCD
- Nicole Stone, LMCD
- Gary Hughes, LMCD
- David Gross, Resident
- Sue Schuff, Resident
- Vickie Schleuning, Executive Director

Deliverables

- Annual budget for Save the Lake
- Solicitation of funding from the Lake Community and supporters of the Lake environment
    - Twice annually, May & November
- Proposed use of funds submitted to LMCD Board of Directors as appropriate
- Provide process & recommendations from annual grant requests which support the activities of Lake Minnetonka and LMCD
    - By decree of LMCD Board of Directors in 2008, total grants awarded cannot exceed 25% of Save the Lake Reserves Balance.

Key Stakeholders:

- 14 member cities
- Property owners on and around Lake Minnetonka
- Lake associations
- Lake service providers & other businesses
- Public Agencies such as MN DNR, Hennepin County
- Hennepin County Sheriff's Office Water Patrol

LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS
7:00 P.M., June 12, 2024
Wayzata City Hall

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present: Nicole Stone, Minnetonka; Rich Anderson, Orono; Brian Malo, Greenwood; Matthew Thompson, Wayzata; Ben Brandt, Mound; Dennis Klohs, Minnetonka Beach; Ryan Nellis, Tonka Bay; Denny Newell, Woodland; and Jim Van Bergen, Deephaven. Also present: Joe Langel, LMCD Legal Counsel; Thomas Tully, Manager of Code Enforcement; Maisyn Reardan, Office, and Finance Manager; Raina Gabler, Executive Assistant Code Enforcement and Operations; and Summer Intern Emma Gross.

Members absent: Ann Hoelscher, Victoria; Mike Kirkwood, Minnetrista; Gabriel Jabbour, Spring Park; Mark Kroll, Excelsior; and Deborah Zorn, Shorewood.

People in Audience: Marc Hadaway, Cheryl Hadaway, Tom Lehrke, Colette Lehrke, Shawn Wischmeier, Sgt. Chris Vanheel.

4. APPROVAL OF AGENDA

MOTION: Anderson moved; Newell seconded to approve the agenda as submitted.

VOTE: Motion carried unanimously.

5. CHAIR ANNOUNCEMENTS

A) Emma Gross Introduction

Acting Chair Stone invited Emma Gross to introduce herself.

Emma Gross commented that she is the new Summer Intern and provided details on herself and her educational pursuit.

6. APPROVAL OF MINUTES- 05/22/2024 LMCD Regular Board Meeting

MOTION: Brandt moved; Newell seconded to approve the 05/22/2024 LMCD Regular Board Meeting minutes as submitted.

VOTE: Motion carried unanimously.

7. APPROVAL OF CONSENT AGENDA

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MOTION: Anderson moved; Nellis seconded to approve the consent agenda as presented. Items so approved included: **7A)** Audit of Vouchers (06/01/2024 – 06/15/2024); **7B)** Resolution 267 Accepting Save the Lake Contributions (05/17/2024 – 06/06/2024); **7C)** Findings of Fact – Minnetonka Marina; and **7D)** Findings of Fact – The Caribbean Marina.

VOTE: Motion carried unanimously.

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

There were no public comments.

9. PRESENTATIONS

There were no presentations.

10. PUBLIC HEARING

A) The Cove Homeowners Association

Tully presented a request from The Cove Homeowners Association for a new multiple dock license. He provided background information on the existing conforming structure and license granted in 2017 and reviewed the current site plan. He reviewed the proposed changes to the current findings of fact and order which was approved on April 26, 2017. He stated that there is no additional structure requested and no structure is being reconfigured, noting that everything would remain the same with changes only proposed to the findings of fact to have more allowances. He stated that no public agency comments were received. He stated that calls were received from two members of the public requesting more information. He stated that the applicant has also clarified that this multiple dock license is for the resident of "The Cove HOA" which is a subdivision of the Woodland Cove and is not meant to allow for the entirety of the development to be able to use. He stated that staff recommends approval and reviewed the suggested conditions.

Nellis asked if the application is from the entity of the HOA or people within the neighborhood.

Tully replied that the HOA is the proper applicant.

Stone opened the public hearing at 7:12 p.m.

Jill Sonic, Vice President of HOA, provided clarity on their request which did not appear in the presentation. She explained that 15 residences in the community do not have access to docks and there are only four docks available within the club space for that use. She explained that opening these up as requested would provide more access for members.

Anderson asked if there is electricity on the docks.

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Ms. Sonic replied that they do have electricity.

Anderson referenced condition four and stated that there is already a preexisting electrical system on the dock and therefore it would not be fair to the applicant to ask them to update their electrical system to meet the current standards. He noted that he made the same comment on a case during the last meeting.

Ms. Sonic commented that they are not requesting any changes to the electrical through this request. She stated that for each two docks there is one electric post with two outlets, some of which are unused by users. She stated that all members of the audience are residents of the HOA.

Brandt asked if there is something that changed in the last seven years that would make the electrical system out of compliance.

Anderson commented that he believes that it is up to the State as to whether they would want to place regulations on an existing electrical system and the LMCD should not be taking on that duty with preexisting systems.

Klohs asked if any of the slips are shared by more than one household.

Ms. Sonic replied that they are not. She commented that some households have multiple docks while most households have a singular dock.

Thompson asked for clarification on the first statement made by the applicant related to missing information in the presentation.

Ms. Sonic replied that they have also requested to reassign docks 29-44 and she did not notice that in the presentation.

No additional comments were offered, and the public hearing was closed at 7:38 p.m.

Van Bergen referenced the statement from Anderson related to the electrical system and agreed that if that issue needs to be addressed the State should take care of it. He asked for clarification on the regulation change that occurred.

Tully commented that the Board previously asked that this language be added to variances and multiple dock licenses, so that was done. He confirmed that that language could be removed.

Van Bergen commented that he would agree that the language should be included in new builds but would not seem to make sense in this type of scenario.

Stone agreed that it should not be an undo expense to applicants to bring their system up to code in this type of scenario.

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MOTION: Anderson moved, Brandt seconded to direct LMCD legal counsel to prepare Findings of Fact and Order approving the New Multiple Dock License for The Cove HOA including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, in the City of Minnetrista, for final action at the June 26, 2024 LMCD Board meeting subject to the removal of condition four.

VOTE: Motion carried unanimously.

11. OTHER BUSINESS

A) Adoption of 2025 Budget

Stone commented that nothing has changed since the last review and discussion. She provided a brief overview of the proposed budget highlighting increases, decreases, and changes from the previous year's budget. She stated that if approved tonight, the budget would then be sent to the member cities. She noted that the levy to the member cities would not be increasing from the previous year.

MOTION: Anderson moved; Van Bergen seconded to approve the 2025 budget and direct staff to send to the member cities.

VOTE: Motion carried unanimously.

B) WFH Workgroup Summary – Rental Watercraft

Tully stated that the group met on May 20th and Walesch is currently drafting the proposed changes which will then be presented to LMCD legal counsel for review. He provided a brief summary of the changes which will be proposed.

Newell commented that there appear to be some national websites where people can advertise leased or rented dock space at their home and asked for input on that scenario.

Tully commented that the desire would be to eliminate that option, noting that would potentially be addressed through the port of call as they want to move that away from residences.

Nellis commented that they have already addressed that scenario in another way as well.

Newell asked if there is a position from the legislature on homeowners renting dock space.

Tully commented that they will attempt to incorporate that prohibition of private dock rental space into ordinance.

Stone recognized the amount of work the workgroup has put into this topic. She asked the anticipated next

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step.

Tully commented that they would hope to bring something in front of the Board in July and noted that a public hearing would be held before any formal changes are adopted.

12. OLD BUSINESS

There was no old business.

13. NEW BUSINESS

There was no new business.

14. TREASURER REPORT

No comment.

15. EXECUTIVE DIRECTOR UPDATE/REPORTS

Reardan stated that the boater safety education class was held Monday with 32 people in attendance and 27 people taking the exam. She thanked the volunteers that assisted in making the event a success, recognizing the Soules for making the class engaging.

Anderson recognized a new member of Water Patrol in attendance tonight and the Board thanked him for his service.

16. ADJOURNMENT

MOTION: Brandt moved; Stone seconded to adjourn the meeting at 7:33 p.m.

VOTE: Motion carried unanimously.

_____ _____

Ann Hoelscher, Chair Mike Kirkwood, Secretary

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Lake Minnetonka Conservation District
Check Detail
June 16 - 30, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
06/27/2024	**EFT-24-80**	**Health Partners**	**16962**	**Bridgewater Checking**		
			Dental Insurance July 2024 (Reardan)	4380M10 · Employee Benefits - Admin.	-63.83	Admin.
			Dental Insurance July 2024 (Schleuni...	4380M10 · Employee Benefits - Admin.	-63.83	Admin.
			Dental Insurance July 2024 (Tully)	4380M10 · Employee Benefits - Admin.	-63.83	Admin.
TOTAL					-191.49	
06/27/2024	**EFT-24-81**	**US Bank**	**47985312....9706**	**Bridgewater Checking**		
			May Credit Card Charges	1087M10 · US Bank (Credit Card)	-1,348.75	Admin.
TOTAL					-1,348.75	
06/27/2024	**EFT-24-82**	**WEX Health, Inc. Service Fee**		**Bridgewater Checking**		
			HSA Service Fee	4380M10 · Employee Benefits - Admin.	-8.25	Admin.
TOTAL					-8.25	
06/27/2024	**EFT-24-83**	**P.E.R.A**	**9236-00**	**Bridgewater Checking**		
			Payroll 6/16/24 - 6/30/24	2020 · Payroll Liabilities -	-1,161.96	Admin.
TOTAL					-1,161.96	
06/27/2024	**EFT-24-84**	**ADP**		**Bridgewater Checking**		
			Salaries - Admin	4020M10 · Salaries-002 - Admin	-9,077.66	Admin.
			PERA - Admin	2020 · Payroll Liabilities -	1,161.96	Admin.
			ER PERA - Admin	4022M10 · ER PERA - Admin	-622.48	Admin.
			ER/FICA/Medica - Admin	4021M10 · ER Share of Admin FICA/...	-693.87	Admin.
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	7.66	Admin.
			Brimeyer 6/9/24 - 6/22/24	4024 · Contract Labor	-1,800.00	Admin.
TOTAL					-11,024.39	
06/27/2024	**EFT-24-85**	**ADP Service Fee**		**Bridgewater Checking**		
			Payroll 6/16/24 - 6/30/24	4180M10 · Professional Services - Ad...	-96.86	Admin.
TOTAL					-96.86	

Lake Minnetonka Conservation District
Check Detail
June 16 - 30, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
06/27/2024	**23186**	**Bagy Jo, Inc.**		**Bridgewater Checking**		
06/27/2024	74412		T-Shirts for Boater Safety	4111M10 · Public Service Education-A...	-270.00	Admin.
TOTAL					-270.00	
06/27/2024	**23187**	**ECM Publishers, Inc.**		**Bridgewater Checking**		
06/27/2024	1399473 ...		Waconia Public Hearing Notice	4110M10 · Public Info Legal Fees- Ad...	-70.40	Admin.
			Waconia Public Hearing Notice	4110M10 · Public Info Legal Fees- Ad...	-45.38	Admin.
TOTAL					-115.78	
06/27/2024	**23188**	**Goff Public**		**Bridgewater Checking**		
06/27/2024	19599		Internal Meetings, Client Meetings, S...	4183M10 · Prof/ Serv. - Communicatio...	-1,925.00	Admin.
TOTAL					-1,925.00	
06/27/2024	**23189**	**Innovative Office Solutions LLC**		**Bridgewater Checking**		
06/27/2024	4557226		Post It Notes, Pens	4220M10 · Office Supplies -Admin.	-33.14	Admin.
TOTAL					-33.14	
06/27/2024	**23190**	**LMCC**		**Bridgewater Checking**		
06/27/2024	1600		6/12/24 Board Meeting VOD Services	4182M10 · Media (Cable/Internet) - Ad...	-200.00	Admin.
TOTAL					-200.00	
06/27/2024	**23191**	**Minnesota Trophies & Gifts**		**Bridgewater Checking**		
06/27/2024	36794		Emma Gross Nameplate	4230M10 · Meeting Exp. - Admin.	-27.13	Admin.
TOTAL					-27.13	
06/27/2024	**23192**	**NCPERS Group Life Insurance**		**Bridgewater Checking**		
06/27/2024	92360007...		Life Insurance July 2024 (Reardan)	4380M10 · Employee Benefits - Admin.	-16.00	Admin.
			Life Insurance July 2024 (Tully)	4380M10 · Employee Benefits - Admin.	-16.00	Admin.
TOTAL					-32.00	

Lake Minnetonka Conservation District
Check Detail
June 16 - 30, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
06/27/2024	**23193**	**Premier Materials Technology,...**		**Bridgewater Checking**		
06/27/2024	49190		Solar Lights (10 Red) & Light Freight ...	4535M10 · Public Safety - SolarLights	-2,372.00	Admin.
TOTAL					-2,372.00	
06/27/2024	**23194**	**City of Mound**		**Bridgewater Checking**		
06/27/2024			Rent, July 2024	4320M10 · Office Rent - Admin.	-1,820.16	Admin.
TOTAL					-1,820.16	
06/27/2024	**23195**	**Fred T. Miller Photography & ...**		**Bridgewater Checking**		
06/27/2024	0240408		6/12/24 Board Meeting Video Produc...	4182M10 · Media (Cable/Internet) - Ad...	-300.00	Admin.
TOTAL					-300.00	
06/27/2024	**23196**	**Ratwik, Roszak & Maloney, P.A.**		**Bridgewater Checking**		
06/27/2024	76736		Civil Legal Fees May 2024	4620M10 · Civil Legal Fees - Admin.	-2,974.74	Admin.
TOTAL					-2,974.74	
06/27/2024	**23197**	**Aimee Krebsbach**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23198**	**Alexa Soule**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23199**	**Amber Holm**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	

Lake Minnetonka Conservation District
Check Detail
June 16 - 30, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
06/27/2024	**23200**	**Jacob Kohler**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23201**	**Jamie Geyen**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23202**	**Jason Baker**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-59.90	
06/27/2024	**23203**	**Jason Perron**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23204**	**Jennie Sewell**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-59.90	
06/27/2024	**23205**	**Leslie Wedel**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23206**	**Mark Strauss**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	

Lake Minnetonka Conservation District
Check Detail
June 16 - 30, 2024

Date	Num	Name	Memo	Account	Paid Amount	Class
06/27/2024	**23207**	**Missy McKeever**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	
06/27/2024	**23208**	**Molly Hagen**		**Bridgewater Checking**		
06/27/2024			Boater Safety Reimbursement	4111M10 · Public Service Education-A...	-29.95	Admin.
TOTAL					-29.95	

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

Date	Num	Name	Memo	Account	Paid Amou...	Class
07/11/2024	**EFT-24-87**	**ADP**		**Bridgewater Checking**		
			Salaries - Admin	4020M10 · Salaries-002 - Admin	-9,097.66	Admin.
			PERA - Admin	2020 · Payroll Liabilities -	1,161.96	Admin.
			ER PERA - Admin	4022M10 · ER PERA - Admin	-622.48	Admin.
			ER/FICA/Medica - Admin	4021M10 · ER Share of Admin FICA/...	-695.40	Admin.
			Long Term Disability	2020-LT · Payroll Liabilities - UNUM	7.66	Admin.
			Brimeyer 6/23/24 - 7/6/24	4024 · Contract Labor	-2,320.00	Admin.
				*Uncategorized Expenses	-0.01	
				*Uncategorized Income	0.01	
TOTAL					-11,565.92	
07/11/2024	**EFT-24-88**	**ADP Service Fee**		**Bridgewater Checking**		
			Payroll 7/1/24 - 7/15/24	4180M10 · Professional Services - Ad...	-96.86	Admin.
TOTAL					-96.86	
07/11/2024	**EFT-24-89**	**WEX Health, Inc.**		**Bridgewater Checking**		
			HSA Contribution July 2024 (Gabler)	4380M10 · Employee Benefits - Admin.	-125.00	Admin.
			HSA Contribution July 2024 (Reard...	4380M10 · Employee Benefits - Admin.	-125.00	Admin.
			HSA Contribution July 2024 (Tully)	4380M10 · Employee Benefits - Admin.	-125.00	Admin.
TOTAL					-375.00	
07/11/2024	**EFT-24-90**	**P.E.R.A**	**9236-00**	**Bridgewater Checking**		
			Payroll 7/1/24 - 7/15/24	2020 · Payroll Liabilities -	-1,161.96	Admin.
TOTAL					-1,161.96	
07/11/2024	**EFT-24-91**	**Medica**		**Bridgewater Checking**		
			Health Insurance July 2024 (Reard...	4380M10 · Employee Benefits - Admin.	-781.82	Admin.
			Health Insurance July 2024 (Schle...	4380M10 · Employee Benefits - Admin.	-781.82	Admin.
			Health Insurance July 2024 (Tully)	4380M10 · Employee Benefits - Admin.	-781.82	Admin.
TOTAL					-2,345.46	

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

Date	Num	Name	Memo	Account	Paid Amou...	Class
07/11/2024	**EFT-24-92**	**Unum Life Insurance**	**0510159**	**Bridgewater Checking**		
			Long Term Disability, July 2024 (R...	2020-LT · Payroll Liabilities - UNUM	-7.13	Admin.
			Long Term Disability, July 2024 (T...	2020-LT · Payroll Liabilities - UNUM	-8.20	Admin.
TOTAL					-15.33	
07/11/2024	**23209**	**AIS Advanced Imagin...**		**Bridgewater Checking**		
07/11/2024	532400025		Copier Contract 06/20/2024 - 7/20/...	4140M10 · Office Equipment R&M - A...	-463.15	Admin.
TOTAL					-463.15	
07/11/2024	**23210**	**ECM Publishers, Inc.**		**Bridgewater Checking**		
07/11/2024	1004537 ...		Detor Dock Length Variance Public...	4110M10 · Public Info Legal Fees- Ad...	-70.40	Admin.
			Detor Dock Length Variance Public...	4110M10 · Public Info Legal Fees- Ad...	-45.38	Admin.
TOTAL					-115.78	
07/11/2024	**23211**	**TimeSaver Off Site S...**		**Bridgewater Checking**		
07/11/2024	29292		6/12/2024 Board Meeting Minutes	4230M10 · Meeting Exp. - Admin.	-167.00	Admin.
TOTAL					-167.00	
07/11/2024	**23212**	**United States Treasury**	**41-0954466**	**Bridgewater Checking**		
07/11/2024	720-V		PICORI 2024 Unpaid Tax	4380M10 · Employee Benefits - Admin.	-8.32	Admin.
TOTAL					-8.32	
07/11/2024	**23213**	**Your Computer Hero**		**Bridgewater Checking**		
07/11/2024	8650		Computer Maintenance, June 2024	4181M10 · Professional Comp. Serv.-...	-679.90	Admin.
TOTAL					-679.90	
07/11/2024	**23214**	**Gregerson, Rosnow, ...**		**Bridgewater Checking**		
07/11/2024	50883		Prosecution Costs, June 2024	4640M10 · Prosecution Legal Fees - A...	-2,692.48	Admin.
TOTAL					-2,692.48	

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

Date	Num	Name	Memo	Account	Paid Amou...	Class
07/11/2024	**23215**	**Goff Public**		**Bridgewater Checking**		
07/11/2024	19673		Client Meeting, Reporting	4183M10 · Prof/ Serv. - Communicatio...	-330.00	Admin.
TOTAL					-330.00	

RESOLUTION 268

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

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

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

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

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

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

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

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

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

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

DRAFT

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

Adopted by the Board on this 10th day of July.

ATTEST:

_____
Ann Hoelscher, Chair

_____
Michael Kirkwood, Secretary

DRAFT

Item 7B Attachment

Lake Minnetonka Conservation District
Transaction Detail By Account
June 7 through July 3, 2024
Resolution 268 Accepting STL Contributions

Type	Date	Num	Name	Memo	Class	Split	Amount
Deposit	06/12/2024	456080	Airborne Charitable Fund	STL Donation General	STL	Bridgewater Checking	300.00
Deposit	06/12/2024	PayPal	Katherine Elsen	STL Donation General (100.00)	STL	Bridgewater Checking	96.62
Deposit	06/17/2024	PayPal	Gerald Walsh	STL Donation General (25.00)	STL	Bridgewater Checking	23.79
Deposit	07/01/2024	0172070	Annette and Kenneth Kaiser	STL Donation General	STL	Bridgewater Checking	250.00
Deposit	07/03/2024	PayPal	Robert Johnson	STL Donation (5.00)	STL	Bridgewater Checking	4.37
						TOTAL	**674.78**

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

DATE: July 10, 2024 (Prepared July 2, 2024)

TO: LMCD Board of Directors

FROM: Thomas Tully, Manager of Code Enforcement

CC: Jim Brimeyer, Interim Executive Director

SUBJECT: Multiple Dock License Amend the Findings of Fact and Order and New Multiple Dock License from The Cove Homeowners Association (formerly Woodland Cove HOA)

ACTION

Board approval of Findings of Fact and Order for a New Multiple Dock License for the The Cove Homeowners Association located along the Western shore of Halsted

BACKGROUND

The LMCD held a public hearing on June 12, 2024 on Board consideration of request for an amendment to The Findings of Fact and Order and subsequent New Multiple Dock License for of The Cove Homeowners Association conforming multiple dock structure, located at including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, Minnetrista, with shoreline on Halsted Bay.

On June 12, 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, Licenses, Applications, Surface Water Management	☐ Operational Effectiveness	☐ Lake Use, Safety	☒ Lake Protection	☐ Other

ATTACHMENT

1. Findings of Fact and Order
2. Board Memo of June 12, 2024 without attachments
3. Proposed Site Plan

Item 7C Attachment

Type: Outlot Association
New Multiple Dock License
Amend Findings of Fact

Date: June 12, 2024

LAKE MINNETONKA CONSERVATION DISTRICT
HENNEPIN COUNTY, MINNESOTA

IN RE:

Application of The Cove Homeowners Association for a Multiple Dock License for Property Located on Halstead Bay in the City of Minnetrista

FINDINGS OF FACT AND ORDER

The Lake Minnetonka Conservation District ("LMCD") received an application from The Cove Homeowners Association (the "Applicant") for a new multiple dock license for its properties located within Outlot X and Y, Woodland Cove and Outlots A and J and Lots 1-11, Block 3, Woodland Cove Lake Addition, running north to south along Woodland Cove Parkway on Halstead Bay in the City of Minnetrista. (collectively, the "Subject Property").

The LMCD Board of Directors ("Board") first considered and issued a multiple dock license for the Subject Property in 2011 and again in 2017. The Applicant has since proposed changes to its current multiple dock license to include the allowance for the boat storage units (BSUs) numbered 29-44 (currently assigned in pairs or triples) to be assigned as singles to specific single-family homes by the Cove HOA. Additionally the Applicant has increased the allowance to reassign annually up to 25 BSUs located within BSU 68-117, which necessitates an update to and reissuance of its multiple dock license. All other multiple dock license requirements from the previous Findings of Fact and Order would carry forward to the new license

The Applicant is seeking a new multiple dock license that would conform to the previous 2017 license with some restriction changes. The Board provided the Applicant and the general public an opportunity to be heard at the public hearing on June 12, 2024, and now, based on its proceedings and the record of this matter, hereby makes the following Findings of Fact and Order:

FINDINGS OF FACT

1. The Applicant was previously granted a multiple dock license, as well as specific length variances to allow for 117 Boat Storage Units ("BSUs"), dated March 9, 2017, which the approved site plan is carried forward and is attached hereto as Exhibit B ("Site Plan").

2. At the time of application, the Subject Property is described to be located within Outlot A, Outlot J, Lots 1-11, Bock 3; Outlot X; and Outlot Y, running north to south along Woodland Cove Parkway on Halstead Bay in the City of Minnetrista.

3. The Board held a hearing on the Applicant's request on April 12, 2017, on the proposed changes to the development including a reconfiguration to change the orientation and placement of the docks on the Subject Property.

4. The Applicant has not requested an increase in the number of BSUs.

5. Under Section 2.03, subdivision 7, the reconfiguration of a dock and BSUs as is being proposed requires the Applicant to seek a new multiple dock license.

6. Section 2.03 of the LMCD Code authorizes the LMCD to issue a new multiple dock license.

7. Additional background material and description of the proposed changes is included in the LMCD staff report dated June 12, 2024, which is incorporated herein by reference.

8. The Board finds the requested changes comply with the requirements of the LMCD Code and that the issuance of the requested new multiple dock license is appropriate with certain conditions.

ORDER

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

1. That the application of The Cove Homeowners Association for a new multiple dock license to accommodate the proposed changes to the development including a reconfigured dock structure and orientation and placement of the docks on the Subject Property under the provisions of the Lake Minnetonka Conservation District Code of Ordinances ("LMCD Code") is hereby approved subject to the following conditions:

    a. The facility shall be constructed and used for storage of no more than 117 restricted watercraft in accordance with the dock plan attached hereto as Exhibit B (site plan dated 4/21/17).

    b. The Applicant shall submit an as-built survey showing construction of docks for all BSUs not located within the peninsula area within three months after completion. Docks must be constructed at peninsula lots designated on Exhibit B with the defined flexible dock use area. Docks must be constructed within the established dock use area permitted under the LMCD Code as if it were for a single family residential lot. Dock use areas for Lots 5 and 6 are specified in paragraph "j." below.

c. All canopies at docks at the Subject Property shall be of a uniform, solid, dark-green color.

d. No restricted watercraft may be stored along the shoreline of the Subject Property or launched from or retrieved to the Subject Property.

e. No watercraft may be stored at any of the docks of the Subject Property or on the shoreline of the Subject Property except at BSUs designated on Exhibit B or as one of the four authorized restricted watercraft in each of the peninsula lots that is authorized to construct docks within a flexible dock use area under this Order. Docks located within the peninsula cannot be greater than 40 feet x 16 feet. Lifts, slides, cranes, davits or other similar devices along the shoreline are prohibited, except where associated with an approved BSU.

f. The slip length of all slips at the Subject Property shall be in accordance with the table attached with Exhibit B . Slip lengths shall be measured along the centerline of the slip from the front of the slip, along the centerline, to a line perpendicular to the end of the shortest side of the slip (or dolphin pole if the slip has no side).

g. Length overall ("LOA") of all watercraft stored at this site shall be no longer than four feet beyond the BSU, measured as described above. For purposes of this Order, length overall means the horizontal measurement from the foremost to the aftermost part of the watercraft including bowsprits, swim platforms, and all other equipment or appurtenances in operating position.

h. Easements shall be recorded against riparian properties that are sufficient to provide access to slips, across private property, for all persons who are entitled to access to the slip.

i. The homeowners association must have, and continuously maintain, exclusive dockage rights to all shoreline of the Subject Property.

j. The variances granted under the Original License for docks adjacent to peninsula lots designated as Lots 5 and 6 on Exhibit B shall continue under this license. The flexible dock use area ("DUA") within which docks and watercraft storage must be maintained shall have 20 foot side setbacks, measured from the side site lines of the individual lot to which it is adjacent. The length for the DUA at lot 5 shall be determined by drawing a line from the point along the west setback line that lies 214.7 feet from the shoreline to a point along the east setback line that lies 202.1 feet from the shoreline. The length for the DUA at lot 6 shall be determined by drawing a line from the point along the west setback line that lies 194.3 feet from the shoreline to a point along the east setback line that lies 254.4 feet from the shoreline. The variances are to be filed with the County Recorder's Office.

k. All watercraft docked at docks adjacent to the peninsula lots designated on Exhibit B as Lots 1 through 7 may only be used for storage of watercraft that are owned by and

registered to persons who live in the one single family residential structure on the lot to which the flexible dock use area is adjacent.

l. Watercraft storage at the 66 BSUs shall be available only to owners of specified single family lots or units in the Applicants development and watercraft must be owned by and registered to persons who live in that residential unit. Before occupying any of these BSUs with a watercraft, the licensee shall notify the LMCD, in writing, of the lot or unit to which the BSU is reserved. The BSUs to which this restriction applies are as follows: within BSUs 29-44 and 68-117.

m. Twenty BSUs must be specified in pairs and three BSUs specified as a triple set for use by a specified single family residential lot or unit. The pairs of BSUs to which this restriction applies are: BSUs 45-67 with BSUs 53, 54, and 55 as the designated triple.

Watercraft stored at these BSUs must be owned by and registered to residents of the lot or unit specified for that pair or triple set of BSUs unless that resident allows the use of the slip or slips to a directly adjacent resident. Before occupying any of these BSUs with watercraft, the licensee shall notify the LMCD of the lot or unit to which the pair or triple BSU is reserved.

n. During the development of the licensee's project, the single family residential lot or unit for which each BSU or pair of BSUs is specified (excluding the 28 BSUs adjacent to the peninsula lots) may be changed each year by giving written notice to the District at the time of the licensee's annual license renewal application.
At the time of making application for the first annual license in which all BSUs (other than the 28 BSUs adjacent to the peninsula lots) have their associated lot or unit specified or the license application for 2032, whichever is earlier, the licensee shall specify a lot or unit to which each BSU, pair, or triple set of BSUs is associated. After such date and in each subsequent license years, the Applicant may change the specified lot or unit for up to 25 BSUs within BSUs 29-44 and 68-117. Further, the residents outlined in paragraph “m” above may continue to allow the use of a slip or slips directly to an adjacent resident.

o. Access to and egress from the channel shall be a channel marked by buoys placed by, and at the expense of, the licensee. The licensee shall maintain any permits required by the Hennepin County Sheriff’s Water Patrol. The design and location of such buoy shall remain as approved by the Executive Director attached hereto as Exhibit D and shall be consistent in design and materials with other navigation buoys on the Lake. Buoys shall be placed by the licensee and maintained each year throughout the boating season. The buoys shall not be used to restrict use or access by the public or suggest that use or access is restricted.

p. A length variance is granted for construction of a dock on the south shoreline (BSUs 110-117) and watercraft storage up to a length of 200 feet from the shoreline as needed to protect vegetation in accordance with Exhibit B. All watercraft within these BSUs are to be no greater in length overall ("LOA") of the slips' measurement as defined in Condition "g" above.

q. The licensee shall provide copies of restrictive covenants, declarations or other such documents, that demonstrate to the satisfaction of the District's legal counsel: 1) that all dockage rights along the shoreline of the Subject Property is under the exclusive control of the licensee and 2) that all purchasers of property in The Cove Homeowners Association are put on notice that the construction and maintenance of docks in a specific location or configuration or providing boat storage for any given number of boats at the Subject Property is not guaranteed but is under the continuing regulatory authority of the LMCD and other governmental units with appropriate jurisdiction.

r. The Applicant must confirm final plat is recorded with LMCD Executive Director (Director) prior to construction of adjacent BSUs. The Director may administratively update the Findings of Fact and Order with the final plat names. At the time of application the location is described as within Outlot A; Outlot J; Lots 2-11, Bock 3; Outlot X; and Outlot Y, running north to south along Woodland Cove Parkway on Halstead Bay in the City of Minnetrista.

2. The LMCD staff is hereby authorized and directed to issue the approved new multiple dock license for the Subject Property and to take such other actions as may be needed to ensure compliance with this Order and the requirements of the LMCD Code.

BY ORDER OF THE BOARD OF DIRECTORS of the Lake Minnetonka Conservation District this 10th day of July, 2024.

_____
Ann Hoelscher, Chair

ATTEST:

_____
Mike Kirkwood, Secretary

Item 10A

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

DATE: June 12, 2024 (Prepared May 29, 2024)

TO: LMCD Board of Directors

FROM: Raina Gabler, Executive Assistant for Code Enforcement & Operations

THROUGH: Jim Brimeyer, Interim Executive Director

SUBJECT: Application to Amend the Findings of Fact and Order and New Multiple Dock License from The Cove Homeowners Association (formerly Woodland Cove HOA)

ACTION

Board consideration of request for an amendment to The Findings of Fact and Order and subsequent New Multiple Dock License for of The Cove Homeowners Association conforming multiple dock structure, located at including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, Minnetrista, with shoreline on Halsted Bay, and board consideration of public input as part of the public hearing process.

The following motions are offered depending on whether the Board wished 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 New Multiple Dock License for The Cove HOA including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, in the City of Minnetrista,for final action at the June 26, 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 multiple dock license for The Cove HOA for including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, in the City of Minnetrista for final action at the June 26, 2024, LMCD Board Meeting based on…

APPLICATION SUMMARY & BACKGROUND

The applicant Heidi Corradi on behalf of The Cove HOA submitted an application for a New Multiple Dock license including Outlot A; Outlot J; Lots 2-11, Block 3; Outlot X; and Outlot Y, north to south along Woodland Cove Parkway, in the City of Minnetrista. The Applicants property has approximately 8,816 feet of 929.4ft shoreline.

In summary, the applicant proposes the following changes to the Current Findings of Fact and order which was approved by the LMCD Board on April 26, 2017:

- A change for the dock structure boat storage units (BSUs) numbered 29-44 which are assigned in pairs or triples to specific single-family homes. These homes border the northern most of the Site's shoreline. These homes were assigned the paired BSUs due to the sheltered nature of the sites northern most shoreline, which was deemed to have a protected native species at the time of development. This proposal would allow for the 16 BSUs numbered 29-44 to be separated and assigned seasonally or permanently to other single-family homes within the Cove HOA.
- The Site has two dock structures located along the Southern most side of the shoreline, BSU's numbered 68-117. These BSUs are allowed to be reassigned annually but are limited to a maximum of 20 BSU reassignments a year. The applicant is proposing to increase the total number of BSUs allowed to be reassigned within this section seasonally from 20 to 25.
- Maintain existing variances on the site
- No structure would be added or relocated
- No BSU size would increase

PUBLIC COMMENTS

In compliance with MN DNR General Permit 97-6098, the MN DNR, MCWD, and the City of Minnetrista were provided information regarding the application on May 31, 2024. City and agency comments are due by June 10, 2024. Comments received as of June 6, 2024 are summarized below. Any comments received after June 6, 2024 will be provided at the Board Meeting for review.

- No comments received.

No comments have been received from the general public. Written comments received after noon on June 6, 2024, will be shared at the June 12, 2024 Board Meeting.

- Two phone inquiries from members of the public requesting more information regarding the potential changes

- One clarification note from the Applicant stating that this Multiple Dock License is for the residents of "The Cove HOA" which is a sub-division of the Woodland Cove. This application is not meant to allow for the entirety of the development to be able to use. It is intended only for members of the Sub-HOA and the 89 units incorporated in it.

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.

A hearing notice was published in the June 6, 2024 edition of the Sun Sailor (official LMCD newspaper) and the June 1, 2024 edition of the Laker Pioneer. On May 31, 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 the information available at the time of this report, LMCD staff recommends approval with the minimum conditions listed below. The recommendation may change based on information reviewed or presented as part of the public hearing process.

1. Carry forward applicable conditions from previous Findings of Fact & Order (e.g., "no parking" signs on eastern dock, fence/barrier on eastern dock, appropriate lighting, etc.)
2. Allow for the change to assign boat storage units (BSUs) numbered 29-44 (currently assigned in pairs or triples) to be assigned as singles to specific single-family homes by the Cove HOA.
3. Ensure all Federal, State, County, and Municipal regulations are followed.
4. Any electricity associated with the dock structure must be in compliance with both MN State and US Federal Regulations (46 U.S. Code § 4312 – Engine cut-off switches)
5. Standard variance conditions are applied.

BUDGET

N/A

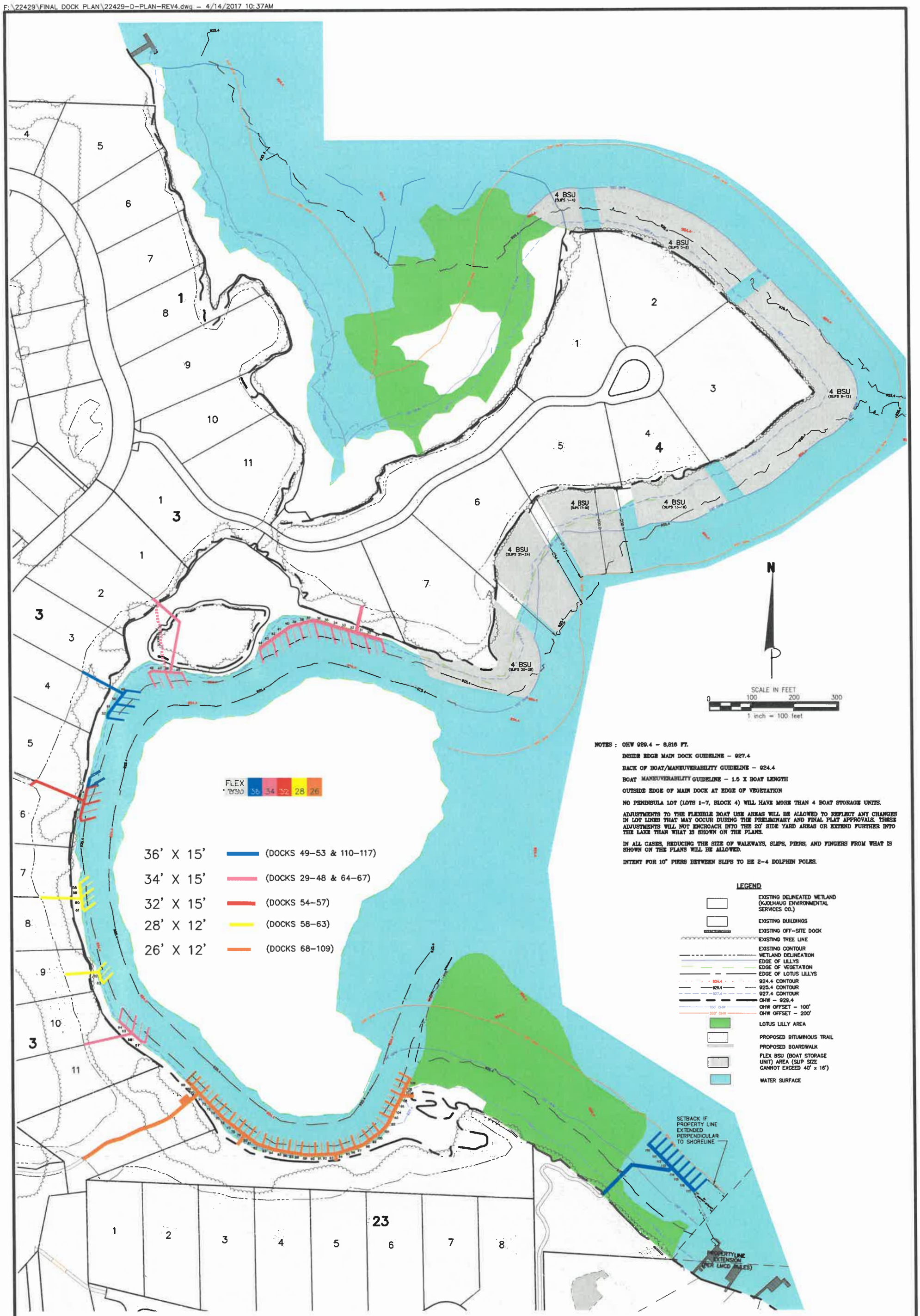
STRATEGIC PRIORITIES

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

ATTACHMENT

1. Location Map
2. Current Site Plan
3. Proposed Site Plan
4. Application Narrative (as submitted by Applicant)
5. Multiple Dock License Application
6. Public Hearing Notice (Sun Sailor & Laker Pioneer)
7. Public Hearing Notice Mailing

F:\22429\FINAL DOCK PLAN\22429-D-PLAN-REV4.dwg - 4/14/2017 10:37AM



NOTES : OHW 929.4 – 6,616 FT.

INSIDE EDGE MAIN DOCK GUIDELINE – 927.4

BACK OF BOAT/MANEUVERABILITY GUIDELINE – 924.4

BOAT MANEUVERABILITY GUIDELINE – 1.5 X BOAT LENGTH

OUTSIDE EDGE OF MAIN DOCK AT EDGE OF VEGETATION

NO PENINSULA LOT (LOTS 1-7, BLOCK 4) WILL HAVE MORE THAN 4 BOAT STORAGE UNITS.

ADJUSTMENTS TO THE FLEXIBLE BOAT USE AREAS WILL BE ALLOWED TO REFLECT ANY CHANGES IN LOT LINES THAT MAY OCCUR DURING THE PRELIMINARY AND FINAL PLAT APPROVALS. THESE ADJUSTMENTS WILL NOT ENCROACH INTO THE 20' SIDE YARD AREAS OR EXTEND FURTHER INTO THE LAKE THAN WHAT IS SHOWN ON THE PLANS.

IN ALL CASES, REDUCING THE SIZE OF WALKWAYS, SLIPS, PIERS, AND FINGERS FROM WHAT IS SHOWN ON THE PLANS WILL BE ALLOWED.

INTENT FOR 10" PIERS BETWEEN SLIPS TO BE 2-4 DOLPHIN POLES.

LEGEND

- EXISTING DELINEATED WETLAND (KJOLHAUG ENVIRONMENTAL SERVICES CO.)
- EXISTING BUILDINGS
- EXISTING OFF-SITE DOCK
- EXISTING TREE LINE
- EXISTING CONTOUR
- WETLAND DELINEATION
- EDGE OF LILLYS
- EDGE OF VEGETATION
- EDGE OF LOTUS LILLYS
- 924.4 CONTOUR
- 925.4 CONTOUR
- 927.4 CONTOUR
- OHW – 929.4
- OHW OFFSET – 100'
- OHW OFFSET – 200'
- LOTUS LILLY AREA
- PROPOSED BITUMINOUS TRAIL
- PROPOSED BOARDWALK
- FLEX BSU (BOAT STORAGE UNIT) AREA (SLIP SIZE CANNOT EXCEED 40' x 16')
- WATER SURFACE

DRAWN BY C.JK

DATE 10/1/10

REVISIONS

12/6/10 REV. PER CLIENT
12/7/10 REV. PER CLIENT
1/3/11 REV. PER CLIENT
1/18/11 REV. PER CLIENT
2/14/11 REV. PER CLIENT
7/17/14 REV. PER CLIENT
10/1/14 REV. PER CLIENT
10/29/14 REV. PER CLIENT
11/18/14 REV. PER CLIENT
1/28/15 REV. PER CLIENT
2/23/17 REV. PER CLIENT
4/11/17 REV. PER CLIENT
4/14/17 REV. PER CLIENT

CAD FILE 22429-D-PLAN

PROJECT NO. 22429

3.1

THE COVE HOMEOWNERS ASSOCIATION-FORMERLY WOODLAND CO VE

LMCD MULTIPLE DOCK REALLOCATION/MODIFICATION

MINNETRISTA, MINNESOTA

CITY OF MINNETRISTA, MULTIPLE DOCK LICENSE, RENEWAL WITH CHANGE FOR

THE COVE HOMEOWNERS ASSOCIATION

301 CARSON P. ARKWAY., SUITE 1.00, MINNETONKA, MN 55305

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

KURT QUAINTANCE

Date: 10/1/10 Reg.No. 24676

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2500 W. Cty. Rd. 42, Suite 120, Burnsville, MN 55337
PHONE: (952)890-6044 FAX: (952)890-6244

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

DATE: July 10, 2024 (Prepared July 1, 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, 1065 Ferndale Road West, Wayzata, MN, 55391, Browns Bay

ACTION

Board consideration of a variance for an adjusted dock use area and length allowance for 1065 Ferndale Road West on Browns Bay in the City of Wayzata (PID 02-117-23-43-0021) 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 Lucas Detor for the property located at 1065 Ferndale Road West in for final approval at the July 24, 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 Lucas Detor for the property located at 1065 Ferndale Road West in Shorewood for a final vote at the July 24, 2024, LMCD Board meeting based on…

APPLICATION SUMMARY

The applicant, Lucas Detor ("Applicant") has submitted a variance application to adjust the dock use area and allowed length of the dock structure for 1065 Ferndale Road West in Wayzata; ("Site"). The Applicant's parcel has approximately 180 feet of 929.4 feet OHW shoreline. The variance application was submitted in an effort to resolve the issue of water depth located at the site due to abnormal site conditions.

Site Background

The Applicants current dock does not meet the standard LMCD Code requirements. A dock has existed at this location for many years, with some reconfiguration to allow for access to more navigable waters. The Applicant's parcel has approximately 180 feet of 929.4 feet OHW

shoreline. The site is located on the north side of Browns Bay on what appears to be a large sand bar. This variance would allow for the Applicant to extend the dock structure at the site to a length of 164 feet to reach a water depth of approximately 3.72 feet, the Applicants proposal would meet all LMCD setbacks.

The Applicant proposes to install a dock structure with one (1) Boat Storage Unit (BSU). The BSU is 16 feet wide by 40 feet in length. The walkways of the dock structure measure 3.5 feet wide. The platform at the southern end of the dock structure is 5 feet wide by 16 feet in length. The applicant is proposing this dock as a non-permanent dock.

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. Additionally, there is a 15-foot setback for dock structure extending into the lake 50 to 100 feet, and a 20-foot setback for dock structure extending 100-200 feet. This dock structure also has a canopy which requires a 20-foot setback regardless of where it is located along the dock structure. Currently the Applicant has encroached upon the dock use area of the neighboring property to the east and will need to meet the standard LMCD setbacks.
The Applicant has chosen to come into LMCD setback compliance in addition to asking for a variance to reach a more navigable depth.

Water depths were provided by the Applicant for review, and were confirmed by LMCD Staff. The applicant is requesting this variance due to issues with water depth. At 100 feet from the 929.4 OWHL the water depth for the site is approximately 2.71 feet. At 164 feet the average water depth for the property would be roughly 3.72 at the end of the preposed dock structure.

The length limitations prescribed by the LMCD Code may be adjusted to allow the construction and maintenance of a dock in the Lake to a water depth of five feet, measured from 929.4 NGVD, at the outer end of such dock to provide adequate water depth for navigation and to protect the environmental quality or natural habitat of the water adjacent to the dock. The applicants proposal would be within this limitation

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 Wayzata, and the general public were provided information regarding the application on June 26, 2024. City and agency comments were due by July 7, 2024. Comments received as of July 1, 2024, are summarized below. Any comments received after July 7, 2024, will be provided at the Board meeting for review.

- There have been no agency comments regarding the application.

As of July 1, comments received by LMCD staff from the general public are summarized below:

- There have been no general public comments regarding the application.

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 the June 27, 2024, edition of the Sun Sailor (official newspaper) and the June 22, 2024, edition of the Laker Pioneer. On June 26, 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

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. Ensure all watercrafts (1) are contained within the BSU located at the site.
2. For the Western side setbacks, maintain a minimum 20 foot-setback from shore as it extends into the lake as indicated on the site plan.
3. For the Eastern side setbacks, maintain a minimum 20 foot setback from the end of the dock structure located at the site.
4. The length of the dock structure and storage should be no longer than the proposed 164 feet from the 929.4 feet OHW since water levels would be sufficient during normal OHW.
5. Allow up to one (1) BSUs for the Site, and up to 4 watercraft for the site granted

these watercrafts are for personal use, owned by the Applicant, and meeting standard LMCD Code.

6. Ensure that the end of the dock structure is equipped with reflectorized material so as to ensure public safety.
7. Provide an updated site plan with final configuration and measurements as approved by the Board.
8. Apply standard variance conditions reflecting environmental, nuisances, maintenance, etc.
9. Any electricity associated with the dock structure must be in compliance with both MN State and US Federal Regulations (46 U.S. Code § 4312 - Engine cut-off switches)

BUDGET

N/A

STRATEGIC PRIORITIES

☐	Operational Effectiveness	☐	Clear & Timely Communications	☐	Effective Governance	X	Lake Protection	☐	Other

ATTACHMENTS

1. LMCD Code Excerpts
2. Aerial Imagery of Site
3. Proposed Site Plan
4. Basic Site Overlay
5. Variance Application & Submitted Documents
6. Public Hearing Notice (Sun Sailor and Laker Pioneer)
7. Public Hearing Notice Mailing
8. LMCD 60 Day Extension

Application for Variance at, 1065 Ferndale Road
West, Wayzata
July 10, 2024

LMCD Code Excerpts

Section 2-3.03. Determination of Authorized Dock Use Area.

Subd. 1. Generally. The dimensions of an authorized dock use area for sites bordering the Lake are determined in accordance with this Section. The authorized dock use area shall be measured from the point which forms the shoreline when the Lake is at elevation 929.4, National Geodetic Vertical Datum of 1929 ("NGVD"). The authorized dock use area includes the area on, under, and over the surface of the Lake.

Subd. 2. Length. The length of the authorized dock use area is measured on a line parallel to the site side lines as extended into the Lake and is limited as provided in this subdivision.

(a) General Limit. The length of an authorized dock use area extends into the Lake a distance equal to the length of shoreline frontage of the site as measured at right angles to the side site lines as extended into the Lake. The total length of the authorized dock use area shall not extend beyond 100 feet, even if the site has more than 100 feet of shoreline frontage, unless otherwise specifically provided in this Section.

(b) Commercial Structures – August 30, 1978. The authorized dock use area for sites with commercial uses that have a commercial structure that was in existence on August 30, 1978 shall extend into the Lake a distance of 200 feet. The lakeward extension of the authorized dock use area more than 100 feet from the shoreline shall be limited to the distance from shore of the docks in existence on said date and that portion of said docks more than 100 feet from the shoreline may not be altered or expanded.

(c) Qualified Commercial Uses. The authorized dock use area for qualified commercial marinas, qualified sailing school, and qualified yacht clubs extends into the Lake a distance of 200 feet.

(d) Existing Site – February 5, 1970. The authorized dock use area for a site in existence on February 5, 1970 shall be determined as follows:

(1) Over 40 feet of Frontage. If the site has a Lake frontage of 40 feet or more, but less than 60 feet, the authorized dock use area extends into the Lake a distance of 60 feet.

(2) Under 40 feet of Frontage. If the site has a Lake frontage of less than 40 feet, the authorized dock use area extends into the Lake to the point necessary to reach a water depth of four feet, measured from 929.4 NGVD, except that no such dock shall be located or extended more than 60 feet into the Lake. Side setbacks requirements shall be observed unless the Board issues a setback variance under Section 6-5.01.

(e) Public Safety Docks. The authorized dock use area for dock facilities owned and operated by state agencies, Hennepin County, the LMCD, or municipalities bordering on the Lake and used exclusively for law enforcement, public safety, or LMCD purposes extends into the Lake a distance of 125 feet.

Subd. 3. Width. The width of an authorized dock use area is determined in accordance with the provisions of this subdivision.

(a) Setbacks. The width of an authorized dock use area is limited by the following setbacks, which are measured from the side site lines as extended in the Lake:

For that portion of the length of the authorized dock use area which extends from the shore:	The setback from the side site line as extended in the Lake shall be:
Zero to 50 feet	10 feet
50 to 100 feet	15 feet
100 to 200 feet	20 feet

Where boat slips open toward a side site line, the setback provided shall be at least equal to the slip depth, but shall not be less than 20 feet.

(b) Setbacks Doubled. Setbacks shall be doubled for all multiple docks or mooring areas and commercial single docks on each side where such structures are not located adjacent to another multiple dock, mooring area, or commercial single docks.

(1) Exception – May 3, 1978. Multiple docks, mooring areas, and commercial single docks in existence on May 3, 1978 shall be considered nonconforming structures and shall not be subject to setback doubling if such structures are not expanded. The reconfiguration of the structure pursuant to Article 2, Chapter 8 shall not be considered an expansion.

(c) Sites with 50 feet of Width or Less – February 2, 1970. For a site in existence on February 2, 1970 with a width of 50 feet or less, the authorized dock use are may be expanded to a side setback limitation of five feet, provided that such setback in no way impair access to neighboring docks.

(d) Canopies. Canopies must be setback from side site lines a minimum distance of 20 feet.

Section 6-5.01. Variances.

Subd. 1. Authorized. Where practical difficulties occur or where necessary to provide access to persons with disabilities, the Board may permit a variance from the requirements of this Code or may require a variance from what is otherwise permitted by this Code, provided that such variance with whatever conditions are deemed necessary by the Board, does not adversely affect the purposes of this Code, the public health, safety, and welfare, and reasonable access to or use of the Lake by the public or riparian owners. Except as otherwise provided in this Code, all

variances granted by the LMCD shall be governed by the provisions of this Section.

Subd. 2. Unusual Configurations. Where the provisions of this Code would cause the authorized dock use area of two or more sites to overlap, or where there is any other unusual configuration of shoreline or extended lot lines, which causes a conflict between the owners of two or more adjacent or nearby sites as the use of the same area of the Lake for docks, mooring areas or other structures or for reasonable access thereto, the owner of any of the affected sites may apply to the Board for a variance. A variance may be to permit the Applicant to locate a dock, mooring area, or other structure in a location different from that permitted by this Code or to permit or require the owner of any adjacent or nearby site to do so.

Subd. 3. Length Variances. The length limitations prescribed by this Code may be adjusted to allow the construction and maintenance of a dock in the Lake to a water depth of five feet, measured from 929.4 NGVD, at the outer end of such dock to provide adequate water depth for navigation and to protect the environmental quality or natural habitat of the water adjacent to the dock.

Subd. 6. Criteria. The Board may grant a variance from the literal provisions of this Code in instances where the property owner can show practical difficulties exist by virtue of circumstances which are unique to the individual property or properties under consideration or to provide access to persons with disabilities. The Board may only grant a variance if the property owner is able to demonstrate that granting the variance will be in keeping with the spirit and intent of this Code, the plight of the property owner is due to circumstances unique to the property that were not created by the property owner, the proposed use is reasonable under the circumstances, and the variance, if granted, would not alter the essential character of the area. No variance may be granted to allow a use that is not permitted under this Code. The Board may impose conditions in the granting of variances to ensure compliance and to protect other riparian owners and users of the Lake. No variance for access for persons with disabilities shall be granted which allows or provides for the storage of a greater number of watercraft than otherwise would be permitted under this Code.

Variance Application For Adjusted Dock Length

Property: 1065 Ferndale Road West, Wayzata 55391

For Illustrative Purposes Only. Source: Hennepin County Interactive Property Map, 6/26/2024

Variance Application For Adjusted Dock Length

Property: 1065 Ferndale Road West, Wayzata 55391

For Illustrative Purposes Only. Source: Hennepin County Interactive Property Map, 6/26/2024

CERTIFICATE OF SURVEY FOR
LUCAS DETOR
OF TRACT A, R.L.S. NO. 1372
HENNEPIN COUNTY, MINNESOTA

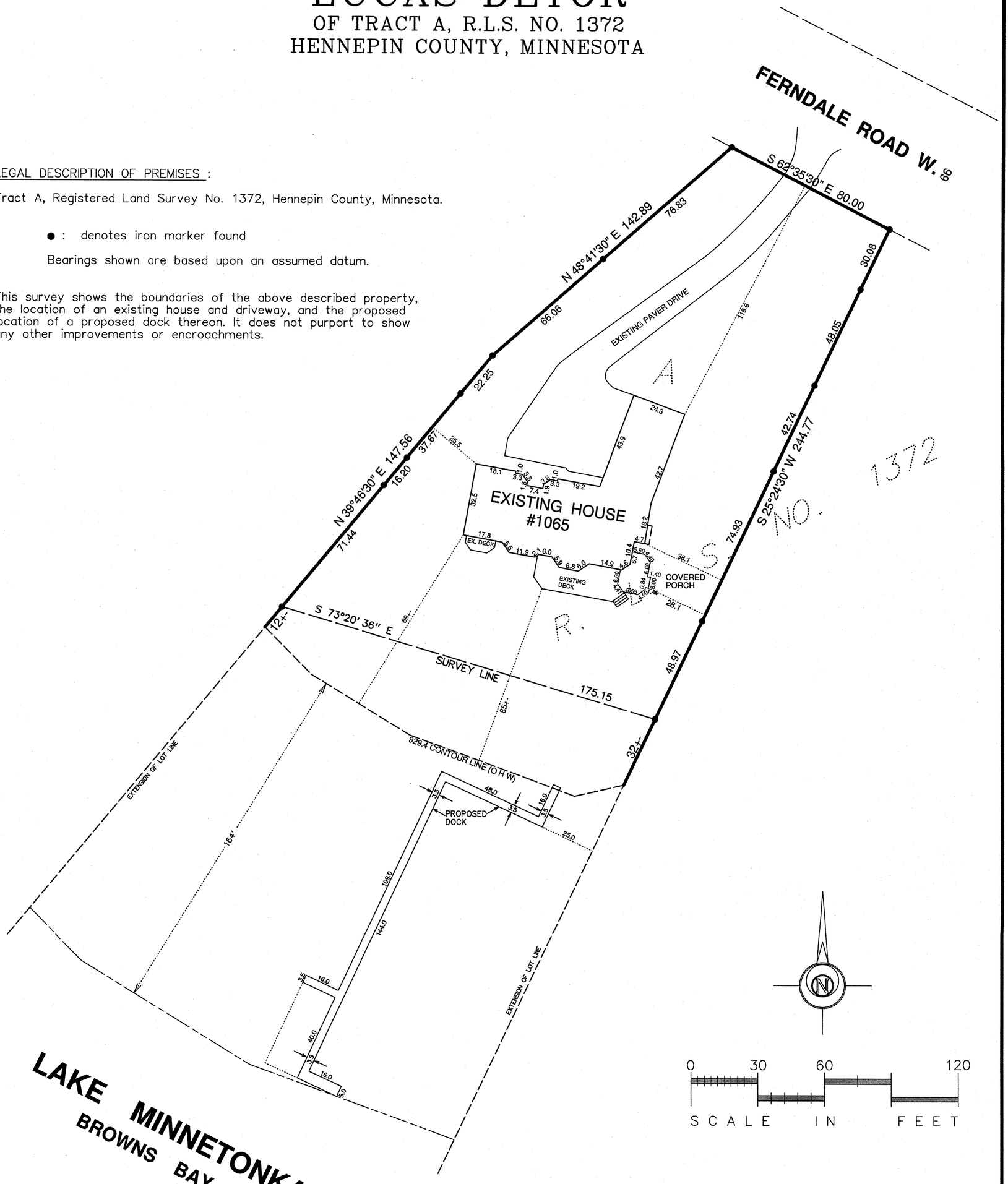
LEGAL DESCRIPTION OF PREMISES :

Tract A, Registered Land Survey No. 1372, Hennepin County, Minnesota.

● : denotes iron marker found

Bearings shown are based upon an assumed datum.

This survey shows the boundaries of the above described property, the location of an existing house and driveway, and the proposed location of a proposed dock thereon. It does not purport to show any other improvements or encroachments.



DATE	DESCRIPTION
12-8-17	DECKS, PORCH ADDED
4-22-24	PROPOSED DOCK ADDED

GRONBERG AND ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS, & SITE PLANNERS
445 NORTH WILLOW DRIVE
LONG LAKE, MN. 55356
952-473-4141

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mark S. Gronberg

Mark S. Gronberg Minnesota License Number 12755

SCALE 1"=30'

DATE 11-14-17

JOB NO. 24-104

VARIANCE APPLICATION

LAKE MINNETONKA CONSERVATION DISTRICT

RECEIVED
MAY 15 2024
By

For LMCD use:
Fee Amount: $2250.00 Check # 5274 Date Received:

1. CONTACT INFORMATION

Applicant: Lucas K. Detor Title (Owner, Authorized Agent, etc.): Owner

Address: 1065 Ferndale Rd West

City, State, Zip: Wayzata, MN 55391

Phone: +1-516-350-2551 Email: Lucas.detor@gmail.com

Property Owner (if different from applicant):

Relationship to Property Owner:

Address:

City, State, Zip:

Phone: Email:

2. PROPERTY INFORMATION

Site Address: 1065 Ferndale Rd W. Wayzata, MN 55391

Abutting Lakeshore Property Owners (Name and Mailing Address)

North or West: (1095 Ferndale Rd W) Willam and Kathleen Wanner. 1204 Chestnut Ave. Minneapolis MN 55403

South or East: (1055 Ferndale Rd W) CLSC LLC. 8547 E Arapahoe Rd Unit #J366 Greenwood Village, Co 80112

Other affected parties:

3. PROPOSED VARIANCE

Type of Variance: Length of the dock from the shore.

State practical difficulties causing the variance to be required: The water level at our dock is too low to get a a boat into our dock area. The water in our dock area is 24" and gets even lower at the end of the summer. I am requesting to extend our dock by 44' for a total length of '144 from the shore. This would allow us to get 32" of water in our slip.

4. ATTACHMENTS

Documents listed below are required; check that they are attached:

- [X] Locator Map
- [X] County Plat Map
- [X] Certified Land Survey, Legal Description
- [X] Proposed facility site plan
- [X] Existing facility site plan
- [X] Scaled drawing of docks on abutting properties and other affected dockage
- [X] Names & mailing addresses of owners within a 350-foot radius of the property. (See note below.)

***Names & Mailing Addresses: The LMCD provides notice of a public hearing, which is published and mailed to owners within 350 feet of the subject property. The applicant is required to obtain mailing labels from Hennepin County for property owners within a 350-foot radius of the site. Labels are now available online by visiting https://gis.hennepin.us/locatenotify/default.asp. Set the buffer distance to 350 feet and print the "mail list," which includes both taxpayer and resident information.

Absence of requested data may result in a processing delay or the application may be deemed incomplete.

5. FEES

Application Fee (Non-refundable)	$750.00
Deposit (Remaining funds refundable, upon full compliance with the Code and extent of administrative, inspection and legal service required.)	$1500.00
TOTAL FEE ENCLOSED (This fee is for processing of the application and does not entitle the applicant to a variance.)	**$2250.00**

I certify that the information provided herein and the attachments hereto are true and correct; I understand that any variance granted may be revoked by the District for violation of the LMCD code. I agree to reimburse the District for any legal, surveying, engineering, inspection, maintenance or other expenses incurred by the District in excess of the amount of the application fee. I consent to permitting officers and agents of the District to enter the premises at reasonable times to investigate and to determine whether or not the Code of the District is being complied with.

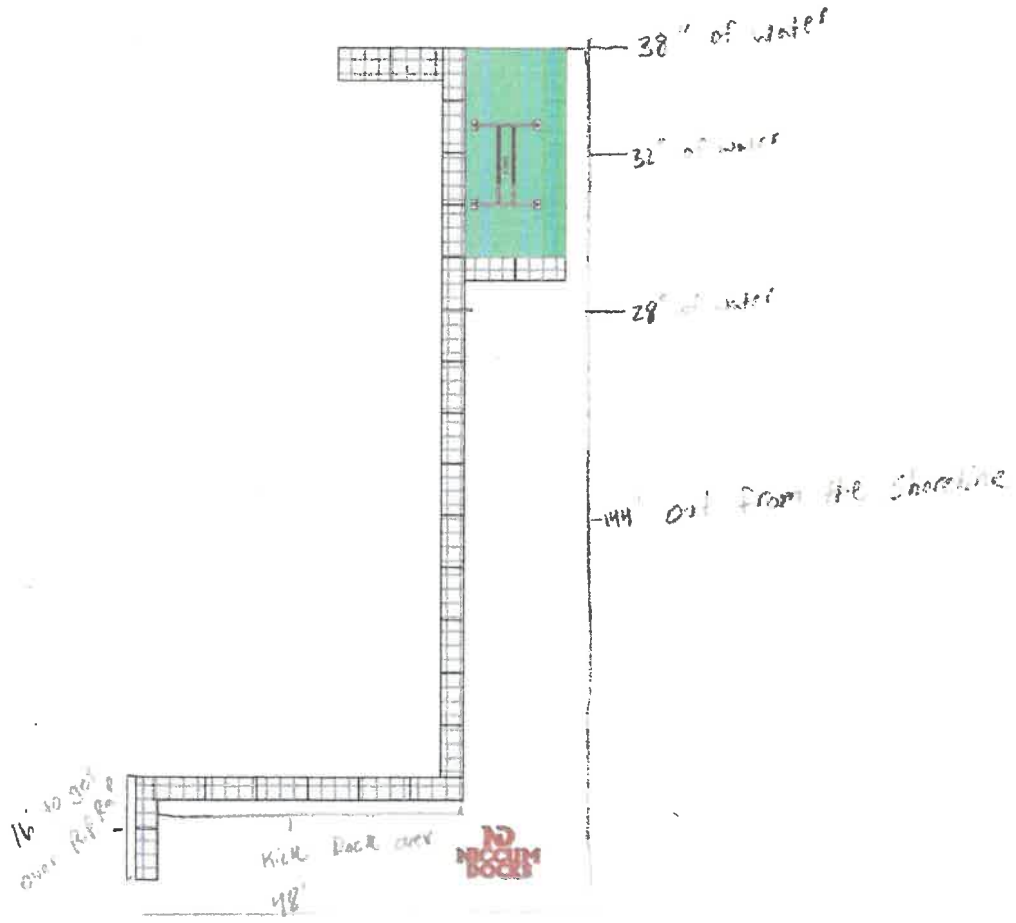
I agree to submit a certified, as-built survey upon completion of the docks.

Applicant's Signature:

Name	Title	Date
	Mr.	4/6/24

Return to:
Lake Minnetonka Conservation District
5341 Maywood Road, Suite 200
Mound, MN 55364

Proposed Site Plan from Niccum Docks

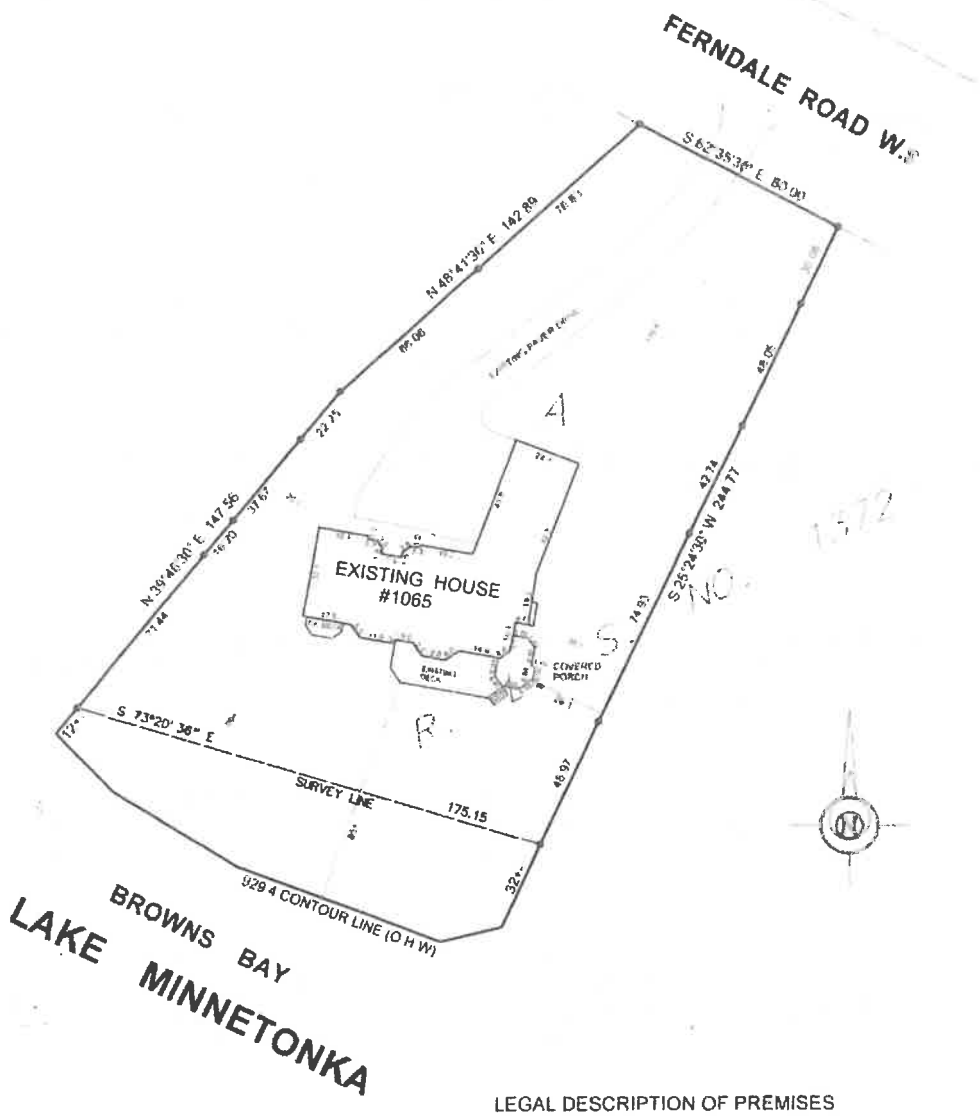


Locator Map

Google Maps

Certified land Survey

CERTIFICATE OF SURVEY FOR
REVISION, LLC
OF TRACT A, R.L.S. NO. 1372
HENNEPIN COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES

Tract A, Registered Land Survey No. 1372. Hennepin County Minnesota

This survey shows the boundaries of the above described property and the location of an existing house and driveway thereon It does not purport to show any other improvements or encroachments

- Iron marker found

Bearings shown are based upon an assumed datum

0 30 60 120

SCALE IN FEET

REVISION	DATE	DESCRIPTION
	12-4-17	DECKS PORCH ADDED

GRONBERG & ASSOCIATES, INC.
CONSULTING ENGINEERS LAND SURVEYORS
SITE PLANNERS
446 N WILLOW DR LONG LAKE MN 55356
952-473-4141

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota

DATE 12-1-17 MN LICENSE NUMBER

SCALE 1"=50'
DATE 11 14 17
JOB NO. 17-438

PLAT MAP

APPROX ORIGINAL
SHORE LINE ACCORD
TO RECORD PLAT
R L S
NO 902
KE MINNETONKA
(BROWN'S BAY)
APPROX WEST
NORTH S RE
ACCORD TO
100 ft
©2024 Hennepin County — All Rights Reserved

PLAT MAP

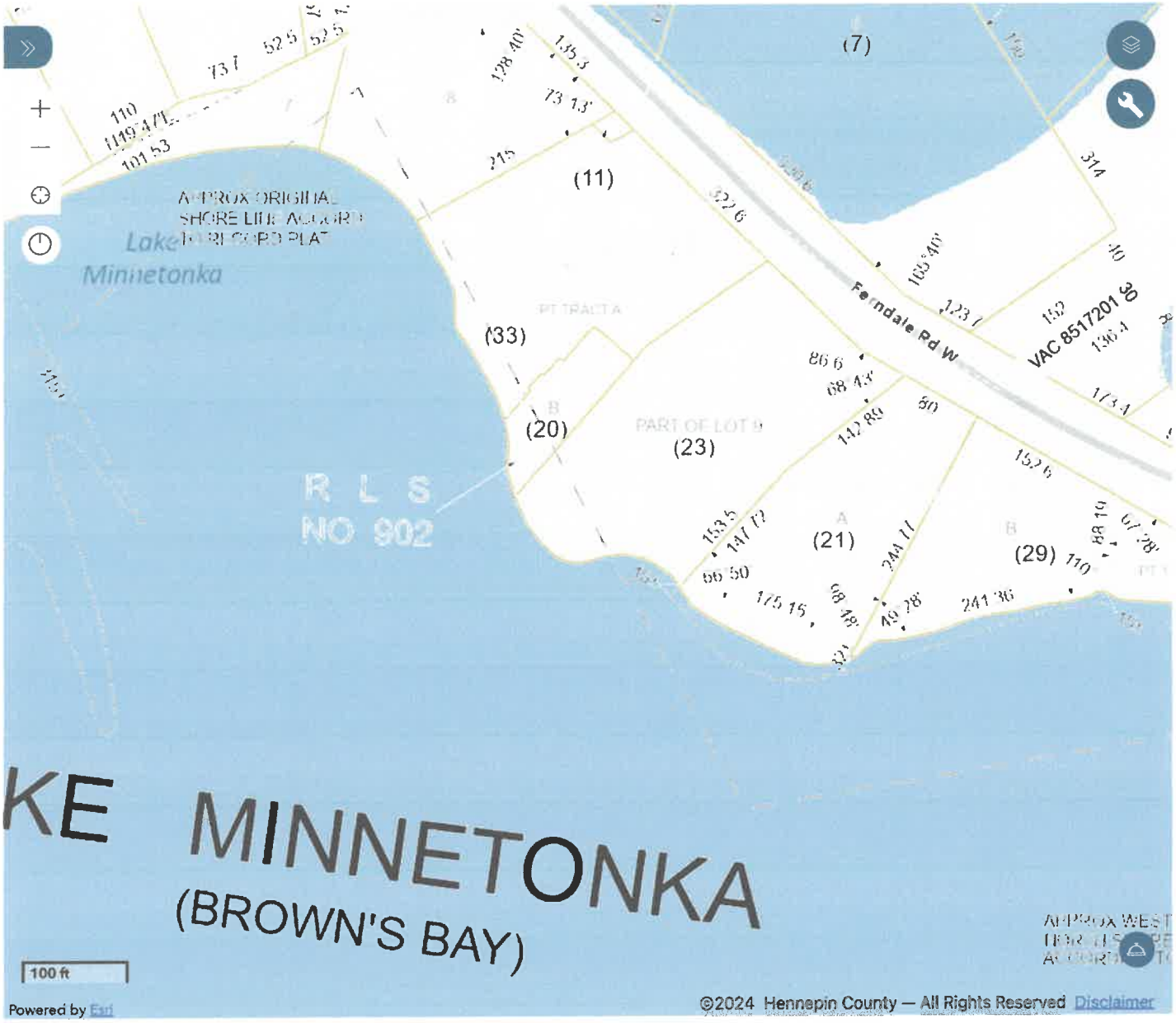
Search by Address or PID help

1065 Ferndale Road West, C

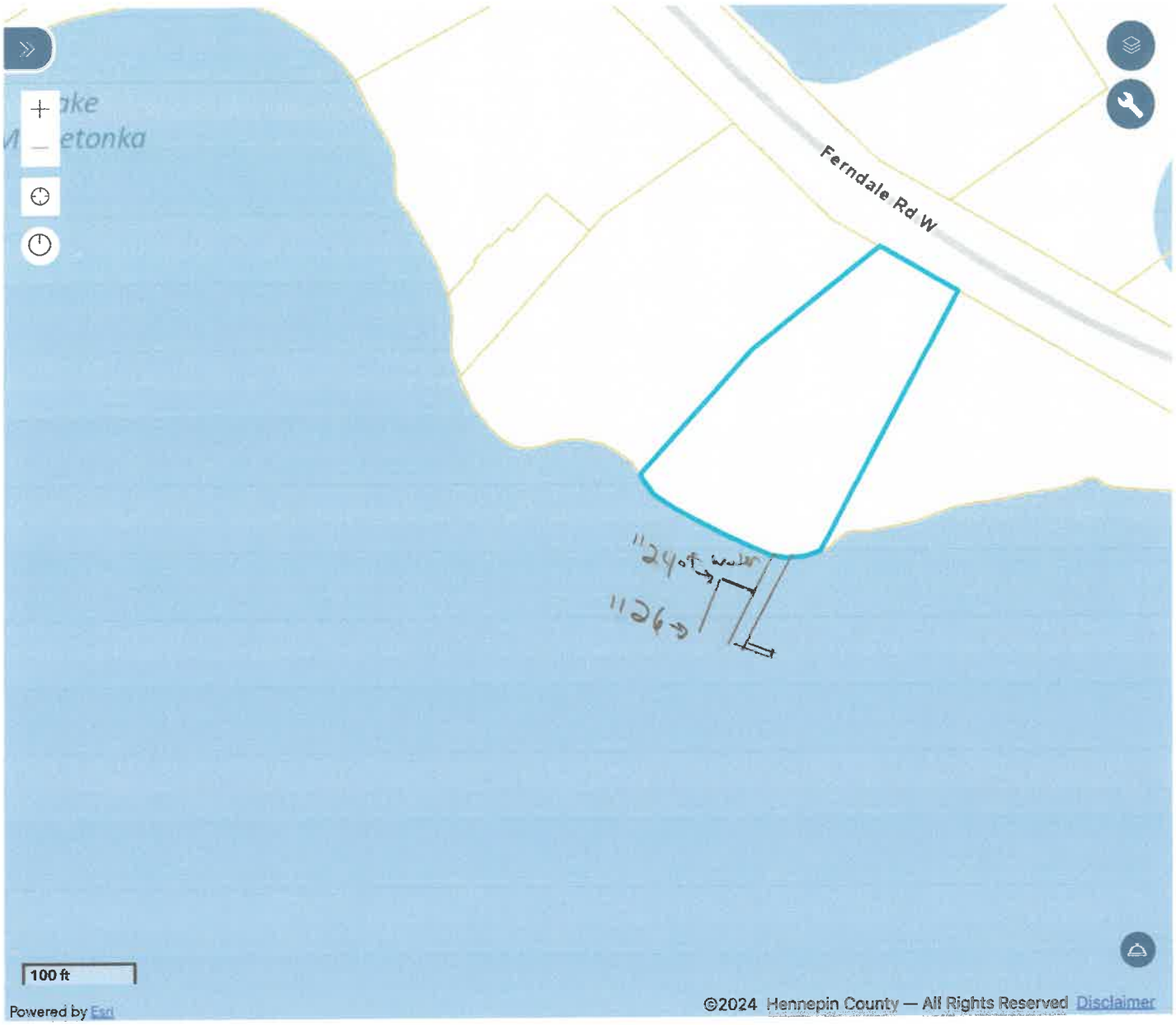
Results Prop

PID	0211723430021
Address	1065 Ferndale Rd W, Orono, MN 55391
Owner	Lucas Detor/Elizabet Detor
Taxpayer	LUCAS DETOI ELIZABETH DETOR 1065 FERNDALE RD W WAYZATA MN 55391
Parcel Area	0.88 acres 38,267 sq ft
Torrens/Abstract	Torrens
Addition	Reg. Land Survey No. 1372
Lot	

PLAT MAP

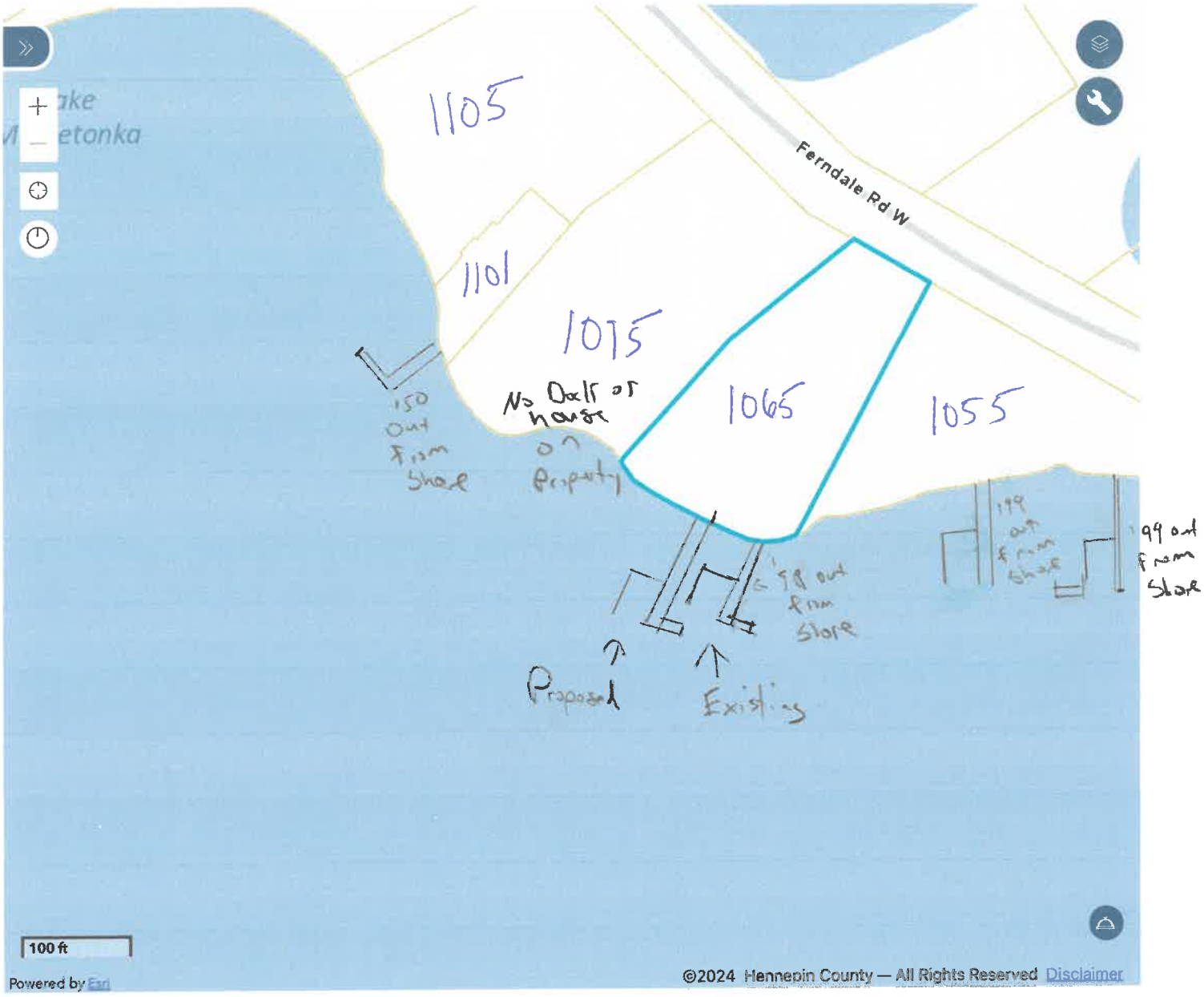

(7)
(11)
(33)
(20)
(23)
(21)
(29)
Ferndale Rd W
VAC 8517201 38
APPROX ORIGINAL SHORE LITE ACCORD
RECORDED PLAT
Lake Minnetonka
R L S NO 902
KE MINNETONKA
(BROWN'S BAY)
100 ft
Powered by Esri
©2024 Hennepin County — All Rights Reserved Disclaimer

Existing Site Plan



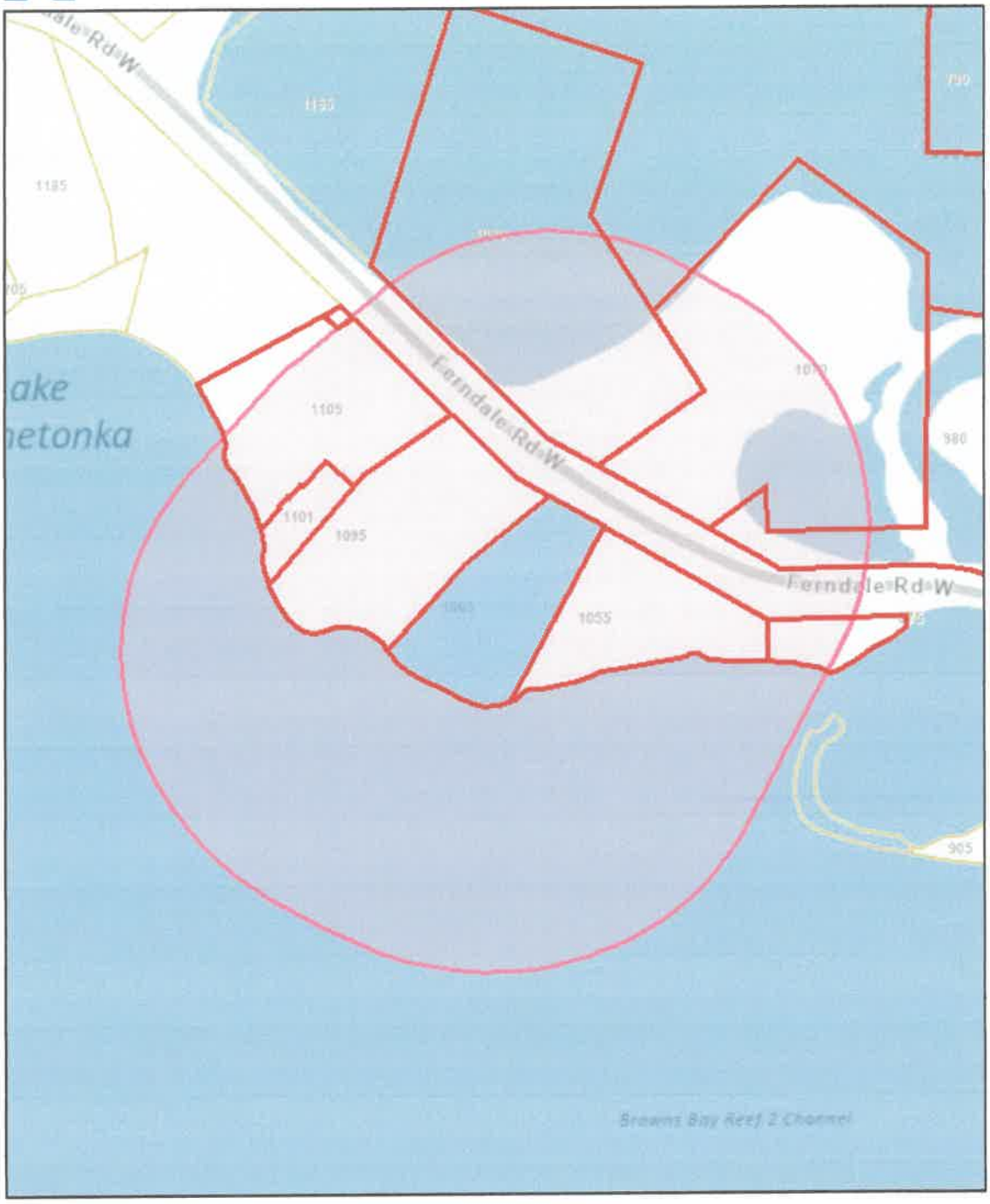
Existing Site Plan

Abutting Docks to sale



Hennepin County Locate & Notify Map

Date: 4/6/2024



Buffer Size: 350

Map Comments:

0 50 100 200 Feet

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (ii) is notsuitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us

Locate + Notify Mailing Label

38 02-117-23 43 0007
GRIFFIN ALEXANDER DOOLING
3542 LOWELL ST
DEEPHAVEN MN 55391

38 02-117-23 43 0011
GRIFFIN ALEXANDER DOOLING
3542 LOWELL ST
DEEPHAVEN MN 55391

38 02-117-23 43 0020
NAME UNAVAILABLE
1101 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0021
LUCAS DETOR
ELIZABETH DETOR
1065 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0023
WILLIAM F WANNER JR
KATHLEEN A WANNER
1204 CHESTNUT AVE
MINNEAPOLIS MN 55403

38 02-117-23 43 0029
CLSC LLC
8547 E ARAPAHOE RD
UNIT # J366
GREENWOOD VILLAGE CO 80112

38 02-117-23 43 0031
DEAN & LAURA GESME
1070 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0033
CHARLES L TRUWIT
PAULA J PICARD
1105 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 44 0028
NATURE CONSERVANCY
1101 RIVER PKWY W STE 200
MINNEAPOLIS MN 55415

38 02-117-23 44 0029
EDWARD FEIWEN WANG
980 FERNDALE RD W
WAYZATA MN 55391

Locate + Notify List Run

38 02-117-23 43 0007
GRIFFIN ALEXANDER DOOLING
1080 FERNDALE RD W
ORONO MN 55391
GRIFFIN ALEXANDER DOOLING
3542 LOWELL ST
DEEPHAVEN MN 55391

38 02-117-23 43 0011
GRIFFIN ALEXANDER DOOLING
38 ADDRESS UNASSIGNED
ORONO MN 00000
GRIFFIN ALEXANDER DOOLING
3542 LOWELL ST
DEEPHAVEN MN 55391

38 02-117-23 43 0020
NAME UNAVAILABLE
1101 FERNDALE RD W
ORONO MN 55391
NAME UNAVAILABLE
1101 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0021
LUCAS DETOR/ELIZABETH DETOR
1065 FERNDALE RD W
ORONO MN 55391
LUCAS DETOR
ELIZABETH DETOR
1065 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0023
WILLIAM F/KATHLEEN A WANNER
1095 FERNDALE RD W
ORONO MN 55391
WILLIAM F WANNER JR
KATHLEEN A WANNER
1204 CHESTNUT AVE
MINNEAPOLIS MN 55403

38 02-117-23 43 0029
CLSC LLC
1055 FERNDALE RD W
ORONO MN 55391
CLSC LLC
8547 E ARAPAHOE RD
UNIT # J366
GREENWOOD VILLAGE CO 80112

38 02-117-23 43 0031
THE LAURA E GESME TRUST
1070 FERNDALE RD W
ORONO MN 55391
DEAN & LAURA GESME
1070 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 43 0033
CHARLES LOEB TRUWIT REV TR
1105 FERNDALE RD W
ORONO MN 55391
CHARLES L TRUWIT
PAULA J PICARD
1105 FERNDALE RD W
WAYZATA MN 55391

38 02-117-23 44 0028
THE NATURE CONSERVANCY
38 ADDRESS UNASSIGNED
ORONO MN 00000
NATURE CONSERVANCY
1101 RIVER PKWY W STE 200
MINNEAPOLIS MN 55415

38 02-117-23 44 0029
EDWARD FEIWEN WANG
980 FERNDALE RD W
ORONO MN 55391
EDWARD FEIWEN WANG
980 FERNDALE RD W
WAYZATA MN 55391

Hennepin County has developed electronic forms of certain property information databases. Hennepin County makes reasonable efforts to produce and publish the most current property information available. The viewer should understand, however, that Hennepin County makes no representation or warranties, either express or implied, or as to merchantability or fitness for a particular purpose regarding the accuracy and/or completeness of the information contained herein.

LAKE MINNETONKA CONSERVATION DISTRICT
PUBLIC HEARING NOTICE
7:00 PM, JULY 10, 2024

LUCAS DETOR
1065 FERNDALE ROAD WEST, WAYZATA, MN 55391
BROWN'S BAY, LAKE MINNETONKA

The Lake Minnetonka Conservation District (LMCD) will hold a public hearing to consider a variance application from Lucas Detor for 1065 Ferndale Road West, Wayzata to adjust the allowed length of a residential single dock. The applicant proposes to install a dock structure that would extend out from the OHW shoreline up to 144 feet. No adjustments are being proposed to the Applicants dock use area, or side setbacks. All interested persons will be given an opportunity to comment. Details are available at the LMCD Office, 5341 Maywood Road, Suite 200, Mound, MN 55364 or by calling (952) 745-0789.

The meeting will be held at Wayzata City Hall, 600 Rice Street E, Wayzata, MN 55391. Information about meeting location and meeting logistics will be available on the LMCD website, www.lmcd.org. Details are available at the LMCD Office, 5341 Maywood Road, Suite 200, Mound, MN 55364 or by calling (952) 745-0789

Published in the
Sun Sailor
June 27, 2024
1403411

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

DATE: June 27, 2024

TO: Property Owner

FROM: Raina Gabler, Executive Assistant for Code Enforcement and Operations

CC: Thomas Tully, Manager of Code Enforcement

SUBJECT: Public Hearing Notice- Variance 1065 Ferndale Road West, Wayzata 55391

You are receiving this notice since Hennepin County property records indicate you own or reside upon property within 350 feet of a site being considered for a variance for a dock length extension & adjusted dock use area. The Lake Minnetonka Conservation District (LMCD) will hold a public hearing to consider the variance application. The site is located at 1065 Ferndale Road West in Wayzata and has shoreline on Brown's Bay. The applicant is Lucas Detor of 1065 Ferndale Road West, Wayzata MN 55391.

The applicant proposes to adjust the dock length for the site. All interested persons will be given an opportunity to comment. An aerial image and proposed site plan are enclosed for your reference.

Public Hearing Information

A public hearing will be held at 7:00 PM, July 10, 2024. The items detailed above will be reviewed and considered for approval. All interested persons will be given an opportunity to comment. Alternatively, please submit comments in writing to the LMCD (address below) or by emailing staff at lmcd@lmcd.org.

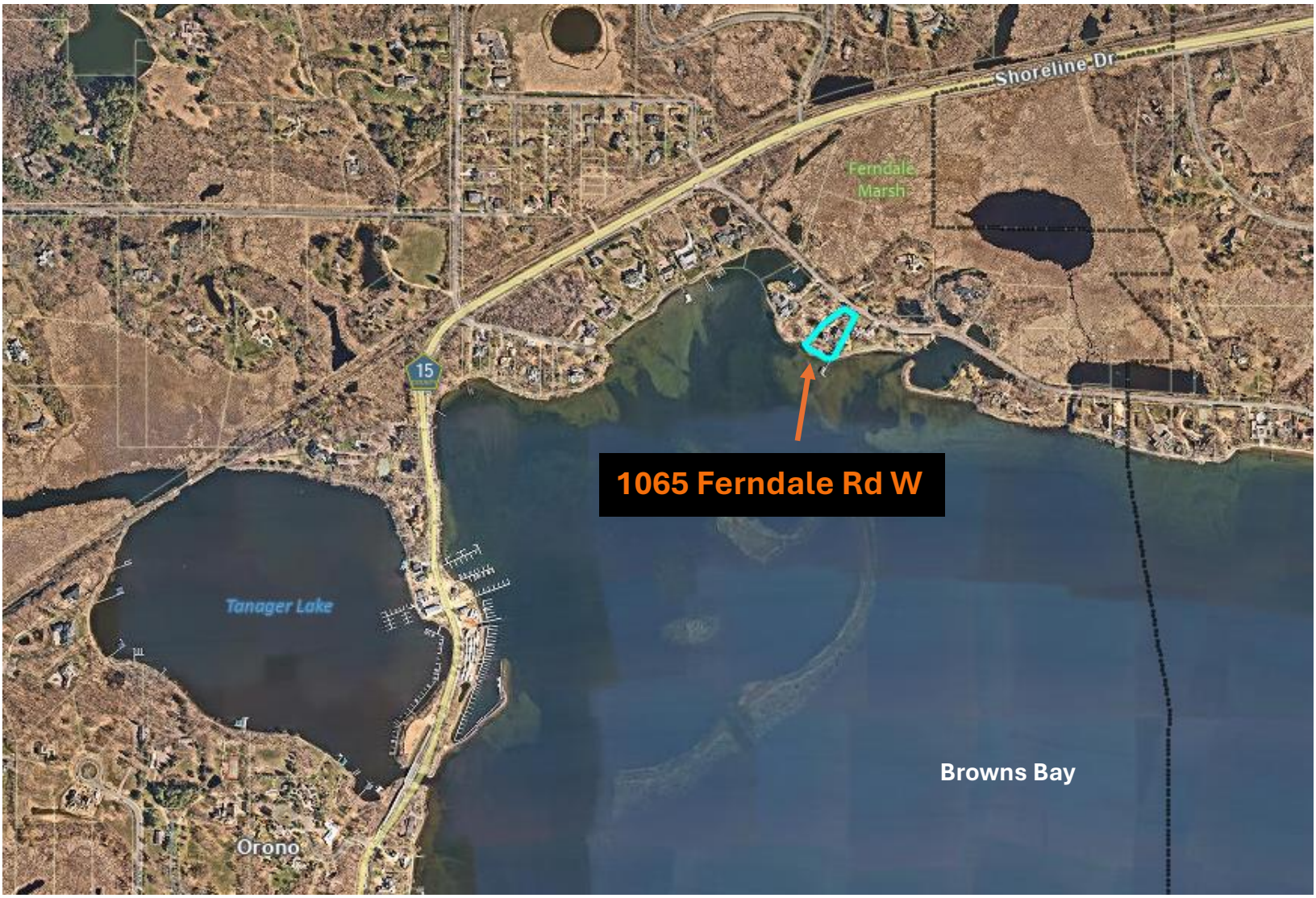
Those desiring to participate in the hearing may also email the Manager of Code Enforcement at ttully@lmcd.org , or to receive more information. The meeting place is Wayzata City Hall, 600 Rice Street, Wayzata, MN 55391. Information about meeting logistics will be available on the LMCD website, www.lmcd.org.

Details are available at the LMCD Office, 5341 Maywood Road, Suite 200, Mound, MN 55364 or by calling (952) 745-0789.

Variance Application For Adjusted Dock Length

Property: 1065 Ferndale Road West, Wayzata 55391

For Illustrative Purposes Only. Source: Hennepin County Interactive Property Map, 6/26/2024



Variance Application For Adjusted Dock Length

Property: 1065 Ferndale Road West, Wayzata 55391

For Illustrative Purposes Only. Source: Hennepin County Interactive Property Map, 6/26/2024

CERTIFICATE OF SURVEY FOR
LUCAS DETOR
OF TRACT A, R.L.S. NO. 1372
HENNEPIN COUNTY, MINNESOTA

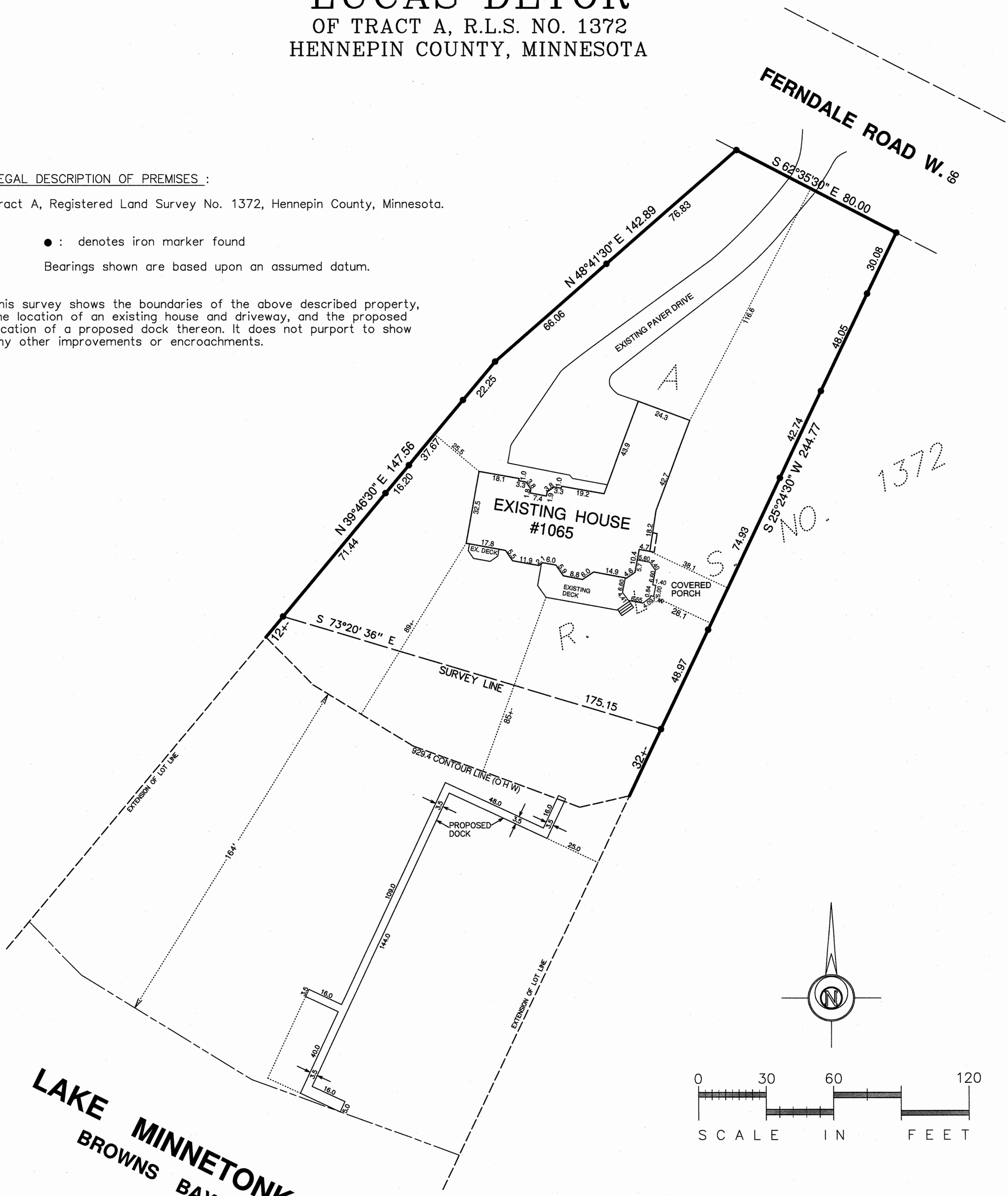
LEGAL DESCRIPTION OF PREMISES :

Tract A, Registered Land Survey No. 1372, Hennepin County, Minnesota.

● : denotes iron marker found

Bearings shown are based upon an assumed datum.

This survey shows the boundaries of the above described property, the location of an existing house and driveway, and the proposed location of a proposed dock thereon. It does not purport to show any other improvements or encroachments.



DATE	DESCRIPTION
12–8–17	DECKS, PORCH ADDED
4–22–24	PROPOSED DOCK ADDED

GRONBERG AND ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS, & SITE PLANNERS
445 NORTH WILLOW DRIVE
LONG LAKE, MN. 55356
952–473–4141

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mark S. Gronberg

Mark S. Gronberg Minnesota License Number 12755

SCALE 1"=30'

DATE 11–14–17

JOB NO. 24–104

Proposed Site Plan Overlay for Adjusted Dock Length

Property: 1065 Ferndale Road West, Wayzata 55391

Fore Illustrative Purposes Only. Source: Hennepin County Interactive Property Map, 6/26/2024

Lake Minnetonka Conservation District
Balance Sheet
As of June 30, 2024

	Jun 30, 24
ASSETS	
Current Assets	
Checking/Savings	
Bridgewater Checking	82,468.20
Bridgewater Savings	
General Fund	473,142.71
STL Fund	95,125.00
Bridgewater Savings - Other	-60,972.36
Total Bridgewater Savings	507,295.35
1010M10 · Petty Cash	38.60
Total Checking/Savings	589,802.15
Accounts Receivable	
1150M10 · Accounts Rec. - Gen	68,062.00
Total Accounts Receivable	68,062.00
Total Current Assets	657,864.15
Fixed Assets	
1640M90 · Fixed Assets	155,233.00
1645M90 · Accumulated Depreciation	-104,822.00
Total Fixed Assets	50,411.00
Other Assets	
1650M90 · Leased Asset	172,361.00
1655M90 · Accumulated Amortization-Lease	-49,859.00
Total Other Assets	122,502.00
TOTAL ASSETS	**830,777.15**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2150M90 · Accrued compensated absenses	-834.00
2151M90 · Current portion of comp absens	2,912.93
2916M90 · Lease Liability - Short Term	26,109.00
Total Other Current Liabilities	28,187.93
Total Current Liabilities	28,187.93
Long Term Liabilities	
2915M90 · Lease Liability - Long Term	100,133.00
Total Long Term Liabilities	100,133.00
Total Liabilities	128,320.93
Equity	
Retained Earnings	802,919.04
2910M10 · Fund Balance - Admin.	48,727.51
2910M20 · Fund Balance - S/L	226,468.17
2910M30 · Fund Balance - EWM	40,088.85
2910M50 · Fund Balance - Equip Repl	79,004.07
2910M90 · Fixed Assets - Conversion Fund	-585,738.00
Net Income	90,986.58
Total Equity	702,456.22
TOTAL LIABILITIES & EQUITY	**830,777.15**

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

	Jan - Jun 24	Budget
Ordinary Income/Expense		
Income		
Grants & Other Income		
3080M10 · Interest - Gen	12,878.42	3,000.00
3260M10 · Code Compliance	11,500.00	50,000.00
3300M10 · Other Income - Admin.	13,293.25	3,000.00
Total Grants & Other Income	37,671.67	56,000.00
Licenses/Permits		
3110M10 · Multiple/Perm. Dock Lic -Admin.	82,608.63	85,000.00
3120M10 · DMA license - Admin.	3,300.00	3,000.00
3130M10 · Deicing License - Admin.	0.00	6,000.00
3170M10 · Variances - Admin.	4,500.00	15,000.00
3240M10 · Charter Boats - Admin.	3,600.00	3,000.00
3280M10 · Liquor/Beer/Wine License-Admin.	22,600.00	19,000.00
Total Licenses/Permits	116,608.63	131,000.00
3020M10 · Municipal Dues - Admin.	191,285.25	255,000.00
3400M10 · Transfers In - Admin.	0.00	125,000.00
Total Income	346,258.05	567,000.00
Gross Profit	346,258.05	567,000.00
Expense		
AIS Grants	0.00	10,000.00
General & Admin Expenses		
4060 · Telephone/Internet	2,291.13	3,700.00
4070M10 · Webpage & Digital	3,780.00	500.00
4090M30 · DMV	43.50	40.00
4340M10 · Insurance - Admin.	5,800.00	6,000.00
4340M30 · Insurance W/C	0.00	0.00
4350M30 · Ins./Equip.	0.00	0.00
4360M10 · Subs/Memberships - Admin.	200.00	2,600.00
Total General & Admin Expenses	12,114.63	12,840.00
Legal		
4110M10 · Public Info Legal Fees- Admin.	1,119.80	2,000.00
4620M10 · Civil Legal Fees - Admin.	15,734.52	27,000.00
4640M10 · Prosecution Legal Fees - Admin.	12,826.31	30,000.00
4641M10 · Other Legal Fees - Admin	0.00	4,000.00
Total Legal	29,680.63	63,000.00
Office, Supplies, Equip		
4080 · Postage	900.94	3,000.00
4100M10 · Printing - Admin.	479.10	2,000.00
4140M10 · Office Equipment R&M - Admin.	2,330.43	8,000.00
4220M10 · Office Supplies -Admin.	2,512.53	2,500.00
4230M10 · Meeting Exp. - Admin.	2,146.39	8,700.00
4320M10 · Office Rent - Admin.	12,741.12	22,000.00
4400M10 · Mileage/Exp's - Admin.	59.70	400.00
4410M10 · Training/Prof. Devel.	30.54	1,000.00
4520M10 · Furniture & Equip - Admin.	0.00	1,000.00
4530M10 · Comp. Sftwr & Hdwr - Admin.	6,613.40	10,000.00
4531M30 · Software & Hardware/Training	0.00	500.00
Total Office, Supplies, Equip	27,814.15	59,100.00

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

	Jan - Jun 24	Budget
Personnel Expenses		
4020M10 · Salaries-002 - Admin	100,891.97	224,000.00
4021M10 · ER Share of Admin FICA/Medicare	7,711.33	19,000.00
4022M10 · ER PERA - Admin	7,469.76	18,000.00
4024 · Contract Labor	26,080.00	55,000.00
4380M10 · Employee Benefits - Admin.	16,682.26	40,000.00
Total Personnel Expenses	158,835.32	356,000.00
Professional Services- ADM		
4040M10 · Auditing - Admin.	15,156.00	10,000.00
4180M10 · Professional Services - Admin.	2,485.56	3,000.00
4181M10 · Professional Comp. Serv.-Admin.	5,035.40	4,000.00
4182M10 · Media (Cable/Internet) - Admin.	4,600.00	9,000.00
4183M10 · Prof/ Serv. - Communications	16,177.54	32,500.00
Total Professional Services- ADM	43,454.50	58,500.00
Public Education & Safety		
4111M10 · Public Service Education-Admin	849.30	3,000.00
4160M10 · Watercraft/Vehicle Maint	223.22	1,000.00
4535M10 · Public Safety - SolarLights	9,272.00	3,560.00
Total Public Education & Safety	10,344.52	7,560.00
Total Expense	282,301.75	567,000.00
Net Ordinary Income	63,956.30	0.00
Net Income	**63,956.30**	**0.00**

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

	$ Over Budget
Ordinary Income/Expense	
Income	
Grants & Other Income	
3080M10 · Interest - Gen	9,878.42
3260M10 · Code Compliance	-38,500.00
3300M10 · Other Income - Admin.	10,293.25
Total Grants & Other Income	-18,328.33
Licenses/Permits	
3110M10 · Multiple/Perm. Dock Lic -Admin.	-2,391.37
3120M10 · DMA license - Admin.	300.00
3130M10 · Deicing License - Admin.	-6,000.00
3170M10 · Variances - Admin.	-10,500.00
3240M10 · Charter Boats - Admin.	600.00
3280M10 · Liquor/Beer/Wine License-Admin.	3,600.00
Total Licenses/Permits	-14,391.37
3020M10 · Municipal Dues - Admin.	-63,714.75
3400M10 · Transfers In - Admin.	-125,000.00
Total Income	-220,741.95
Gross Profit	-220,741.95
Expense	
AIS Grants	-10,000.00
General & Admin Expenses	
4060 · Telephone/Internet	-1,408.87
4070M10 · Webpage & Digital	3,280.00
4090M30 · DMV	3.50
4340M10 · Insurance - Admin.	-200.00
4340M30 · Insurance W/C	0.00
4350M30 · Ins./Equip.	0.00
4360M10 · Subs/Memberships - Admin.	-2,400.00
Total General & Admin Expenses	-725.37
Legal	
4110M10 · Public Info Legal Fees- Admin.	-880.20
4620M10 · Civil Legal Fees - Admin.	-11,265.48
4640M10 · Prosecution Legal Fees - Admin.	-17,173.69
4641M10 · Other Legal Fees - Admin	-4,000.00
Total Legal	-33,319.37
Office, Supplies, Equip	
4080 · Postage	-2,099.06
4100M10 · Printing - Admin.	-1,520.90
4140M10 · Office Equipment R&M - Admin.	-5,669.57
4220M10 · Office Supplies -Admin.	12.53
4230M10 · Meeting Exp. - Admin.	-6,553.61
4320M10 · Office Rent - Admin.	-9,258.88
4400M10 · Mileage/Exp's - Admin.	-340.30
4410M10 · Training/Prof. Devel.	-969.46
4520M10 · Furniture & Equip - Admin.	-1,000.00
4530M10 · Comp. Sftwr & Hdwr - Admin.	-3,386.60
4531M30 · Software & Hardware/Training	-500.00
Total Office, Supplies, Equip	-31,285.85

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

	$ Over Budget
Personnel Expenses	
4020M10 · Salaries-002 - Admin	-123,108.03
4021M10 · ER Share of Admin FICA/Medicare	-11,288.67
4022M10 · ER PERA - Admin	-10,530.24
4024 · Contract Labor	-28,920.00
4380M10 · Employee Benefits - Admin.	-23,317.74
Total Personnel Expenses	-197,164.68
Professional Services- ADM	
4040M10 · Auditing - Admin.	5,156.00
4180M10 · Professional Services - Admin.	-514.44
4181M10 · Professional Comp. Serv.-Admin.	1,035.40
4182M10 · Media (Cable/Internet) - Admin.	-4,400.00
4183M10 · Prof/ Serv. - Communications	-16,322.46
Total Professional Services- ADM	-15,045.50
Public Education & Safety	
4111M10 · Public Service Education-Admin	-2,150.70
4160M10 · Watercraft/Vehicle Maint	-776.78
4535M10 · Public Safety - SolarLights	5,712.00
Total Public Education & Safety	2,784.52
Total Expense	-284,698.25
Net Ordinary Income	63,956.30
Net Income	**63,956.30**

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

	Jan - Jun 24	Budget	$ Over Budget
Ordinary Income/Expense			
Income			
Contributions			
3001M20 · Donations (General) - S/L	27,030.29	46,050.00	-19,019.71
Total Contributions	27,030.29	46,050.00	-19,019.71
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	27,030.29	88,800.00	-61,769.71
Gross Profit	27,030.29	88,800.00	-61,769.71
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	27,030.29	0.00	27,030.29
Net Income	**27,030.29**	**0.00**	**27,030.29**