

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 PM, Wednesday, October 27, 2004
Tonka Bay City Hall

CALL TO ORDER

Skramstad called the meeting to order at 7:05 p.m.

ROLL CALL

Members present: Tom Skramstad, Shorewood; Katy Van Hercke, Minnetonka; Paul Knudsen, Minnetrista; Jose Valdesuso, Excelsior; Bob Ambrose, Wayzata; Pete Nelson, Victoria; Tom Seuntjens, Minnetonka Beach. Also present: Charles LeFevere, LMCD Counsel; Greg Nybeck, Executive Director.

Members absent: Doug Babcock, Tonka Bay; Orv Burma, Mound; Bert Foster, Deephaven; Tom Scanlon, Spring Park; Herb Suerth, Woodland; the cities of Greenwood and Orono have no appointed member.

The Board briefly discussed whether a quorum was present at this meeting. After LeFevere reviewed the by-laws for the LMCD, Skramstad declared that a quorum was present.

CHAIR ANNOUNCEMENTS, Chair Skramstad

Skramstad made two Chair announcements. First, he commended the Board on its attendance record during the past year, which was approximately 80 percent overall. He thanked the Board on its attendance and diligence. He pointed out that Nelson had a perfect attendance record this past year and he commended Nelson on his leadership and efforts, especially on the zebra mussel program. Second the annual meeting with the Hennepin County Sheriff's Office Water Patrol has been scheduled for 11/9/04 at 7:30 a.m. at the Water Patrol Headquarters in Spring Park. He encouraged all Board members to attend this meeting if possible. He asked Nybeck to summarize the November Board meeting schedule.

Nybeck stated that Board meetings in November are scheduled for the 10th and the 24th. However, the 24th is the day before Thanksgiving and the Board has traditionally cancelled the second meeting scheduled in November.

Skramstad stated that he would cancel the November 24th Board Meeting unless any Board member objected to this. There were no objections.

READING OF MINUTES- 9/8/04 LMCD Board Planning/Workshop Meeting Report
9/22/04 LMCD Regular Board Meeting

MOTION: Nelson moved, Van Hercke seconded to accept the meeting report from the 9/8/04 LMCD Board Planning/Workshop Session as submitted.

VOTE: Ayes (3), Abstained (4; Ambrose, Knudsen, Seuntjens, and Valdesuso); motion carried.

MOTION: Knudsen moved, Nelson seconded to approve the minutes from the 9/22/04 LMCD Regular Board Meeting as submitted.

VOTE: Ayes (5), Abstained (2; Valdesuso and Van Hercke); motion carried.

PUBLIC COMMENTS - Persons in attendance, subjects not on agenda (5 min.)

Mr. Randy Boyd, 19960 Minnetonka Blvd., commented on boat density on Lake Minnetonka. He stated that he believed the boat density policy that was adopted clearly had conservation in mind. He believed that this policy had assisted in density issues on both St. Louis and Carsons Bays. Any changes to the 1974 policy should include a hearing to get public input on any changes being considered by the Board.

CONSENT AGENDA- Consent agenda items identified with a (*) will be approved in motion unless a Board member requests discussion of any item, in which case the item will be removed from the consent agenda.

Nybeck requested that agenda item 1B be removed from the consent agenda because the minutes from the 10/8/04 EWM/Exotics Task Force Meeting were not done.

Ambrose moved, Nelson seconded to approve the consent agenda as amended, removing agenda item 1B. Motion carried unanimously. Items so approved include: **2A**, Hennepin County Sheriff's Office Water Patrol Significant Activity Report, and **3B**, September financial summary and balance sheet.

1. EWM/EXOTICS TASK FORCE

- A.** Review of 2004 LMCD/Three Rivers Park District phosphorus removal sampling program.

Skramstad asked Nybeck for background on this agenda item.

Nybeck stated that the 2004 "Save the Lake" Budget funded a program, coordinated with the Three Rivers Park District, to determine how much phosphorous is being removed from harvested milfoil from the LMCD's program. The fieldwork and analysis for this project has been conducted by Three Rivers Park District and John Barten was in attendance to summarize the results.

Barten made the following comments:

- The project took place because there has been an interest for some years in the amount of phosphorous removed annually from the LMCD's harvesting program. There have been some estimates in recent years addressing this, with an estimate most recently by the MCWD. In a Report prepared by the MCWD, they estimated that between 2,000 and 20,000 pounds were removed annually by the harvesting program.
- One of the primary objectives of this project was to further refine the estimates of the MCWD. He reviewed the methodology used in this project. This included how the samples were collected, the weighing of the trucks, and the drying methods. This methodology allowed the Three Rivers Park District to conduct a phosphorous sampling analysis of dry vegetation. Overall, the results were consistent with a few exceptions when the vegetation did not primarily consist of milfoil.
- Based on this project, he estimated that each truckload consisted of approximately 2.6 pound of phosphorous. With 196 truckloads removed in 2004, he estimated that 510 pounds of phosphorous were removed by the 2004 harvesting program.

- The total pounds of phosphorous removed annually might not seem like a lot, especially with the MCWD estimating the annual phosphorous in-flow into Lake Minnetonka at 20,000 pound. However, the cost per pound per removal, \$204, is significantly less than removal rates for most watershed projects.
- A big question is how much impact the phosphorous removed from Lake Minnetonka by the harvesting program has on water quality. In the short-term, he did not believe it has a significant impact on water quality. However, the impact on long-term water quality was unknown and it has not been studied and this might be better addressed through the water quality sampling program four or five years from now.
- He compared the 500 pounds of phosphorous removed by the harvesting program with other removal alternatives. It would require 1,500 rain gardens or the construction of a 4.5 acre NURP pond from approximately 700 acres of residential area to achieve a comparable phosphorous reduction.
- He believed that the project was a success because it better refined the amount of phosphorous removed annually from the harvesting equipment. He entertained questions or comments from the Board.

Nelson stated that Barten was present at the 10/8/04 EWM/Exotics Task Force meeting to discuss these results. Nelson expressed an interest in working with the MCWD on analyzing where the in-flows of phosphorous into Lake Minnetonka are coming from and then take preventive actions. He stated that the MCWD District Administrator Eric Evenson was present at the 10/8/04 meeting and he questioned Barten whether he had an opportunity to discuss this further with Evenson.

Barten stated that he had talked briefly with Loren Hatch of the MCWD regarding this issue. Barten stated that he and a representative from the MPCA have encouraged the MCWD to establish a nutrient control budget for Lake Minnetonka.

Van Hercke asked Barten what other conclusions he drew from this project.

Barten stated that the .232 percent of phosphorous by dry weight per truckload in this project was consistent with the .220 percent of phosphorous by dry weight per truckload in the literature he reviewed. Additionally, this project confirmed the amount of plant materials that was being removed annually by the harvesting program.

Nybeck stated that there was discussion by the Board this past summer on whether to request the MCWD to assist in funding the LMCD's harvesting program. At that time, the Board concluded to hold off on this until the project just summarized by Barten was completed. Exotic species and the involvement of the MCWD was recently discussed at the 10/21/04 MCWD Board of Managers Planning/Workshop Session. Based on this meeting, Nybeck believed that the MCWD was not likely to fund either the harvesting or zebra mussel programs in the near future because it was not clear to him that they have interest in either program. There were some members of the Board of Managers that had a limited interest in the harvesting program and MCWD staff was putting further materials together for review by the Board of Managers in the future.

Skramstad stated that he had talked to the President of the MCWD Board of Managers, Lance Fisher, and that it was unlikely that they would take these programs over. He believed that the

MCWD might be able to partially assist financially in these programs sometime in the future and allow the LMCD to continue to manage these programs.

Valdesuso asked if there was a letter forwarded amongst the LMCD member cities regarding the possibility of the MCWD funding the harvesting program.

Nybeck stated that there was a request made in recent months by one of the member cities to the remaining 13 member cities for the MCWD to fund the LMCD's harvesting program.

Ambrose stated that Nybeck's recollection was correct and the Wayzata city council took no action on this request.

Valdesuso asked how this could be communicated to the 14 member cities because he been asked for an update on this on a couple of occasions.

Skramstad recommended that an update should be included in the next quarterly Executive Director Newsletter. He thanked Barten on behalf of the Board of Directors for his leadership on this project.

C. Report from the 10/8/04 EWM/Exotics Task Force Meeting.

Nelson stated that the discussion at this meeting was quite interesting, including the "Black Lake-Green Lake" concept. Because of this discussion, the MCWD has expressed an interest in assisting in the drafting of a talking paper for Senator Olson to consider drafting legislation, possibly as soon as the upcoming session. He suggested that broad support of the various organizations was necessary, including the LMA, the MLA, and the MCWD.

Valdesuso asked for a brief explanation of the "Black Lake-Green Lake" concept.

Nelson stated that the general concept is to quarantine lakes or bodies of water that are infested with zebra mussels. Lakes that have zebra mussels would be posted accordingly and boats that enter these waters would have a black sticker on them. For these boats to enter non-infested zebra mussel waters, the owner would need to have these boats inspected in order to get a green sticker. The goal would be to make this program statewide and then expand it regionally.

The consensus of the Board was to allow Nelson to work on this program and keep the Board up to date on this program.

Nelson stated that the TPT zebra mussel video had been produced and that it would be distributed next spring.

D. Update of 10/2/04 EWM Harvesting Program Working Group Meeting.

Skramstad asked Nybeck for an update on this agenda item.

Nybeck stated that an EWM Harvesting Program Working Group meeting was conducted in the LMCD office on 10/2/04 to evaluate the 2004 season and to discuss potential changes for 2005. In

addition to himself, Herb Suerth, Judd Harper, and Steve Curfman attended this meeting. Four primary topics were discussed at this meeting. These included: 1) review of the 2004 EWM Harvesting Program Final Season Report, 2) update on the maintenance of the EWM Harvesting equipment by Curfman, 3) discussion of the possible purchase/trade-in of harvesters for the 2005 season, and 4) discussion of other possible capital equipment purchases for the 2005 season (primarily outboard motors for the transport barge and pontoon). There are two recommendations for consideration by the Board. First, the working group recommends that the Board direct staff to advertise for competitive bids, through a Request for Proposal (RFP), for the purchase of a new Aquatic Plant Harvester and the trade-in of the two remaining UMI harvesters. Second, the working group recommends that the Board direct staff to solicit comments on the specifications sent out through the RFP. He reviewed the proposed timeline and stated that a recommendation would likely be made at the 12/8/04 Regular Board Meeting. He entertained questions or comments from the Board.

Seuntjens stated that during the 2002 season, the LMCD owned five harvesters. After the 2002 season, the LMCD purchased a new paddle wheel harvester and traded in two of the original UMI harvesters. Because of this, the LMCD owned four harvesters and generally operated three of them. With the proposed motion, the fleet of harvesters would be reduced from four to three for the 2005 season. With the costs of the program remaining relatively constant, he stated that he would like to have staff to provide an overview of productivity after the 2005 season.

MOTION: Knudsen moved, Seuntjens seconded to direct staff to: 1) advertise for competitive bids, through a RFP, for the purchase of a new Aquatic Plant Harvester and the trade-in of the two remaining 1989 UMI harvesters, and 2) to solicit comments on the specifications sent out through the RFP.

VOTE: Motion carried unanimously.

E. Review of MN DNR invoice for 2004 Zebra Mussel Inspection Program.

Skramstad asked Nybeck for an update on this agenda item.

Nybeck stated that an invoice was recently received for inspections conducted in conjunction with the 2004 zebra mussel program. Although the LMCD contracted for 2,200 hours of inspections, the MN DNR was only able to cover 946.26 hours or slightly over 40 percent of the hours contracted. The primary purpose of this agenda item was to give staff direction on what budget(s) to pay this invoice from. The 2004 project had a budget of \$27,500, with \$15,000 from the Exotic Species Budget and \$12,500 from the "Save the Lake" Budget. With an invoice total of \$11,828.13, Nybeck recommended that the Board pay the invoice with "Save the Lake" funds and earmark the \$15,000 of unspent Exotic Species funds for 2005 zebra mussel inspections.

The Board agreed with the recommendation made by Nybeck.

F. Additional Business.

Skramstad stated that the LMCD's website relating to zebra mussels was recently placed under construction. There previously was material in the zebra mussel website and he believed that it

was important to get the website up and running as soon as possible because he had encouraged the City of Shorewood and other cities to provide a link to it. He stated that he talked to Nybeck regarding this and he asked for an update.

Nybeck stated that staff was in the process of restoring the previous zebra mussel materials on the LMCD website, updating it where necessary. He believed that this was a short-term solution and that the long-term solution would be to update the website with materials from the powerpoint presentation and the TPT video. He suggested that contacting David Gillette from the Freshwater Society would be the next step to update the website on a long-term basis.

The Board discussed this and the consensus was to have a proposal submitted by David Gillette to update the website for review at the 11/8/04 Regular Meeting.

2. LAKE USE & RECREATION

B. Discussion of options on how to proceed from the Lake Minnetonka Boat Density Sub-Committee Final Report.

Skramstad asked for an update from Nybeck on this agenda item.

Nybeck stated that this agenda item was tentatively scheduled based on discussion at the September 8th Board Planning/Workshop Session when sub-committee Chair Foster and those in attendance reviewed the Final Report. To prepare for discussion for this meeting, Foster was going to work with Skramstad on possible options on how to proceed. Foster was unable to attend this meeting and he suggested that this agenda item should be rescheduled.

Skramstad stated that he had not talked to Foster regarding this. However, he wanted to keep these discussions moving forward.

Seuntjens stated that he was not opposed to discussing this agenda item at this meeting. However, he did not believe anything would be resolved at this meeting so he encouraged a time limit on the Board discussion. He stated that he would have preferred that the sub-committee make recommendations on possible changes.

Van Hercke stated that there were a number of directions that the discussion could go. She believed that the sub-committee preferred that the Board as a whole get up to speed on the 1974 policy and participate in the discussion on recommended changes.

Skramstad stated that he believed that a second sub-committee might be necessary to take the next steps from the Lake Minnetonka Boat Density Sub-Committee. He stated that he would get a hold of Foster to keep this agenda item moving forward.

C. Discussion of LMCD's involvement of permitting on Lake Minnetonka for winter special events.

Skramstad asked Nybeck for background on this agenda item.

Nybeck stated that he requested the Board to direct LeFevere to prepare a Code amendment to delegate non-open water special events, primarily in the winter on the ice, to the Hennepin County

Sheriff's Office Water Patrol. LeFevere has prepared a draft Code amendment and resolution for Board consideration. The Board also directed staff to prepare a draft general permit that would achieve the same result. This has not been prepared and he recommended that LeFevere comment on this.

LeFevere stated that the resolution would essentially serve as a general permit by setting forth the terms and conditions that special event applications could be delegated to the Hennepin County Sheriff's Office Water Patrol.

Nybeck stated that he was working with Lt. Storms on the possibility of the Sheriff's Water Patrol and the LMCD streamlining the special event permit process on Lake Minnetonka. In the meantime, he recommended the Board adopt the ordinance amendment and approve the resolution for winter special events because the primary involvement of the LMCD on special events was to review zebra mussel prevention plans for open water special events.

MOTION: Valdesuso moved, Ambrose seconded to: 1) approve first reading of the ordinance amendment, waive second and third readings, and adopt it, and 2) approve the resolution as submitted.

VOTE: Motion carried unanimously.

- D. **Ordinance Amendment**, first reading of an ordinance relating to the use of alcohol and controlled substances; amending LMCD Code Sections 3.16 and 3.17, subd. 12.

This agenda item was re-scheduled for the 11/10/04 Regular Board Meeting.

- E. Additional Business.

There was no additional business.

3. FINANCIAL

- A. Audit of vouchers (10/1/04 – 10/15/04) and (10/16/04 – 10/31/04).

Knudsen reviewed the audit of vouchers as submitted.

MOTION: Ambrose moved, Valdesuso seconded to approve the audit of vouchers (10/1/04 – 10/15/04) as submitted.

VOTE: Motion carried unanimously.

MOTION: Ambrose moved, Nelson seconded to approve the audit of vouchers (10/16/04 – 10/31/04) as submitted.

VOTE: Motion carried unanimously.

- C. Additional Business.

There was no additional business.

4. WATER STRUCTURES

- A. Defining jurisdictional lines for Code enforcement and 2005 renewal multiple dock licenses on Six Mile, Painter's, and Long Lake Creeks.

Skramstad asked Nybeck for background on this agenda item.

Nybeck stated that staff was looking for Board direction on the jurisdictional line in these tributaries for Code and enforcement and 2005 renewal multiple dock licenses. He recommended the Board focus its attention on Painter's Creek because he believed the jurisdictional line on Six Mile and Long Lake Creeks are relatively clear and because there are three multiple dock facilities and a pending docking complaint on Painter's Creek. Depending on the Boards feedback, the multiple dock facilities and the residential site might not be in the jurisdiction of the LMCD.

The Board discussed the possible locations of the jurisdictional line on Painter's Creek. Some of the possibilities included just east of Harrisons Bay, further west of Harrisons Bay where the water body clearly get narrower, and County Road 110. The Board discussed the area in question and whether it had the characteristics of a creek or Harrisons Bay. The Board also discussed the idea of checking with the MCWD whether ditch laws covered the area in question. The consensus of the Board was 1) for the LMCD to take a position that its has jurisdiction on Painter's Creek east of County Road 110 and to write a letter to Senator Gen Olson asking her for clarification, and 2) to contact the affected member cities on whether they would like to send a letter to Senator Olson regarding the cities taking over these areas.

- B. Additional Business.

There was no additional business.

5. ADMINISTRATION

- A. Appointment of nominating committee for 2005 LMCD Board Officers.

Skramstad stated that it was that time of the year for the Board to appoint a nominating committee for 2005 LMCD Board Officers. Seutjens chaired this committee for 2004 LMCD Board Officers and Skramstad asked Seutjens if he would either chair or serve on the committee this year.

Seutjens stated that he would be willing to chair the nominating committee for 2005 LMCD Board Officers because he did not believe there was a need for any significant changes.

The Board appointed Seutjens to serve as chair of the nominating committee for 2005 LMCD Board Officers and to allow him to select other committee members at his discretion.

- B. Review of draft letter to be forwarded to LMCD member cities regarding Board appointments for 2005.

Skramstad stated that there was a draft letter for 2005 LMCD Board appointments and a Board attendance sheet for the past year to be forwarded in the next few days to the 14 member cities.

Without objection, he stated that he would direct staff to forward the letter to the 14 member cities as drafted. There were no objections.

- C. Consideration of staff recommendation for compensation adjustment for Administrative Secretary, Emily Herman.

Skramstad asked Nybeck for background on this agenda item.

Nybeck made the following comments:

- A six-month performance appraisal was recently conducted for Emily A. Herman, Administrative Secretary for the LMCD. An overall grade of above average was communicated to Herman for the period of 4/19/04 – 10/8/04. Her anniversary date with the LMCD is 4/19/04.
- Herman is currently compensated at a rate of \$15.00 per hour. Additionally, she has a six-month probationary period and receives benefits in accordance with the LMCD Personnel Policy.
- In October 2003, payscales were proposed for the Executive Director, Administrative Technician, and Administrative Secretary positions. Although the Board took no action on the proposed payscales, it agreed that they were to be used as guidelines rather than policy. The payscale for Herman's position in 2003 was \$12.50 to \$16.00 per hour.
- Nybeck made two recommendations for Board consideration. These included: 1) notify Ms. Herman that her probationary period has ended and that she has become a permanent employee of the LMCD, and 2) approve a \$.75 per hour adjustment from hourly rate, retroactive to 10/19/04, from \$15.00 to \$15.75 per hour.
- The next performance appraisal for Herman is planned for April 2005.
- He entertained questions or comments from the Board.

Seuntjens stated that one concern he had with the recommendation made by Nybeck was that Herman would be with \$.25 per hour of the top part of the payscale. This might require the Board to adjust the payscale for this position or increase her responsibilities for this position in the near future.

A number of Board members complimented the performance of Herman based on their personal experiences. There was also discussion on whether the Board would like to adjust the hourly rate for this position based on the Stanton Survey information prepared for this position in 2003. The Board decided to make no changes at this time.

MOTION: Knudsen moved, Ambrose seconded to: 1) direct Nybeck to notify Ms. Herman that her probationary period has ended and that she has become a permanent employee of the LMCD, 2) to approve a \$.75 per hour adjustment from \$15.00 to \$15.75 retroactive to 10/19/04, and 3) to direct Nybeck to investigate the idea of expanding the duties for Ms. Herman in the upcoming appraisal period.

VOTE: Ayes (6), Nays (1, Seuntjens), motion carried.

- D. Review of proposal to relocate the meeting space for Regular LMCD Board of Director Meetings.

Skramstad asked Nybeck for background on this agenda item.

Nybeck made the following comments:

- The proposal for the Board is to determine whether to relocate the LMCD Board Meetings to Wayzata City Hall to accommodate the request from the LMCC to tape them for local cable television.
- The City of Wayzata has tentatively agreed to allow the LMCD to conduct its Board meeting in the council chambers similar to the School Board Meetings for Wayzata Independent School District 284. During this trial period, there will be no formal contract or agreement and there will be no cost to the LMCD for the use of the council chambers, provided the LMCD returns the room to its original condition after meetings.
- After the trial period, Wayzata would like to sit down with the LMCD to discuss details relating to the continued use of the council chambers for Board meetings. Two discussion points at that time would include: 1) whether there was a need for a formal contract or agreement, and 2) whether Wayzata would need to charge a nominal fee for the use of the room and its equipment.
- Board member Ambrose attended the meeting with Wayzata officials when this was discussed. If meeting expenses are to be charged to the LMCD for the use of the council chambers, he and Ambrose communicated their desire to have it implemented in 2006 so that it could be included in the LMCD Budget.
- The LMCC has agreed to provide and train a producer to cover the Board meetings. The LMCC has agreed to cable cast the Board meeting and air it on local cable channel 20 within 48 hours after the meeting has been recorded. All of the services will be of no charge to the LMCD.
- The primary cost to the LMCD would be the purchase of a laptop computer to take advantage of the technology available in the council chambers. The cost of this purchase, including the purchase of MicroSoft Office and professional services to install it, should not exceed \$2,000. Other miscellaneous costs would include new name tags and skirting for the additional tables requires.
- He established a target date of 1/12/05 to relocate Board meetings to Wayzata City Hall.

Ambrose stated that he had attended the same meeting that Nybeck had with Al Orsen and Dave Frischmon. He reaffirmed the points that Nybeck made relating to a trial period with no formal agreement; that this arrangement would be of no costs to the LMCD during the trial period; and the need to address the situation after the trial period, including possible nominal costs for the use of the council chambers and its equipment.

The Board discussed whether there was a need for the LMCD to purchase a laptop computer during the trial period. The consensus of the Board was that there was not a need to purchase a laptop computer during the trial period because a number of Board members stated that they would borrow their laptop computer during the trial period. The general consensus of the Board was to continue to investigate the idea of relocating Board Meetings to the City of Wayzata. The Board expressed its gratitude to the City of Tonka Bay and expressed their interest in possibly relocating to the Tonka Bay City Hall if the trial period is not successful.

E. Additional Business.

There was no additional business.

6. SAVE THE LAKE

There was no discussion.

7. EXECUTIVE DIRECTOR REPORT

Nybeck stated that the lake level as of 10/22/04 was 928.46', with the dam closed. Second, there were a number of informational items in the handout folders. This included the most recent quarterly Executive Director Newsletter, a 2004 EWM Harvesting Program Acreage Summary Sheet, and a three boat boat/four boat/empty slip spreadsheet.

8. OLD BUSINESS

Increased Intoxicating Liquor License Discussions

Skramstad stated that there was Board discussion this past summer with the charter boat companies regarding the idea of increasing the number of on-sale intoxicating liquor licenses that can be issued to charter boats on Lake Minnetonka. A letter was submitted by the charter boat association and a minimal amount of responses have been received from the 14 member cities on the letter sent out by the LMCD. He encouraged Board members to solicit comments from their respective cities because this topic is planned for the 11/10/04 Board Meeting.

Pending complaint on an approved variance

Skramstad stated that he would like to get some feedback from Board members on a letter recently forwarded on possible non-compliance of an approved variance. He and Nybeck provided an overview of the facts in this pending complaint.

The Board discussed this matter and the consensus of the Board was that the party against whom the complaint has been filed has made an effort to comply with the approved variance. The Board stated that it would not be taking further action on this situation and directed Skramstad to write a letter summarizing the discussion of the Board.

Future LMCD Shoreline Inventories

Van Hercke stated that she would like staff to notify Board members in future shoreline inventories when the fieldwork is being conducted in their respective city.

9. NEW BUSINESS

There was no new business.

10. EXECUTIVE SESSION- Performance Evaluation of the Executive Director.

Skramstad stated that an executive session was planned for this meeting to discuss the performance of Nybeck at this meeting. He stated that a review form had been sent out previously and that he had

received only a few responses to date. Because of this, he stated that the executive session would be moved back to the 11/10/04 Board meeting to allow the remaining Board members to complete the review form so that this feedback could be included in the overall performance review of Nybeck.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 9:29 p.m.

Tom Skramstad, Chair

Jose Valdesuso, Secretary