

**DEEPHAVEN BOAT COMMITTEE
WEDNESDAY, DECEMBER 9, 2009
MINUTES**

Call Meeting to Order

Chairman Pete Onstad called the meeting to order at 7:02 p.m.

Members Present

Pete Onstad, Sue Jerutis, Roy Quaintance, Warren Nelson, David Irwin, Michael Kelly, Larry Parkhurst, City Administrator Dana Young

Members Absent

Jim van Bergen, Marc Anderson

September 9, 2009 Minutes

The Committee approved the September 9, 2009 minutes on a motion by Roy Quaintance, seconded by Mike Kelly. Motion carried 7-0.

Matters from the Floor

Bert Foster was present a concern on behalf of his son, Andy Foster (3405 Northome Road) who was unable to attend tonight's meeting. Mr. Foster stated that 2009 was Andy's first year on a slide in Carson's Bay. He stated that Andy didn't particularly like his slide space in Carson's Bay and greatly preferred a slide space in St. Louis Bay, which is closer to his home. He stated that Andy talked with City Staff around September about transferring to a slide space in St. Louis Bay but unfortunately ended up missing the deadline for turning in his application and permit fee. He stated that Andy has always been willing to give up his slide space in Carson's Bay as long as we can keep him on the transfer list for a slide space in St. Louis Bay.

Dana Young stated that City Staff does not keep a separate waiting list for Carson's Bay and St. Louis Bay, there is only one waiting list for slides and when a slide space opens up, the resident on the top of the waiting list has to take whatever slide space is available in either Carson's Bay or St. Louis Bay. He stated that the only other list that Andy Foster is referring to is a transfer list that staff maintains for those residents that already have a slide space who are requesting a transfer to the other marina. He stated that, for the most part, more residents typically want to switch from Carson's Bay to St. Louis Bay. He stated that now that Andy Foster no longer has a slide space for 2010, he is no longer eligible to be on the transfer list.

David Irwin stated that while he certainly sympathizes with Andy Foster's position, he would be concerned with setting a precedent by allowing him back onto the transfer list.

Pete Onstad stated that he received his 2010 permit fee notice in September and felt that this gave everyone plenty of time to submit their fee in a timely manner by the November deadline.

Bert Foster stated that a possible solution would be to place Andy Foster on the transfer list to St. Louis Bay, since there might be a real possibility that a number of other individuals on this transfer list who might be more than willing to give up their slide in Carson's Bay if they could be on the shorter list to obtain a space at St. Louis Bay.

Pete Onstad stated that it might be interesting to survey those residents on the transfer list to see if they would be willing to give up their slide space if they were assured they would stay at the top of the list to transfer to another bay.

Mike Kelly stated that he started with a slide space at Carson's Bay as well and was more than willing to wait a couple of years until he was switched over to St. Louis Bay.

Pete Onstad stated that the Committee would take a look at this policy in more detail over the next few months.

George Klein Issue

Dana Young reported that George Klein has rented a dock space for years and an issue has been raised as to whether Mr. Klein actually lives in Deephaven and whether he is well enough to be aware that he is signing a lease agreement.

David Irwin stated that he was opposed to providing George Klein a 2010 permit because he is assigning his right to the dock slip to someone else, which is prohibited under the terms of the mooring lease agreement.

Pete Onstad stated that he is aware that George Klein currently resides in a nursing home and has not lived in Deephaven for 5-6 years. He stated that his daughter lives in the house owned by Mr. Klein.

Sue Jerutis stated that the Committee should focus their discussion on what is the most appropriate way to approach this situation. She stated that we could simply respond to this situation by simply informing the Klein's that it is our understanding that George Klein no longer resides in Deephaven and is not eligible to receive a permit for 2010.

Roy Quaintance agreed that this was a much better option to pursue than trying to get involved in someone's personal health issues.

Motion by Roy Quaintance to recommend that George Klein should be required to demonstrate to the satisfaction of the City that he resides in Deephaven in order to be prove that he is in compliance with the Mooring Space Ordinance. Seconded by Warren Nelson. Motion carried 7-0.

Carson's Bay Ramp Improvements / Grant

Dana Young stated that he talked with Tom Niccum of Minnetonka Portable Dredging regarding providing an estimate on the proposed cost of improving the Carson's Bay Ramp. He stated that Tom Niccum estimated the cost at \$7,000 - \$12,000. He added that he has submitted a grant application to the LMCD's Save the Lake Fund requesting \$7,500 towards the repair of the ramp.

Renter's Access to Mooring Spaces

Dana Young stated that staff member Deborah Hicks is requesting that the Committee consider adopting a working policy on waiting lists that would take into consideration renters. He stated that 900.06, Subd. 2 of the Watercraft Space Ordinance states that "persons who are not property owners will be entitled to a permit for a type of space only if a space is available after issuance of permits to all property owners who have requested a permit for that type of space".

According to Deborah Hicks, we are getting down the waiting lists for canoe racks, buoys and might be in that same situation with B2 Slides in about two years. She stated there might be a real

opportunity to open these waiting lists for renters but is concerned that we don't have the ability to track renters and is uncertain about how to deal with renters on a waiting list when first priority is given to property owners. He stated that she has recommended either developing a policy on how to deal with renters or to recommend deleting this section of the City Code allowing renters to use mooring spaces.

Larry Parkhurst stated that it is his understanding of this section of the code that renter's would only be allowed to obtain a mooring space for one year since any resident who is a property owner would be able to replace a renter at any time they applied to the waiting list.

Dana Young stated that allowing renters to lease for only one year should resolve many of the verification issues that are of concern to City Staff and thanked the Committee for providing clarification on this issue.

New Committee Members for 2010

Dana Young reported that Larry Parkhurst's and Pete Onstad's term of office will expire on February 2010. He stated that the Committee has recommended the appointment of Tom Drummond to take Larry's position on the Board and a new member will need to be appointed to replace Pete Onstad. He added that Sue Jerutis's first term of office will expire on February 2010 as well, but she could be reappointed to serve another three years.

Sue Jerutis stated that she would be agreeable to serving another term on the Boat Committee.

Pete Onstad stated that he would like to conduct interviews for the vacant position in January.

Five Year Marina Fund Budget Forecast

Dana Young presented the Five Year Marina Fund Budget Forecast for Committee review, which recommended a 17.8% rate increase in 2012 to support operational costs and future capital improvements.

Larry Parkhurst suggested phasing in smaller rate increases beginning in 2010 as a better transition for the lease holders.

Dana Young stated that this was a very sensible suggestion since additional funding would also help to finance the construction of the Carson's Bay docks in 2011.

2010 Chair & Vice-Chair

Motion by Warren Nelson to recommend the appointment of Susan Jerutis as Chair of the Boat Committee for 2010 and the appointment of Mike Kelly as Vice-Chair of the Boat Committee for 2010. Motion carried 7-0.

Adjournment

Motion to adjourn by Roy Quaintance, seconded by Mike Kelly. Motion carried 7-0. The meeting adjourned at 8:25 p.m. The next regularly scheduled meeting of the Boat Committee will be held on Wednesday, January 13, 2010.