

**DEEPHAVEN BOAT COMMITTEE
WEDNESDAY, FEBRUARY 8, 2012
MINUTES**

Call Meeting to Order

The meeting was called to order at 7:00 p.m.

Members Present

Susan Jerutis, Tom Drummond, Michael Kelly, Doug Ruble, Warren Nelson, Jim van Bergen, Roy Quaintance, David Irwin, David Matteson, City Administrator Dana Young

Members Absent

None

January 11, 2012 Minutes

The Committee approved the January 11, 2012 minutes on a motion by Tom Drummond, seconded by Michael Kelly. Motion carried 9-0.

Matters from the Floor

There were no Matters from the Floor this evening.

2012 Chair & Vice-Chair

The Committee recommended the appointment of Michael Kelly as 2012 Chairman on a motion by Jim van Bergen, seconded by Warren Nelson. Motion carried 9-0.

The Committee recommended the appointment of David Irwin as 2012 Vice-Chairman on a motion by Roy Quaintance, seconded by Tom Drummond. Motion carried 9-0.

Carson's Bay Dock Project

Dana Young stated that he had a conversation with Tom Niccum, the owner of Minnetonka Portable Dredging, whose company has been contracted to install the Carson's Bay docks about a week and a half ago about his construction timeline. He stated that Tom Niccum informed him that ideally he would like to begin construction sometime the second or third week in February but that was based on there being an adequate layer of ice to support the construction. He stated that Tom Niccum had recently bored the ice at the site of the proposed docks and found the ice to be 16" thick. He stated that Tom Niccum informed him that the ice is not considered safe for construction until it is at least 18" thick.

Dana Young stated that if the ice fails to reach that thickness, Minnetonka Portable Dredging would have to construct the docks when the ice goes out. He stated if that were the case, he would send a letter to each resident with a dock slip on Carson's Bay informing them of a possible delay in mooring their boats on the new docks.

Shore Space Redevelopment

Dana Young stated that the City Council approved the Boat Committee's 2012 proposed goals to:

- Develop a preliminary plan on the redevelopment of the Shore Space area in St. Louis Bay.
- Begin and in-depth dialogue towards the development of alternative and equitable concepts on the dock waiting list and 10-year rule.

He stated that Councilmember Keith Kask commented that he would like the Boat Committee to be aware of the physical limitations of the Shore Space area due to water depth issues and that permanent docks would be difficult due to depth issues. He stated that Councilmember Keith Kask also added that while he was supportive of their request to develop alternative concepts on the dock waiting list and 10-year rule, he felt it was inappropriate to use the word "equitable" in the Committee's statement of this goal.

David Matteson suggested that the Committee create a plan for each upcoming meeting so that we can keep the development of the Shore Space area moving forward.

Dana Young suggested that the first step might be to meet with the LMCD. He stated that the LMCD is essentially going to dictate how many additional Boat Storage Units would be permitted in the Shore Space area, particularly in regards to potential new rules regarding the assigning of Amenity Points.

Susan Jerutis and Warren Nelson volunteered to meet with LMCD staff prior to the next meeting to get an overview on the issues pertaining to the development of the Shore Space area.

David Irwin suggested that it would be beneficial for the Committee to assign a Project Manager to ensure that the Boat Committee stays on task with this issue.

David Matteson stated that he has found it to be enormously beneficial when you know what you're going to discuss at a particular meeting as it enables you to stay on task and get something done.

Motion by Roy Quaintance to appoint Susan Jerutis and David Matteson as Co-Project Managers of the Shore Space Development project. Seconded by David Irwin. Motion carried 9-0.

Waiting List / 10-Year Rule

Susan Jerutis asked if anyone was getting any calls about the waiting list or 10-year rule. Dana Young stated that he hasn't received any phone calls on this issue. Warren Nelson stated that he had talked with several of his neighbors and most seemed to support the 10-year rule. David Irwin stated that he had a discussion of the 10-year rule but the individual seemed more resigned to the fact that the 10-year rule was in effect. David Matteson stated that he also talked to several people who had a negative view of the 10-year rule, particularly with those who were already on the waiting list for 15-20 years.

It was suggested that a working group of four Committee members could serve as a subcommittee to meet independently to begin discussions on the waiting list and 10-year rule and report back to the full Committee.

Motion by David Irwin to appoint David Irwin, Jim van Bergen, Tom Drummond and Doug Ruble to the subcommittee to begin a dialogue on the waiting list and 10-year rule. Seconded by Jim van Bergen. Motion carried 9-0.

Boat Length Issue

Discussion was held regarding the boat length memorandum drafted by David Irwin and the summary version drafted by David Matteson. It was a consensus of the Committee for both David Irwin and David Matteson to work together to produce a final summary version of the document for distribution to current and future leaseholders.

Further discussion was held on LMCD length restrictions at the St. Louis and Carson's Bay docks. David Irwin suggested that the length of each new boat should be measured in order to certify that the boat meets all length requirements. He stated that he would be more than willing to measure each new boat.

Dana Young stated that it might be difficult to measure each and every boat before it is purchased by the leaseholder, particularly if the boat is purchased out of town. He added that it also seems a little too much like "big brother" for the City to establish an ordinance that requires the measurement of each and every boat before it is approved to be on the City docks.

Susan Jerutis stated that perhaps the handout would suffice as the appropriate certification that the boat was the proper length. She added that the leaseholder could even sign off on the handout.

David Matteson agreed that it would be a little too much like "big brother" to require the Boat Committee to measure each and every boat. He stated that there is a degree of trust in our residents here in Deephaven.

Warren Nelson agreed that it does seem a little dramatic to require an official measurement. He stated that if a letter is received from the LMCD on the excessive length of a boat, it might require more enforcement from the City. He agreed that the pamphlet could be sent out and the City could respond to complaints on the excessive length of boats. He added that it would be very hard to strictly enforce the length requirement in the instance where a boat only exceeded the required length by 4"-6".

David Irwin stated that if the City only enforced the length requirement after receiving a complaint from a resident, you would be asking residents to inform on other residents.

David Matteson suggested that there is some merit in trusting your neighbors to do the right thing.

Michael Kelly stated that he really appreciates the condensed version of the pamphlet. He stated that ultimately with all the information given to the residents regarding the required boat length, the resident is ultimately responsible for purchasing a boat that meets the length requirement. He stated that once we are all in agreement that we've provided the resident with sufficient information, it is up to the Council to enforce the ordinance.

David Irwin stated that the marinas are viewed by some as an insider's game and it is not good for the length ordinance to not be enforced. He stated that you could solve it by providing a variance for all current boats exceeding the length requirement and by not allowing any other boats over the restriction.

Susan Jerutis asked if we would like to bring this issue to the Council's attention.

David Irwin suggested that the Committee should table it to provide further thought on the matter.

David Matteson suggested that we could meet with the Council or have a Councilmember attend our next meeting to discuss this matter.

David Irwin suggested that the issues to be addressed to the Council would be permission to send out the boat length pamphlet, suggest that the Boat Committee could measure all boats, and ask how the Council would want to deal with those boats that are non-compliant. He added that the Council could consider granting everyone a variance for those boats that are not in compliance.

It was suggested that this item be brought back to the March meeting for further discussion.

Adjournment

Motion to adjourn by Michael Kelly, seconded by David Matteson. Motion carried 9-0. The meeting adjourned at 8:43 p.m. The next regularly scheduled meeting of the Boat Committee will be held on Wednesday, March 14, 2012.