

**MINUTES OF THE REGULAR MEETING OF
THE MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

February 10, 2022

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District was called to order by President Sherry White at 7:02 p.m. on February 10, 2022. President White noted that this meeting was convened electronically through Zoom, pursuant to Minnesota Statutes 13D.021, due to the COVID-19 pandemic and her determination that it is not prudent for the Board of Managers, or any committee thereof, to meet in person, and it is not feasible to provide for any member of the Board, or of the public, to meet at the regular meeting location. For this reason, until this determination is withdrawn by the District's presiding officer, chief legal counsel or chief administrative officer, the meetings of the Board and its committees will be convened by telephone or other electronic means as the presiding officer determines appropriate. All such meetings will be noticed and conducted in accordance with §13D.021 and all other applicable terms of the Open Meeting Law. President White noted that, pursuant to §13D.021, all votes will be by roll call.

President White called the roll to note attendance:

Hejmadi:	Present
Loftus:	Present
Sando:	Present
Miller:	Present
Olson:	Present
Maxwell:	Present
White:	Present.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Laura Domyancich-Lee, Planner – Project Manager; Michael Hayman, Project Planning Manager; Helen Schnoes, Outreach Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Miller, seconded by Manager Hejmadi to approve the Agenda as distributed. Upon roll call vote, the motion carried 7-0 as follows:

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Hejmadi: Aye
Loftus: Aye
Sando: Aye
Miller: Aye
Olson: Aye
Maxwell: Aye
White: Aye

CONSENT AGENDA

It was moved by Manager Miller, seconded by Manager Sando, to approve the items on the Consent Agenda consisting of approval of the January 27, 2022 Board meeting minutes; and adoption of the following resolution:

Resolution 22-006: Authorization to Accept Tort Liability Limits on the District P&C Insurance Policy:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers accepts the statutory tort liability limits as set forth in Minnesota Statute 466.04 and authorizes the District Administrator to advise the LMCIT accordingly.

Upon roll call vote, the motion carried 6-0 as follows:

Hejmadi: Aye
Loftus: Aye
Sando: Aye
Miller: Aye
Olson: Aye
Maxwell: Aye
White: Aye

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White reported on recent meetings with Hennepin County Commissioners Goettel and Fernando, and an upcoming meeting with Commissioner Conley.

Operations and Programs Committee: Manager Loftus reported that the committee had a productive working session on both mitigation and adaptation elements in the climate action framework. Further work will continue in March.

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Upcoming Meeting and Event Schedule: President White directed the managers to the meetings listed on the agenda.

ACTION ITEMS

Resolution 22-007: Authorization to Solicit Bids for Six Mile Marsh Prairie Trail Construction

Ms. Laura Domyancich-Lee appeared before the Board of Managers and reviewed the request for board action. She reviewed design alterations and bid package refinements intended to obtain better pricing from contractors than the previous request for bids. She reviewed the revised bidding and contracting schedule. *Following discussion, it was moved by Manager Olson, seconded by Manager Miller to adopt Resolution 22-007 as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to solicit bids for construction of the Six Mile Marsh Prairie trail.

Upon a question from Manager Maxwell, Ms. Domyancich-Lee and Mr. Meehan stated that they expect greater interest from contractors and better bids this round.

Upon roll call vote, the motion carried by a vote of 7-0 as follows:

Hejmadi:	Aye
Loftus:	Aye
Sando:	Aye
Miller:	Aye
Olson:	Aye
Maxwell:	Aye
White:	Aye

Ms. Domyancich-Lee noted that this would be her last meeting as she had accepted a position as an ecologist with Friends of the Mississippi River. The managers thanked Ms. Domyancich-Lee for her dedication and service to the District.

Resolution 22-008: Authorization to Execute a Contract Amendment with Stantec for Completion of Environmental Investigation at 325 Blake Road

Mr. Michael Hayman appeared before the Board of Managers to review the request for board action. He reviewed the status of environmental investigation at the 325 Blake Road site, and MCWD's commitment to delivering a clean site for both the construction of the regional stormwater facility and the facilitation of development.

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Following discussion, it was moved by Manager Miller, seconded by Manager Sando to adopt Resolution 22-008: Authorization to Execute a Contract Amendment with Stantec for Completion of Environmental Investigation at 325 Blake Road as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute a contract amendment with Stantec for additional environmental investigation at 325 Blake Road in the amount of \$15,390, and authorizes the Administrator to execute change orders in his discretion up to an additional 10% of the fee for an amount not to exceed \$16,930.

Upon a question from Manager Olson, Mr. Hayman reviewed the soil vapor testing and noted that it does not include testing for radon, which is handled separately under the building code. Upon a question from President White, Mr. Hayman speculated on possible sources of benzene and reviewed the past environmental mitigation actions at the site.

Upon roll call vote, the motion carried by a vote of 7-0 as follows:

Hejmadi:	Aye
Loftus:	Aye
Sando:	Aye
Miller:	Aye
Olson:	Aye
Maxwell:	Aye
White:	Aye

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. The 60% level design for the stormwater facilities at 325 Blake Road is advancing, and a purchase agreement should be ready for the Board's consideration on March 10;
2. Initial conversations have occurred to explore alternatives for the MAWD summer tour; more information to come in future meetings;
3. Helen Schnoes is working to hire additional outreach staff;

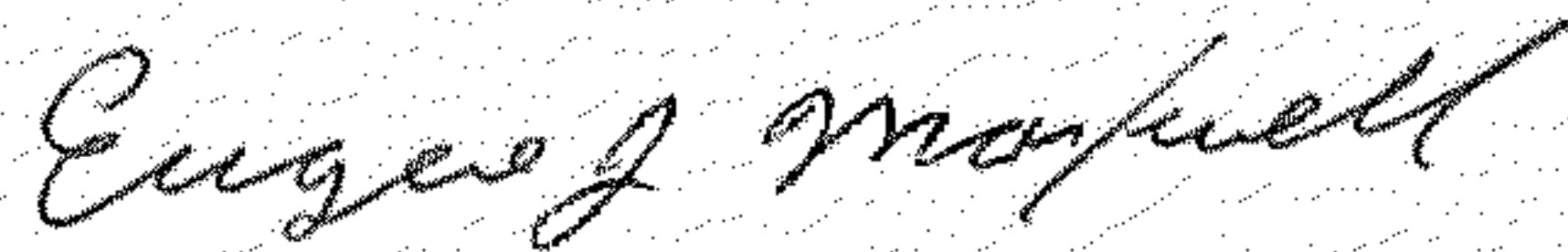
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4. The Sun newspapers carried a story about the MCWD's decision to close the Minnehaha Preserve boardwalk and initiate a process to reconstruct the boardwalk to ensure public safety and the longevity of the facility;
5. DNR has awarded \$1.25 million in funding for local organizations to address aquatic invasive species;
6. Mr. Wisker's evaluation is scheduled for February 24.

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:07 p.m.

Respectfully submitted,



Eugene Maxwell, Secretary