

47 **Maxwell:** *Aye*
48 **White:** *Aye*

49
50

51 **CONSENT AGENDA**

52

53 *It was moved by Manager Olson, seconded by Manager Sando to approve the items on*
54 *the Consent Agenda consisting of approval of the August 10, 2023 Board Meeting*
55 *Minutes; approval of the General Check Register, including check numbers 42334*
56 *through 42363 in the amount of \$199,747.23, electronic funds withdrawals of*
57 *\$33,533.58, Managers Per Diems and Reimbursements of \$1,351.14, employee*
58 *reimbursements of \$0, and payroll electronic funds withdrawals and disbursements of*
59 *\$139,,496.62 for a total of \$374,128.57; the Surety Check Register Bremer Bank fee of*
60 *\$37.00; the Wire Check Register in the amount of \$0; and the following resolutions:*

61

62 *Resolution 23-044: Approving Environment and Natural Resources Trust Fund Grant*
63 *Agreement and Adopting Conflict of Interest Policy*

64

65 *NOW, THEREFORE, BE IT RESOLVED, that the MCWD Board of Managers*
66 *hereby approves the grant agreement between the State of Minnesota, acting*
67 *through its Department of Natural Resources, and the MCWD for appropriated*
68 *ENRTF funds in the amount of \$738,000 to develop an updated watershedwide*
69 *hydrologic and hydrology model, and authorizes the District Administrator,*
70 *with any nonsubstantive changes and on advice of legal counsel, to execute the*
71 *grant agreement;*

72

73 *BE IT FURTHER RESOLVED that all members of the Board, in making*
74 *decisions that involve the expenditure of Project grant funds, will follow the*
75 *requirements and procedures of the MCWD conflict of interest policy with*
76 *respect to any potential or actual organizational conflict of interest, as defined*
77 *above, and the MCWD Administrator, in the event of same, will advise the*
78 *Board in writing and determine in coordination with the Board how the*
79 *decision at hand will be made so as to avoid an organizational conflict of*
80 *interest; and*

81

82 *BE IT FURTHER RESOLVED that in the event of an actual, potential or*
83 *perceived conflict of interest, as defined in the “ENRTF/OHF Pass-Through*
84 *Grant Agreement Conflict of Interest Disclosure” attached hereto, the MCWD*
85 *Administrator will notify the State’s Authorized Representative for the grant;*

86

87 *Resolution 23-045: Approval of Agreement with Medina for Morningside Ravine*
88 *Stabilization Project*

89

90 ***NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers***
91 ***authorizes the District Administrator to execute the attached agreement with the***
92 ***City of Medina for the Morningside Ravine Stabilization Project; and***
93

94 ***Resolution 23-046: Authorization to Contract with Metro Sales for Document***
95 ***Scanning Services***
96

97 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
98 ***Watershed District Board of Managers hereby authorizes the District***
99 ***Administrator to execute a contract with Metro Sales, in an amount not to***
100 ***exceed \$34,000 subject to nonsubstantative changes on advice of legal counsel.***
101

102 ***Upon roll call vote, the motion carried 7-0 as follows:***
103

104 ***Hejmadi: Aye***
105 ***Loftus: Aye***
106 ***Sando: Aye***
107 ***Miller: Aye***
108 ***Olson: Aye***
109 ***Maxwell: Aye***
110 ***White: Aye***
111

112 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

113

114 President's Report: None.
115

116 Planning and Policy Committee Report: Manager Miller reported that the committee
117 received a staff briefing on the proposed rules revisions.
118

119 2D Model Update: Manager Hejmadi reported that he and Manager Miller participated in
120 the review of proposals and interviews for the next phase of the 2D Model work, and a
121 recommendation will be brought forward to the September 14 Board meeting.
122

123 Upcoming Meeting and Event Schedule: President White noted the upcoming meeting
124 schedule.
125

126 **PUBLIC HEARINGS & PRESENTATIONS**

127

128 2024 Budget and Levy Public Hearing
129

130 Present White opened the public hearing on the MCWD's 2024 budget and levy. Mr.
131 James Wisker appeared before the Board of Managers to present the 2024 proposed
132 budget and levy. He reviewed the budget planning process, past work, and planned

133 projects. The proposed 2024 total budget is \$14,486,255 with a proposed levy of
134 \$9,869,513.

135
136 No one appeared to present comments on the budget or levy. Mr. Wisker noted that
137 comments may be received until September 14, when the Board of Managers will take
138 action to adopt the budget and levy. The Truth in Taxation process allows for a further
139 public informational meeting and comment in late November or early December. The
140 managers thanked Mr. Wisker for his excellent work on the budget.

141

142

143 **ACTION ITEMS**

144

145 **Resolution 23-047: Budget Amendment for the Project Maintenance and Land**
146 **Management Program**

147

148 Mr. Josh Wolf appeared before the Board of Managers to review the request for board
149 action. He reviewed the changes to the project budget due to delays in construction and
150 payments from the litigation settlement. He noted that during the 2023 budget
151 development cycle, it was anticipated that construction would begin in November or
152 December 2022. Boardwalk construction ultimately began in January 2023. No funds
153 from the 2022 Project budget were used, and the \$1,365,430 from that year remain in the
154 program fund. With all construction costs being billed to the 2023 budget, the Project
155 Maintenance and Land Management Program budget currently shows a significant
156 deficit. As the 2022 budget dollars remain in the project fund, no transfer will be
157 required. Administrative action is needed to amend the 2023 budget to include the
158 unspent funds from the 2022 budget.

159

160 ***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution***
161 ***23-047 as follows:***

162

163 ***NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers***
164 ***hereby amends the 2023 Project Maintenance and Land Management Budget***
165 ***(2003) by \$1,623,612.***

166

167 ***Upon roll call vote, the motion carried 7-0 as follows:***

168

169 ***Hejmadi: Aye***

170 ***Loftus: Aye***

171 ***Sando: Aye***

172 ***Miller: Aye***

173 ***Olson: Aye***

174 ***Maxwell: Aye***

175 ***White: Aye***

176
177 Resolution 23-048: Authorization to Launch New Website

178
179 Ms. Samantha Maul appeared before the Board of Managers to review the new website
180 and request board authorization for its formal launch. She reviewed the development
181 process and beta testing, as well as the launch communications plan. ***It was moved by***
182 ***Manager Olson, seconded by Manager Hejmadi to adopt Resolution 23-048 as follows:***

183
184 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
185 ***Watershed District Board of Managers hereby authorizes the launch of the new***
186 ***MCWD website, effective August 28, 2023.***

187
188 ***Upon roll call vote, the motion carried 7-0 as follows:***

- 189
190 ***Hejmadi: Aye***
191 ***Loftus: Aye***
192 ***Sando: Aye***
193 ***Miller: Aye***
194 ***Olson: Aye***
195 ***Maxwell: Aye***
196 ***White: Aye***

197
198 Resolutions 23-049 and 23-050: Equipment Purchases to Implement the Real-time Sensor
199 Network

200
201 Ms. Kailey Cermak and Ms. Marissa Castro appeared before the Board of Managers to
202 review the request for Board action. They explained the background and need for
203 refining how and where data are collected to better support project identification,
204 improve public communication, and inform high-water decision-making. Following
205 consecutive years of above average precipitation between 2014 and 2019, Research &
206 Monitoring staff determined the existing methods for measuring water level and flow
207 were not providing enough information to District staff, concerned public, and partner
208 agencies. They explained the partnership with Hennepin County Emergency Management
209 and related proposed equipment purchase.

210
211 ***It was moved by Manager Hejmadi, seconded by Manager Maxwell to adopt Resolution***
212 ***23-049: Authorization to Enter into Equipment Purchase Agreement with Hennepin***
213 ***County Emergency Management as follows:***

214
215 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
216 ***Watershed District Board of Managers authorizes the District Administrator,***
217 ***with any non-substantive changes and on advice of legal counsel, to***

218 *execute an agreement with Hennepin County Emergency Management for*
219 *District purchase of water-level monitoring equipment and HCEM*
220 *reimbursement of the purchase cost.*
221

222 *Upon roll call vote, the motion carried 7-0 as follows:*
223

224 *Hejmadi: Aye*
225 *Loftus: Aye*
226 *Sando: Aye*
227 *Miller: Aye*
228 *Olson: Aye*
229 *Maxwell: Aye*
230 *White: Aye*
231

232 *It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution*
233 *23-050: Authorization to Purchase Equipment for the Real-time Sensor Network as*
234 *follows:*
235

236 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
237 *Watershed District Board of Managers authorizes the District Administrator to*
238 *purchase real-time sensor network equipment from In-situ, Inc. in a total*
239 *amount not to exceed \$23,500.*
240

241 *Upon roll call vote, the motion carried 7-0 as follows:*
242

243 *Hejmadi: Aye*
244 *Loftus: Aye*
245 *Sando: Aye*
246 *Miller: Aye*
247 *Olson: Aye*
248 *Maxwell: Aye*
249 *White: Aye*
250

251 Mr. Brian Beck appeared before the Board of Managers to express the staff's
252 appreciation for Ms. Castro's work over the past two years. He noted that she will be
253 leaving the MCWD and moving back to California, and praised Ms. Castro for her
254 commitment to continuous improvement, ingenuity in computer coding to build a
255 "system to monitor our monitoring system," and for her positive attitude, passion, and
256 professionalism. The managers expressed their thanks to Ms. Castro for her service to
257 the MCWD. *It was moved by Manager Miller, seconded by Manager Olson, to direct*
258 *staff to prepare a resolution of appreciation for Ms. Castro's work for action at the*
259 *next board meeting. Upon roll call vote, the motion carried 7-0 as follows:*
260

- 261 **Hejmadi:** *Aye*
- 262 **Loftus:** *Aye*
- 263 **Sando:** *Aye*
- 264 **Miller:** *Aye*
- 265 **Olson:** *Aye*
- 266 **Maxwell:** *Aye*
- 267 **White:** *Aye*

268

269 **BOARD DISCUSSION ITEMS**

270

271 None.

272

273 **BOARD INQUIRIES, ISSUES, AND IDEAS**

274

275 Manager Loftus inquired about the status of the District’s adoption and use of the WISKI
276 database.

277

278 **STAFF UPDATES**

279

280 Administrator’s Report

281

282 Mr. Wisker reported on the following items:

283

- 284 1. In response to Manager Loftus’ question, all of the data from the Real Time Sensor
285 Network is managed through the WISKI data management system.
286
- 287 2. The Minnehaha Creek watershed continues to experience moderate drought, with
288 precipitation to date about 5 inches below normal at 17 inches total. Lake Minnetonka is
289 at elevation 928.2, and the lake level has declined 4.8 inches since the Gray’s Bay dam
290 closed in July due to evaporation.
291
- 292 3. A recent email from Mr. Wisker summarized staffing updates, including the hiring of Ms.
293 Sophia Green as a project planner, and Ms. Maggie Menden as permitting assistant.
294 MCWD is interviewing candidates for the communications coordinator position and has
295 posted for an administrative services manager.
296
- 297 4. Mr. Wisker expressed his gratitude to the Board of Managers and staff team for cohesive
298 work together to advance the MCWD’s mission.
299

300

301

302

303

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
08-24-23

304 **Adjournment**

305

306 There being no further business, President White declared the meeting of the Board of
307 Managers adjourned at 8:40 p.m.

308

309 Respectfully submitted,

310

311

312 Eugene Maxwell, Secretary

313

314

DRAFT