

1
2
3
4
5
6
7
8
9
10
11
12

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

February 9, 2017

13
14

CALL TO ORDER

15
16
17

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 6:45 p.m. on November 17, 2016, at the District office, 15320 Minnetonka Boulevard, Minnetonka, Minnesota 55345.

18
19

MANAGERS PRESENT

20
21

Sherry White, Brian Shekleton, Richard Miller, Pamela Blixt, William Olson, Kurt Rogness, and William Becker.

22
23

MANAGERS ABSENT

24

None.

25
26

DISTRICT STAFF AND CONSULTANTS PRESENT

27
28
29

Lars Erdahl, Administrator; James Wisker, Planning and Projects Director; Michael Hayman, Planner-Project Manager; Renae Clark, Planner-Project Manager; Heidi Quinn, Permitting Technician; Chris Meehan, Consulting Engineer; Louis Smith, District Counsel.

30
31

MATTERS FROM THE FLOOR

32

None.

33
34

APPROVAL OF THE AGENDA

35
36
37

It was moved by Manager Shekleton, seconded by Manager Blixt, to approve the agenda as distributed. Upon vote, the motion carried, 7-0.

38
39

CONSENT AGENDA

40
41
42
43
44

It was moved by Manager Miller, seconded by Manager Shekleton, to approve the Consent Agenda, consisting of the minutes of January 26, 2017. Upon vote, the motion carried, 7-0.

45 **REGULAR AGENDA**

46

47 **Board, Committee, and Task Force Reports**

48

49 President's Report and Executive Committee Report:

50

51 President White reported that she attended the recent meeting of the Metropolitan
52 Chapter of the Minnesota Association of Watershed Districts, which included a
53 presentation on MAWD's upcoming organization and financial planning;

54

55 The District has received a letter and petition from the Carmen Bay Lake Improvement
56 District; there has been an initial response to offer to meet and discuss this petition;

57

58 The Board of Managers held their retreat on February 2, and reviewed strategic planning,
59 governance, and roles for the Citizen's Advisory Committee.

60

61 Policy and Planning Committee Report

62

63 Manager Miller reported that at the Committee meeting earlier this evening. The staff
64 presented an update on the Comprehensive Plan, including a detailed outline of the
65 proposed approach to implementation of projects and programs, as well as a schedule for
66 completion of the plan; the Committee also received an update on planning in the Six
67 Mile Creek/Halsted Bay Subwatershed, with included highly informative maps.

68

69 Citizen's Advisory Committee

70

71 Manager Olson reported that he attended the annual meeting of the Carver County Water
72 Management Organization, along with CAC members, which included an interesting
73 presentation on climate change by Paul Huttner; the CAC discussed the cost share and
74 grant program restructuring.

75

76 The CAC also unanimously approved strategic planning recommendations that came
77 from Board retreat; the CAC embraced the roles for involvement that had been identified
78 at the retreat and also discussed the pros and cons of District re-naming.

79

80 Permits Requiring Variance or Discussion

81

82 Permit 16-659: 14600 Minnetonka Boulevard, Minnetonka Civic Center Board Walk and
83 Trails

84

85 Ms. Heidi Quinn appeared before the Board of Managers and reviewed the permit
86 application. She noted that the City of Minnetonka is requesting a variance from the
87 minimum wetland buffer requirement. Approximately 285 feet of the pathway is within

88 the minimum buffer zone and therefor requires a variance. Ms. Quinn reviewed the
89 criteria for a variance under the District rules as described in detail in the staff report.

90
91 Ms. Quinn also noted that future trail construction is identified in the application
92 documents, but are not included within this permit and merely shown for context.
93 Manager Blixt inquired, given the invasive nature of the trail construction within the
94 wetland, why the entire trail is not constructed all at once. Ms. Quinn stated that it was
95 her understanding that the phased construction plans had to do with City budgeting, given
96 the cost of boardwalk construction. ***Following discussion, it was moved by Manager
97 Miller, seconded by Manager Becker, to grant the variance for the reasons set forth in
98 the staff report and approve the permit with conditions recommended by staff. Upon
99 vote, the motion carried, 7-0.***

100

101 **ACTION ITEMS**

102

103 **Resolution 17-007: Strategic Planning**

104

105 Mr. James Wisker appeared before the Board of Managers and reviewed the strategic
106 planning process, expressing his appreciation to the entire staff for their intensive
107 involvement and learning across departments, as well as to the Board of Managers. He
108 also thanked Becky Christopher for designing the process.

109

110 Manager Miller referred to the Strategic Direction for MCWD programs, paragraph three,
111 Organizational Planning, and noted that he felt that the Operations and Support Services
112 Department will have the ongoing responsibility to address budget, rather than finance.
113 Manager Miller stated that he felt that finance and financial planning would be a function
114 of capital project planning in the Planning Department. Manager Miller also stated that he
115 felt it was important that the human resources consultant report be provided directly to
116 the Board. Manager Becker asked about the public nature of the data included in this
117 report. Mr. Smith explained that there may be some private data concerning individual
118 employee performance, as opposed to broader organizational assessment information
119 which would be considered public data. President White stated that she felt that Managers
120 Olson and Becker may be a valuable resource in continuing their liaison to the
121 consultants in this process. Mr. Wisker stated that he would consult with managers
122 Becker and Olson, as well as legal counsel, in the presentation of the consultant's
123 findings to the Board of Managers.

124

125 ***Following discussion, it was moved by Manager Shekleton, seconded by Manager
126 Miller, to adopt Resolution 17-007.***

127

128 ***It was moved by Manager Miller, seconded by Manager Shekleton to substitute the
129 word "budget" for the word "finance" in paragraph three concerning the ongoing
130 responsibility of the Operations and Support Services Department. Upon vote, the
131 motion on the amendment carried, 6-0-1, with Manager Rogness abstaining.***

132

133 Manager Blixt stated that she will not be voting in support of this resolution, noting that
134 she had not been able to attend or participate in the Committee meetings for the strategic
135 planning process, and that she was also concerned with the plan to eliminate the
136 memorial aspect of the Cynthia Krieg grant. President White stated that there would be
137 recognition of Cynthia Krieg at the upcoming Watershed Heroes event. Manager Miller
138 noted that all managers other than Manager Blixt had attended the Committee meetings
139 in the strategic planning process, and that all votes had been made at meetings of the full
140 Board of Managers.

141

142 The managers then voted on adoption of the following resolution, with the above noted
143 amendment to the strategic direction, as follows:

144

145 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
146 ***Watershed District Board of Managers hereby approves the summary of***
147 ***strategic direction (Attachment 1) for the organization and individual***
148 ***programs, to guide the MCWD Board and staff in aligning programs***
149 ***and their operations with the MCWD's mission and organizational***
150 ***strategy;***

151

152 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers***
153 ***hereby accepts and adopts the attached report, 2017 Strategic Alignment***
154 ***Plan, to provide further background and guidance in this alignment***
155 ***process;***

156

157 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers***
158 ***directs the Administrator to proceed to incorporate and implement these***
159 ***strategic program priorities into the District's new Comprehensive Plan,***
160 ***and in the development of budgeting and financial planning, human***
161 ***resources plans and strategies, and information technology investment***
162 ***plans.***

163

164 *Upon vote, the motion carried, 6-1 (Blixt).*

165

166 Resolution 17-008: Authorization to Award Construction for the Minnehaha Preserve
167 Enhancement Project Trail Connection and Parking Lot

168

169 Mr. Michael Hayman appeared before the Board of Managers to review the Request for
170 Board Action. He noted that the staff recommended Board approval of a construction
171 contract for an amount not to exceed \$217,683. ***Following discussion, it was moved***
172 ***Manager Shekleton, seconded by Manager Olson to adopt Resolution 17-008 as***
173 ***follows:***

174

175 ***NOW, THEREFORE, BE IT RESOLVED, the MCWD Board of***
176 ***Managers awards the contract for construction to New Look***
177 ***Contracting in the amount of \$197,894.00; and***
178

179 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers***
180 ***authorizes the Administrator to execute a construction contract for the***
181 ***Minnehaha Preserve Enhancement Project Trail Connection and***
182 ***Parking Lot, and directs that the Administrator return and otherwise***
183 ***administer bid bonds in accordance with the terms of the request for***
184 ***bids; and***
185

186 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers***
187 ***establishes a project construction budget in the not-to-exceed amount of***
188 ***\$217,683.00 and authorizes the District Administrator, in his judgment***
189 ***and on the recommendation of the District's project engineer, to***
190 ***authorize change orders obligating the District up to that amount; and***
191

192 ***BE IT FINALLY RESOLVED that the MCWD Board of Managers***
193 ***authorizes the Administrator to issue a formal notice to proceed to New***
194 ***Look Contracting in accordance with the terms of this resolution on***
195 ***advice of counsel, receipt of a signed contract and required bonds and***
196 ***insurance documentation.***
197

198 ***Upon vote, the motion carried, 7-0.***
199

200 Resolution 17-009: Authorization to Enter into a Cooperative Agreement with the
201 Metropolitan Council and City of Hopkins for the Lake Street Storm Water Diversion
202 Project
203

204 Mr. Michael Hayman reviewed the Request for Board Action. ***Following discussion, it***
205 ***was moved by Manager Miller, seconded by Manager Shekleton to adopt Resolution***
206 ***17-009 as follows:***
207

208 ***NOW, THEREFORE, BE IT RESOLVED, that the Board of Managers***
209 ***hereby approves and authorizes the Board President, on advice and***
210 ***consent of counsel, to execute the cooperative agreement with***
211 ***Metropolitan Council and the City of Hopkins for the construction of***
212 ***the Hopkins Lift Station L27 Project; and***
213

214 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers***
215 ***establishes a project construction budget in the not-to-exceed amount of***
216 ***\$249,753.00 and authorizes the District Administrator, in his judgment***
217 ***and on the recommendation of the District's project engineer, to***
218 ***authorize change orders obligating the District up to that amount.***

219

220 *Upon vote, the motion carried, 7-0.*

221

222 Resolution 17-xxx: Cottageville Park Regional Stormwater Plan

223

224 Ms. Renae Clark and Ms. Heidi Quinn appeared before the Board of Managers to present
225 the City of Hopkins Regional Stormwater Plan for the stormwater facility at Cottageville
226 Park, pursuant to the District's stormwater rule, paragraph 7. They also noted the
227 proposal of an easement affording Hopkins all rights necessary to meet its inspection and
228 maintenance obligations pursuant to a cooperative agreement between the District and the
229 City of Hopkins. Ms. Clark explained that the Board of Managers would act in approving
230 the stormwater management plan, while the permit would be issued by the staff.

231

232 At the request of Ms. Clark, Mr. Smith reviewed the nature of the obligations under State
233 grants for this project and stated that he felt there was no legal impediment to the City's
234 approach in allocating credits for redevelopment, but nevertheless recommended that the
235 proposed resolution to be adopted by the City be revised to acknowledge that the City
236 will be responsible for any accounting or funding adjustment resulting from this
237 transaction if the Clean Water Fund Grant support of the treatment system construction
238 should so require. *Following discussion, it was moved by Manager Shekleton, seconded
239 by Manager Blixt, to place adoption of the proposed resolution on the Consent Agenda
240 of the February 23 meeting of the Board of Managers. Upon vote, the motion carried,
241 7-0.*

242

243 **BOARD DISCUSSION ITEMS**

244

245 Arden Park Concept Plan Briefing

246

247 Ms. Renae Clark appeared before the Board of Managers and provided an overview on
248 the status of concept planning for the Arden Park project in Edina. Mr. Ross Bintner,
249 Water Resources Engineer for the City of Edina, also appeared before the Board of
250 Managers and reviewed the concept plan in detail. The managers discussed the various
251 elements of the plan including creek improvements, stormwater management, park
252 facilities and trails, and the respective budgeting responsibilities for the District and the
253 City. Mr. Bintner explained that there would be an additional meeting in March to review
254 this plan in greater detail with the community. He noted the appreciation expressed by the
255 Mayor of Edina to the District for its collaborative partnership in this project. The
256 managers expressed their concurrence with the direction of the concept planning, and
257 thanked Ms. Clark and Mr. Bintner for the presentation.

258

259 Human Resources Strategic Planning Report

260

261 President White noted the earlier discussion about the process for the Human Resources
262 consultant to present findings to the Board of Managers and suggested further discussion

263 of the details of this process. She stated that following legal review, she would prefer for
264 the Executive Committee to review these findings first. ***It was moved by Manager***
265 ***Miller, seconded by Manager Becker, that the Human Resources consultant findings***
266 ***be first reviewed by the Executive Committee, and then the full Board of Managers.***
267 President White noted that Managers Olson and Becker would also be involved in an
268 initial discussion with the consultant. Manager Blixt noted that she was neither a liaison
269 manager nor a member of the Executive Committee. Manager Rogness also stated that he
270 was in the same position. ***Following discussion, upon vote, the motion carried, 6-1***
271 ***(Blixt).***

272

273 Administrator's Report

274

275 Mr. Erdahl reported on the following items:

276

- 277 • The field work for the 2016 audit has been completed;
- 278 • Mr. Steve Woods, Executive Director of the Freshwater Society, presented a talk
279 on watershed management planning to the District staff;
- 280 • A fact sheet summarizing District Activity has been mailed;
- 281 • The District will co-host a meeting on the State of the Mississippi River on March
282 8;
- 283 • A review of annual activities for 2016 will be completed by the end of February;
- 284 • The District has started to use the 50th Anniversary logo in communications;
- 285 • Communications staff person Trevor Bourne has accepted a new position at the
286 University of Minnesota;
- 287 • Mr. Erdahl noted that he has completed two years of service with the District and
288 thanked the Board of Managers and staff.

289

290 ADJOURNMENT

291

292 There being no further business, the meeting of the Board of Managers adjourned at
293 9:32 p.m.

294

295 Respectfully submitted,

296

297

298

299 Kurt Rogness, Secretary