

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

August 22, 2024

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by Vice President William Olson at 7:02 p.m. on August 22, 2024, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

William Olson, Richard Miller, Jessica Loftus, Eugene Maxwell, and Stephen Sando.

MANAGERS ABSENT

Sherry White and Arun Hejmadi.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Kate Moran, Policy Planning Coordinator; Becky Christopher, Director of Policy Planning; Brian Beck, Research & Monitoring Program Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

It was moved by Manager Miller, seconded by Manager Maxwell, to approve the Agenda as distributed.

Upon vote, the motion carried 5-0 (White, Hejmadi absent).

MATTERS FROM THE FLOOR

None.

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 August 8, 2024, Board meeting minutes; approval of the General Check Register, including check numbers 42587 through 42593 in the amount of \$28,755.30, electronic funds withdrawals of \$210,059.76, credit card charges of \$5,389.10, managers per diems and reimbursements of \$1,390.16, employee reimbursements of \$47.47, and payroll

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electronic funds withdrawals and disbursements of \$156,262.41, for a total of \$401,904.20; the Surety Check Register including payment of \$30.00 in fees to Bremer Bank, and check numbers 2214-2220, for a total of \$66,350.00; wire transfers of \$0; and the following resolutions:

Resolution 24-045: Adoption of Minor Plan Amendment to Watershed Management Plan

NOW THEREFORE BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers adopts the proposed plan amendment; and

BE IT FURTHER RESOLVED that the District Administrator is to distribute the revised pages to the required review agencies and otherwise incorporate the amendment into the District WMP in accordance with MN Rules 8410; and

Resolution 24-046: Selection and Authorization to Enter into Contract for Legal Services

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute a legal services contract with Smith Partners for the period of September 1, 2024 through August 31, 2026.

Upon vote, the motion carried 5-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: None.

Policy Planning Committee Report: Manager Miller reported that the Committee met earlier in the evening and received progress briefings on the County Road 6 Pond Project and East Auburn Wetland Restoration Project.

Vice President Olson noted the upcoming meeting schedule presented in the agenda.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

PUBLIC HEARINGS & PRESENTATIONS

2025 Budget and Levy Public Hearing

Mr. James Wisker appeared before the Board of Managers and noted that the MCWD proposes a 0.5% decrease in expenses for 2025, from \$14,486,255 to \$14,420,445, and a 0% increase in the 2025 levy, in the amount of \$9,869,513. He reviewed the process for the MCWD to develop its proposed budget and levy, a summary of proposed expenditures, major projects planned for 2025, and the strategic alignment of the proposed budget with the MCWD's commitment to Balanced Urban Ecology.

No one appeared to offer comments on the proposed budget and levy. The managers thanked Mr. Wisker for his presentation and work on the budget.

ACTION ITEMS

Resolution 24-047: Authorize 2D Model Data Collection Contract Extension and Surveying Equipment Rental

Mr. Brian Beck appeared before the Board of Managers to review the request for board action. He reviewed the MCWD's Climate Action Framework and the status of the development of the 2D model. He explained the data collection needs for stream channels, wetlands, and culverts, and the staff recommendation to rent equipment to assist in this data collection. Specifically, staff recommend extending the contract with Bolton and Menk from March 15, 2024 to March 15, 2025 to continue collecting stream channel cross-sections, and to rent survey equipment to collect culvert elevation data in an amount not to exceed \$8,000.

It was moved by Manager Loftus, seconded by Manager Maxwell to adopt Resolution 24-047 as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of Managers authorizes the District Administrator, on the advice of District counsel, to extend the contract with Bolton and Menk to continue the collection of stream channel cross-sections essential for the 2D watershed-wide model development; and

BE IT FURTHER RESOLVED that the Board of Managers authorizes the District Administrator to rent survey equipment in an amount not to exceed \$8,000, for MCWD staff to collect the necessary culvert data to address identified gaps in the watershed model.

In response to a question from Manager Maxwell, Mr. Beck explained the process of locating culverts based on topography and drainage patterns. Manager Olson asked how all of the work of the various engineering firms is being coordinated, and Mr. Beck explained the peer review process and staff serving as the hub. Managers Loftus and

Miller expressed their appreciation for Mr. Beck's dedication and insight in guiding this process. *Upon vote, the motion carried 5-0.*

Resolution 24-048: Authorization to execute contract with Stantec for the Flood Action Plan

Ms. Kate Moran appeared before the Board of Managers to review the request for board action. She explained that based on experience over the last decade, staff have recognized the need for an action plan to follow during a flood event and to provide a clear delineation of roles and responsibilities by program. Such a plan would ensure that MCWD can efficiently and effectively act internally and communicate externally to key stakeholders. During the 2024 season, the MCWD team comprised of staff from different programs and the District Engineer worked closely together to continue to refine and improve a system understanding of how the watershed responds during rain events and a data-driven approach to decision-making. Ms. Moran reviewed the goals for the proposed flood action plan.

It was moved by Manager Sando, seconded by Manager Miller to adopt Resolution 24-048: Authorization to execute contract with Stantec for the Flood Action Plan as follows:

NOW, THEREFORE, BE IT RESOLVED that the District Administrator is authorized, on advice of counsel, to enter a contract with Stantec to develop a Flood Action Plan for an amount not to exceed \$41,591.

Manager Loftus stated that she questioned the need for this plan, as it seems internally focused and she was looking for an approach that was more focused externally on key stakeholders in flood events. Ms. Moran noted that while this plan is focused on staff response to floods, the Climate Action Framework will provide a larger context for engagement with community stakeholders. Ms. Becky Christopher appeared before the Board of Managers and stated that the proposed action plan will address staff needs to clarify roles and responsibilities, and that some of these responsibilities include external communications.

Manager Olson said that he appreciated the value of clear roles in a flooding crisis. In response to a question from Manager Loftus, Mr. Meehan gave examples from flooding events this year when data analysis has been helpful in advising city officials. Manager Loftus said that she felt the focus should be on building the MCWD's capacity to manage flood events. *There being no further discussion, upon vote the motion carried 5-0.*

BOARD DISCUSSION ITEMS

None.

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

STAFF UPDATES

Administrator's Report

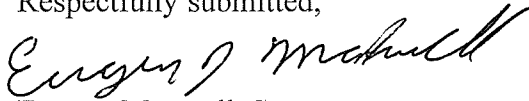
As Mr. Wisker had left the meeting earlier in the evening, Ms. Christopher reported on the following items:

1. Lake Minnetonka is at elevation 929.35, and Minnehaha Creek at Hiawatha is flowing at 156 cubic feet per second, the lowest rate since mid-June.
2. Recent personnel news includes the upcoming departure of Trey Jonas on August 28 and the arrival of three new staff members in September, including a water resources scientist, permitting manager, and engagement coordinator. The geographic information systems position was recently posted.
3. MCWD staff recently had a productive meeting with Jan Voit, executive director of Minnesota Watersheds, and Justin Hanson from the Board of Water and Soil Resources.

Adjournment

There being no further business, Vice President Olson declared the meeting of the Board of Managers adjourned at 8:27 p.m.

Respectfully submitted,


Eugene Maxwell, Secretary