

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

4
5 **January 11, 2024**

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7 **CALL TO ORDER**

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9 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was
10 called to order by President Sherry White at 7:00 p.m. on January 11, 2024, at the
11 MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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13 **MANAGERS PRESENT**

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15 Sherry White, William Olson, Arun Hejmadi, Stephen Sando, Jessica Loftus, and Eugene
16 Maxwell.

17
18 **MANAGERS ABSENT**

19
20 Richard Miller.

21
22 **DISTRICT STAFF AND CONSULTANTS PRESENT**

23
24 James Wisker, Administrator; Becky Christoher, Director of Policy Planning; Jill Sweet,
25 Research & Monitoring Technician; Brian Beck, Research & Monitoring Program
26 Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District
27 Counsel.

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29 **APPROVAL OF AGENDA**

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31 *It was moved by Manager Maxwell, seconded by Manager Hejmadi, to approve the*
32 *Agenda as distributed. Upon vote, the motion carried 6-0 (Manager Miller absent).*

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34 **MATTERS FROM THE FLOOR**

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36 None.

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38 **CONSENT AGENDA**

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40 *It was moved by Manager Olson, seconded by Manager Sando to approve the items on*
41 *the Consent Agenda consisting of approval of the December 28, 2023 Board meeting*
42 *minutes; approval of the General Check Register, including check numbers 42474*
43 *through 42482 in the amount of \$71,507.83, electronic funds withdrawals of \$4,833.49,*
44 *Managers Per Diems and Reimbursements of \$6,897.50, employee reimbursements of*
45 *\$44.02, and payroll electronic funds withdrawals and disbursements of \$0 for a total of*

46 ***\$83,282.84; the Surety Check Register Bremer Bank fee of \$37.00; the Wire Check***
47 ***Register in the amount of \$0; and approval of the following resolutions:***

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49 ***Resolution 24-001: Approval of District Funds Depository:***

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51 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
52 ***Watershed District Board of Managers hereby names Bremer Bank as the 2024***
53 ***official depository of District Funds for its four bank accounts;***

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55 ***Resolution 24-002: Approval of District Funds Depository for Noncash Financial***
56 ***Assurances***

57

58 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
59 ***District Board of Managers hereby names Smith Partners as the 2024 official***
60 ***depository of noncash financial assurances for the District;***

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62 ***Resolution 24-003: Approval of the District's Official Newspaper***

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64 ***NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers***
65 ***hereby designates the Star Tribune as the official newspaper of the District for***
66 ***2024;***

67

68 ***Resolution 24-004: Approval of the 2023 MCWD Pay Equity Report and Authorization***
69 ***to Submit to the State of Minnesota***

70

71 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
72 ***District Board of Managers hereby approves the 2023 MCWD Pay Equity report***
73 ***and directs staff to submit the 2023 MCWD Pay Equity Report to the State of***
74 ***Minnesota Management and Budget before the January 31, 2024 deadline; and***

75

76 ***Resolution 24-005: Resolution Supporting Boundary Adjustment Between Lower***
77 ***Minnesota River Watershed District and Minnehaha Creek Watershed District***

78

79 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
80 ***District Board of Managers supports the submission LMRWD's petition to***
81 ***BWSR pursuant to Minnesota Statutes 103B to alter the boundaries of the***
82 ***LMRWD and MCWD;***

83

84 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers supports a***
85 ***boundary adjustment as described in Attachment B, and authorizes the MCWD***
86 ***District Administrator to sign a Letter of Concurrence in accordance with***
87 ***Minnesota Statutes 103B to be included in the petition to BWSR to adjust the***
88 ***common boundary of the LMRWD and MCWD; and***

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BE IT FURTHER RESOLVED that the MCWD Administrator is authorized to fulfill all responsibilities of the MCWD to implement the boundary adjustment as approved by BWSR.

Upon vote, the motion carried 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President’s Report: President White noted that she and Mr. Wisker had a productive meeting recently with Hennepin County Commissioner Fernando.

Operations and Programs Committee Report: None.

President White noted the upcoming meeting schedule presented in the agenda.

PUBLIC HEARINGS & PRESENTATIONS

Public Hearing for Proposed Rule Revisions

President White opened the public hearing on the proposed revisions to MCWD’s rules. Ms. Becky Christopher appeared before the Board of Managers to review the purposes of the rules revision, the process of engaging the Technical Advisory Committee and the Citizens Advisory Committee, and a summary of the proposed revisions.

No one appeared to provide testimony or comments. Ms. Christopher noted that no comments have been received to date, and once the comment period closes, the staff will bring final recommendations for adoption of proposed rules revisions. President White closed the public hearing and thanked Ms. Christopher for her presentation.

ACTION ITEMS

Election of Board Officers and Appointment of Committee Assignments

President White declared nominations open for president. Manager Maxwell nominated Sherry White for president. There were no further nominations, and nominations were closed. Upon vote, the managers elected Sherry White president, 6-0.

President White declared nominations open for vice president. Manager Maxwell nominated William Olson for vice president. There were no further nominations, and nominations were closed. Upon vote, the managers elected William Olson vice president, 6-0.

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132 President White declared nominations open for treasurer. Manager Maxwell nominated
133 Jessica Loftus for treasurer. There were no further nominations, and nominations were
134 closed. Upon vote, the managers elected Jessica Loftus treasurer, 6-0.

135
136 President White declared nominations open for secretary. Manager Olson nominated
137 Eugene Maxwell for secretary. There were no further nominations, and nominations
138 were closed. Upon vote, the managers elected Eugene Maxwell secretary, 6-0.

139
140 President White proposed the committee assignments to be the same as the previous year
141 as follows:

142
143 Operations and Programs Committee: Manager Loftus, Chair; Managers Olson
144 and Hejmadi;

145
146 Policy and Planning Committee: Dick Miller, Chair; Eugene Maxwell, Stephen
147 Sando.

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149 ***It was moved by Manager Olson, seconded by Manager Hejmadi to confirm these***
150 ***appointments. Upon vote, the motion carried 6-0.***

151

152 Resolution 24-006: Authorization to Execute a Contract with the University of Minnesota
153 to Evaluate the Effectiveness of Carp Management as a Watershed Management Strategy

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155 Ms. Jill Sweet appeared before the Board of Managers to review the request for board
156 action. She reviewed the MCWD's successful implementation of the Six-Mile Creek-
157 Halsted Bay Habitat Restoration Project with a grant from the Lessard Sams Outdoor
158 Heritage Council. She reviewed recent engagement with the Minnesota Pollution Control
159 Agency and the Department of Natural Resources that highlighted the need to better
160 understand the variables that may affect carp management effectiveness and the impact of
161 carp management on vegetation conditions and water quality. The MCWD recently
162 adopted a memorandum of understanding with these two agency partners that outlines a
163 systematic approach where each agency will bring its unique perspective and data to
164 evaluate MCWD's carp management dataset.

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166 Discussions with the agency partners led the MCWD staff to conclude that the University
167 of Minnesota is the most suitable research organization to take on this research work.
168 She reviewed the proposed scope and schedule, which includes data compilation and
169 analysis, preliminary results, and a final report appropriate for academic literature and
170 conferences. Ms. Sweet noted that the proposed contract with the University of
171 Minnesota study is for a lump sum of \$64,947.

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173 ***It was moved by Manager Hejmadi, seconded by Manager Olson to adopt Resolution***
174 ***24-006: Authorization to Execute a Contract with the University of Minnesota to***

175 ***Evaluate the Effectiveness of Carp Management as a Watershed Management Strategy***
176 ***as follows:***

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178 ***NOW, THEREFORE, BE IT RESOLVED that the District Board of Managers***
179 ***hereby authorizes the Administrator, on advice of counsel, to execute a contract***
180 ***with the University of Minnesota to evaluate the effectiveness of carp***
181 ***management as a watershed management strategy, in an amount not to exceed***
182 ***\$64,947.43.***

183
184 Manager Hejmadi asked if staff had plans for addressing any gaps or holes in the data,
185 and Ms. Sweet noted that staff and partners are open to supplementing the data set as
186 necessary. In response to a question from Manager Sando, Ms. Sweet confirmed that this
187 contract is for research only. In response to a question from Manager Maxwell, Ms.
188 Sweet noted that the data set will focus on the Minnehaha Creek watershed, but will be of
189 interest elsewhere.

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191 ***Upon vote, the motion carried 6-0.***

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194 **BOARD DISCUSSION ITEMS**

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196 None.

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198 **BOARD INQUIRIES, ISSUES, AND IDEAS**

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200 President White requested that MCWD climate mitigation steps be identified as part of
201 the 2025 budget process. Mr. Wisker noted that the MCWD Climate Action Framework
202 provides for an inventory of mitigation measures, which will be a resource in this
203 process.

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205 **STAFF UPDATES**

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207 **American Geophysical Union Conference Report**

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209 Mr. Brian Beck appeared before the Board of Managers and reported on staff attendance at the
210 recent conference of the American Geophysical Union. He explained why the staff attended the
211 conference, what they learned, and the application of this learning to MCWD's work. Research
212 and monitoring staff had attended the conference in prior years, and felt that broader attendance
213 among the staff would promote cross-disciplinary thinking and cross-team function. Many of the
214 sessions promoted a deeper understanding of climate change, mitigation and adaptation and a
215 stronger connection of science and policy. For example, staff returned with a deeper
216 understanding of exposure to climate risks, vulnerability of sectors of the population, and steps to
217 gaining resilience for those vulnerable communities. Staff also explored the power of personal

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218 experience, the development of community narratives, and frameworks for community-centered
219 engagement. The managers thanked Mr. Beck for his presentation.

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221 Administrator's Report

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223 Mr. Wisker reported on the following item:

224

- 225 1. As District engineer, Stantec has agreed that engagement of work with municipalities in
226 MCWD requires a waiver from the administrator. Minnetonka Beach has requested that
227 Stantec provide services in relation to a drinking water project, and Mr. Wisker plans to
228 grant the waiver, while also keeping the Board informed of this situation.

229

230 Adjournment

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232 There being no further business, President White declared the meeting of the Board of
233 Managers adjourned at 8:15 p.m.

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235 Respectfully submitted,

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238 Eugene Maxwell, Secretary