

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

4
5 **March 28, 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 March 28, 2024, at the MCWD
11 offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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13 **MANAGERS PRESENT**

14 Sherry White, William Olson, Stephen Sando, Eugene Maxwell, Richard Miller and Arun
15 Hejmadi.

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18 **MANAGER ABSENT**

19 Jessica Loftus.

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22 **DISTRICT STAFF AND CONSULTANTS PRESENT**

23 James Wisker, Administrator; Kailey Cermak, Planner – Project Manager; Michael
24 Hayman, Director of Project Planning; Chris Meehan, District Consulting Engineer; and
25 Louis Smith, District Counsel.

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28 **APPROVAL OF AGENDA**

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

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33 **MATTERS FROM THE FLOOR**

34 None.

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37 **CONSENT AGENDA**

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39 *It was moved by Manager Hejmadi, seconded by Manager Sando to approve the items*
40 *on the Consent Agenda consisting of approval of the March 14, 2024, Board meeting*
41 *minutes; approval of the General Check Register, including check numbers 42517*
42 *through 42537 in the amount of \$136,593.04, electronic funds withdrawals of*
43 *\$44,392.95, Managers Per Diems and Reimbursements of \$844.87, employee*
44 *reimbursements of \$1,703.82, and payroll electronic funds withdrawals and*
45 *disbursements of \$ 197,143.79, for a total of \$380,678.47; the Surety Check Register*
46 *including payment of \$27.00 in fees to Bremer Bank; \$7,275.00 to Minnesota*

47 *Department of Commerce Unclaimed Property for release of sureties pursuant to*
48 *Resolution 23-080; No Wire Transfers; and approval of the following resolutions:*

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50 *Resolution 24-016: Authorizing Electronic Fund Transfers for All District Vendor*
51 *Payments:*

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53 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
54 *Watershed District Board of Managers authorizes District staff to eliminate the*
55 *creation and distribution of paper check payments to current, and any new or*
56 *future vendors, and to the extent possible move to electronic fund transfers; and*

57

58 *Resolution 24-017: Authorize Execution of an Easement for Hennepin County CR26*
59 *Bridge Replacement:*

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61 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
62 *Watershed District Board of Managers authorizes the District administrator,*
63 *with non-substantive changes and on advice of counsel, to execute the proposed*
64 *temporary and permanent easement for the Hennepin County CR26 Bridge*
65 *Replacement.*

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

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

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71 President's Report: President White noted that she and Mr. Wisker had a productive
72 meeting recently with Minnesota House Majority Leader Jamie Long and Representative
73 Emma Greenman.

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75 Citizens Advisory Committee Report: Manager Olson reported that he attended the
76 March 20 CAC meeting which focused on discussion of the draft Strategic Action Plan.

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

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80 **PUBLIC HEARINGS & PRESENTATIONS**

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82 County Road 6 Pond Retrofit Public Hearing

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84 President White opened the public hearing.

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86 Ms. Kailey Cermak appeared before the Board of Managers to provide background
87 information on the proposed County Road 6 Pond Retrofit Project. She reviewed the
88 history and background for the project, noting that this pond handles 70% of the Long
89 Lake drainage area and is underperforming, as phosphorus is still leaving the pond in

90 significant amounts. She reviewed the feasibility study and alternative concepts for
91 improving the pond's performance and noted that the gravity sand filter bench with an
92 expanded earthen berm between the pond cells was recommended as the best option and
93 could remove between 52 -73 pounds of phosphorus per year. Ms. Cermak noted that the
94 City of Orono adopted a resolution of support for the project on March 11.

95
96 Ms. Cermak noted that a few comments had been received from the public, in the form of
97 questions from neighboring property owners about the process for the project and
98 expressing an interest in attending a meeting about the project design in the future. Also,
99 the property owner of the project site, Mr. John Newell, has expressed concern about
100 whether the configuration of the filter bench will limit access to the weir, which will be
101 addressed in project design. In response to a question from Manager Miller, Ms. Cermak
102 reviewed the filter bench location and the flow of water through the pond.

103
104 President White invited comments from the public. No one appeared to offer comments.
105 President White closed the public hearing. The managers thanked Ms. Cermak for her
106 presentation.

107 **ACTION ITEMS**

108 **Resolution 24-018: Ordering the County Road 6 Retrofit Project and Authorizing** 109 **Request for Proposals for Design and Engineering Services**

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111 Ms. Cermak reviewed the scope of the request for proposals, the budget, and project
112 timetable.

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114 *It was moved by Manager Olson, seconded by Manager Miller to adopt Resolution 24-*
115 *018: Ordering the County Road 6 Retrofit Project and Authorizing Request for*
116 *Proposals for Design and Engineering Services as follows:*

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118 ***NOW, THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes***
119 ***§103B.251 and the WMP, the Minnehaha Creek Watershed District Board of***
120 ***Managers orders the County Road 6 Pond Retrofit Project;***

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122
123 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes***
124 ***the District Administrator, on advice of counsel, to release a request for***
125 ***proposals for engineering design services.***

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128 In response to a question from Manager Miller, Ms. Cermak reviewed the general plans
129 for the Holbrook Pond project and other improvements in the Long Lake to Tanager Bay
130 management unit area. Mr. Wisker noted further that these projects are included in the
131 Long Lake Roadmap as potential projects with estimated costs. Manager Maxwell
132 inquired about the process for raking the filter sand and Ms. Cermak noted that the

133 precise method will be determined through design. In response to a question from
134 Manager Olson, Mr. Chris Meehan compared a notched weir to a V weir and the
135 purposes of these designs in relation to management responses to various storm events.
136 Manager Olson asked about maintenance and how the filter media may be changed to
137 address dissolved phosphorus, and Ms. Cermak noted that the filter media will be
138 changed in ten-year cycles, and that berm will help to filter more sediment in the first cell
139 of the pond. In response to a question from Manager Hejmadi, Mr. Michael Hayman
140 appeared before the Board of Managers to review plans for disposal of the filter sand,
141 noting that it would likely not be contaminated and useful for building projects. Manager
142 Maxwell asked about keeping the city and residents informed about the progress of the
143 project, and Ms. Cermak noted plans to do so, including a meeting to review project
144 design. In response to a question from Manager Hejmadi, Ms. Cermak affirmed plans to
145 monitor the effectiveness of the project once constructed.

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147 *There being no further discussion, upon vote, the motion carried 6-0.*

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150 **BOARD DISCUSSION ITEMS**

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152 None.

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154 **BOARD INQUIRIES, ISSUES, AND IDEAS**

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156 None.

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158 **STAFF UPDATES**

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160 **Administrator's Report**

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162 Mr. Wisker reported on the following items:

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164 1. With Manager Olson, Mr. Wisker recently presented an overview of the
165 MCWD vision, mission and strategies to the Lake Minnetonka Conservation
166 District; they also covered the MCWD's approach to Lake Minnetonka and
167 upstream projects in the Long Lake, Six Mile Creek and Painters Creek
168 subwatersheds, as well as the Climate Action Strategy and carp management
169 work;

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171 2. As noted by President White, Mr. Wisker provided a briefing to House
172 Majority Leader Jamie Long and Representative Emma Greenman on the
173 MCWD's watershed approach, work in the Minnehaha Greenway, and
174 planned projects in Minneapolis; the legislators invited future funding
175 requests as needed;

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3. Susan Du wrote a lengthy article in the Star Tribune about the MCWD partnership with the City of Minneapolis and Minneapolis Park & Recreation Board to improve Minnehaha Creek; and
4. Work continues to address repairs for the Minnehaha Preserve Boardwalk; all eleven categories of defective work now have remedial plans and staff is ready with the contractor to present these plans to the City of St. Louis Park; a pre-submission meeting is scheduled with City staff, and the hope is for the City's approval to come by mid-May; from there remedial work can begin.

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 7:50 p.m.

Respectfully submitted,

Eugene Maxwell, Secretary