

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

January 9, 2025

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:00 p.m. on January 9, 2025, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Jessica Loftus, Arun Hejmadi, Eugene Maxwell, and Steve Sando.

MANAGERS ABSENT

Richard Miller.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Jill Sweet, Research & Monitoring Technician; Michael Hayman, Director of Project Planning; Chris Meehan, District Consulting Engineer; Alex Sellke, Real Estate Counsel; Jay Lindgren, Public Finance Counsel; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

President White noted that Item 13 Board Inquiries, Issues and Ideas, and Item 14 Staff Updates would be taken up prior to Item 12 Discussion Items. *It was moved by Manager Maxwell, seconded by Manager Sando, to approve the agenda with this change. Upon vote, the motion carried, 6-0 (Manager Miller absent).*

MATTERS FROM THE FLOOR

None.

CONSENT AGENDA

It was moved by Manager Olson, seconded by Manager Loftus, to approve the items on the Consent Agenda consisting of approval of the December 19, 2024, Board meeting minutes and the following resolutions:

Resolution 25-001: Approval of District Funds Depository

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby names Bremer Bank as the 2025 official depository of District Funds for its four bank accounts;

Resolution 25-002: Approval of District Funds Depository for Noncash Financial Assurances

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby names Smith Partners as the 2025 official depository of noncash financial assurances for the District;

Resolution 25-003: Approval of the 2025 District Fee Schedule

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the following District fee schedule.

District Fee Schedule

| | |
|---|---|
| <i>District professional staff*</i> | <i>\$ 70.07</i> |
| <i>District administrative staff*</i> | <i>\$ 50.74</i> |
| <i>Consulting Engineer/Technician</i> | <i>\$ Contracted Rate</i> |
| <i>District Counsel</i> | <i>\$ Contracted Rate</i> |
| <i>Permit Application Fee</i> | <i>\$ 10.00</i> |
| <i>Wetland Buffer signs</i> | <i>\$ 2.85</i> |
| <i>B&W Copy Costs (8½ x 11 page)</i> | <i>\$ 0.25 + actual staff time</i> |
| <i>Color Copy (8½ x 11 page)</i> | <i>\$ 1.00 + actual staff time</i> |
| <i>Electronic Records</i> | <i>\$ cost of production</i> |

District expenses for postage, mailing labels, contracted services, and other miscellaneous services will be billed at cost. The “Application Fee” applies to all permits, including fast track permits.

****Blended/burdened professional rate;***

Resolution 25-004: Approval of the District’s Official Newspaper

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby designates the Star Tribune as the official newspaper of the District for 2025;

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Resolution 25-005: Recognition for Emily Balogh's Service on MCWD's Citizens Advisory Committee

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby formally acknowledges Emily Balogh's contribution to the organization and expresses its deep gratitude and thanks for her service;

Resolution 25-006: Recognition for Dan Flo's Service on MCWD's Citizens Advisory Committee

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby formally acknowledges Dan Flo's contribution to the organization and expresses its deep gratitude and thanks for his service;

Resolution 25-007: Recognition for Marcy Bean's Service on MCWD's Citizens Advisory Committee

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby formally acknowledges Marcy Bean's contribution to the organization and expresses its deep gratitude and thanks for her service;

Resolution 25-008: Recognition for Cara Donovan's Service on MCWD's Citizens Advisory Committee

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby formally acknowledges Cara Donovan's contribution to the organization and expresses its deep gratitude and thanks for her service; and

Resolution 25-009: Authorization to Contract with WSB to Continue Interim GIS Support

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute a contract with WSB for interim GIS support, on advice of counsel, in an amount not to exceed \$20,000.

Upon vote, the motion carried, 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: None.

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

PUBLIC HEARINGS & PRESENTATIONS

None.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Election of Officers

President White declared nominations open for president. *It was moved by Manager Maxwell, seconded by Manager Olson, to elect Sherry White president. Upon vote, the motion carried 6-0.*

President White declared nominations open for vice president. *It was moved by Manager Hejmadi, seconded by Manager Maxwell, to elect William Olson vice president. Upon vote, the motion carried 6-0.*

President White declared nominations open for secretary. *It was moved by Manager Olson, seconded by Manager Hejmadi, to elect Eugene Maxwell secretary. Upon vote, the motion carried 6-0.*

President White declared nominations open for treasurer. *It was moved by Manager Maxwell, seconded by Manager Hejmadi, to elect Jessica Loftus treasurer. Upon vote, the motion carried 6-0.*

Appointment of Committee Assignments

President White recommended continuing with the same committee assignments as last year, as follows:

Operations and Programs Committee: Loftus, chair; Olson; and Hejmadi.

Policy and Planning Committee: Miller, chair; Maxwell; and Sando.

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It was moved by Manager Olson, seconded by Manager Hejmadi, to confirm these committee assignments. Upon vote, the motion carried 6-0.

Resolution 25-010: Authorization to Execute a Winter Carp Removal Contract with WSB

Ms. Jill Sweet appeared before the Board of Managers to review the request for board action. She reviewed the background and current activities to manage the common carp population in the Six Mile Creek – Halsted Bay Subwatershed. She noted that the variability of the carp population in Parley and Mud Lakes remains perplexing. She reviewed the proposed scope of work with WSB for the winter seining to remove carp from Parley Lake and to prepare a refined population estimate.

It was moved by Manager Olson, seconded by Manager Sando to adopt Resolution 25-010: Authorization to Execute a Contract with WSB for Winter Carp Removal and a Refined Carp Population Estimate as follows:

NOW, THEREFORE, BE IT RESOLVED that the District Administrator is authorized, on advice of counsel, to execute a scope of work with WSB & Associates, for services to remove common carp in Parley Lake within the Six Mile Creek-Halsted Bay Subwatershed, in an amount not to exceed \$26,646.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the District Administrator is authorized, on advice of counsel, to execute a scope of work with WSB & Associates, for services to conduct a population estimate on the common carp in Parley Lake within the Six Mile Creek-Halsted Bay Subwatershed, in an amount not to exceed \$5,990.

In response to a question from Manager Olson, Ms. Sweet reviewed the location of fish barriers and general survey information. In response to a question from Manager Maxwell, Ms. Sweet noted that ice safety considerations are the responsibility of the commercial fishermen. Manager Hejmadi expressed his appreciation for the ongoing coordination of work with state agencies and data sharing in this area.

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

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Staff is preparing for a presentation on February 18 to the Carver County Board of Commissioners on MCWD outcomes and upcoming opportunities;
2. A reception to honor the service of Independence Mayor Marv Johnson will be held on January 28.
3. Staff is working on a funding reconciliation with FEMA for work related to damages from the 2014 flood event.
4. Staff is investigating about 15-119 dying ash trees near MCWD property on Dutch Lake.
5. James McDermott has been hired as the new Project Maintenance and Land Management manager. He will start on January 21.
6. **Staff will be attending** the annual conference of Minnesota Watersheds, along with President White and Manager Olson. Mr. Wisker and Brian Beck will present on the MCWD climate action framework at the conference.
7. Staff participated in a successful meeting with a permit applicant, adjoining landowner and City of Orono staff to develop an agreement on an approach to a challenging stream crossing and culvert project on West Branch Road.
8. Managers Hejmadi, Maxwell, and Olson are in the process of seeking reappointment, as their terms expire next March.

BOARD DISCUSSION ITEMS

325 Blake Road Restoration and Redevelopment

Mr. Michael Hayman appeared before the Board of Managers to provide an update on redevelopment and the MCWD project at 325 Blake Road in Hopkins. He requested that the Board of Managers go into closed session. ***Pursuant to legal counsel's recommendation, it was moved by Manager Maxwell, seconded by Manager Miller for the Board to go into a closed session for the purpose of discussing the potential expiration or revision of terms of the Purchase and Sale Agreement of 325 Blake Road in Hopkins. Upon vote, the motion carried 7-0.***

The Board of Managers went into closed session.

The Board of Managers returned to open session.

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Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 9:40 p.m.

Respectfully submitted,

Eugene Maxwell

Eugene Maxwell, Secretary