

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

December 18, 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 7:05 p.m. on December 18, 2025, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Jessica Loftus, Eugene Maxwell, Richard Miller, Stephen Sando, and Arun Hejmadi.

MANAGERS ABSENT

None.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Deb Johnson, Office Manager; James O'Brien, Outreach Coordinator; James McDermond-Spies, Project Maintenance & Land Management Program Manager; Lauren Stretar, Office Assistant; Nick Wyers, District Consulting Engineer; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Maxwell, seconded by Manager Miller, to approve the Agenda as distributed. Upon vote, the motion carried, 7-0.

CONSENT AGENDA

Manager Olson requested that Item 7.2, Approving Repair of Hail Damage to District Vehicles and Insurance Claim Submittal, be pulled from the Consent Agenda. *It was moved by Manager Olson, seconded by Manager Hejmadi, to approve the remaining items on the Consent Agenda consisting of approval of the December 1, 2025, Board meeting minutes, approval of the General Check Register, including check numbers 42719 through 42727 in the amount of \$89,009.07, electronic funds withdrawals of \$242,042.66, credit card charges of \$3,859.51, managers per diems and reimbursements*

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of \$2,516.82, employee reimbursements of \$1,607.62, and payroll electronic funds withdrawals and disbursements of \$181,127.63, for a total of \$520,163.31; the Surety Check Register with payment of \$30.00 in fees to Bremer Bank and check numbers 2268 through 2270 for a total of 28,905.00; wire transfers of \$5,500.00 for payment to MN Unclaimed Property Fund for payment of Sureties 04-140 / 04-615 / 13-531; and the following resolutions:

Resolution 25-073: Surety Return Project Update and Authorization to Send Cash Sureties to the State of Minnesota Unclaimed Property Fund

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorize staff to initiate a wire transfer from the District's Old National Bank surety funds account in the amount of \$5,500 to the State of Minnesota Unclaimed Property Fund;

Resolution 25-076: Selection and Authorization to Execute a Contract for Government Relations Services

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby selects Joel Carlson as the government relations consultant and authorizes the District Administrator to execute a new two-year contract with a termination date of December 31, 2027, for government relations services on retainer for an annual amount not to exceed \$28,000 or \$56,000 for the term of the contract;

Resolution 25-077: Authorization to Select and Execute a Catering Contract for Watershed Management Plan Kickoff Event

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to select a vendor and execute a contract in an amount not to exceed \$10,000, for catering services at the January 27, 2026, Kickoff Events;

Resolution 25-078: Authorization to Extend Engineering Services Contract

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the MCWD Administrator, on advice of counsel, to amend the current engineering services contract with Stantec and extend the contract until June 30, 2026, with Stantec to provide engineering services on retainer for a monthly rate through February 28, 2026 and additional services provided based on an hourly fee structure, as authorized by the Administrator; and

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Resolution 25-079: Authorization to Purchase Replacement Sensors for RESNET

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorize the District Administrator to purchase reserve and replacement equipment from OTT-Hydromet in a total not to exceed \$11,000.

Upon vote, the motion carried, 7-0.

Resolution 25-075: Approving Repair of Hail Damage to District Vehicles and Insurance Claim Submittal

Manager Olson noted the claim for hail damage to District vehicles and asked if a claim for hail damage to the roof of the office building is being pursued as well. Ms. Deb Johnson appeared before the Board of Managers and stated that an inspection of the roof revealed damage also, and a claim is being pursued. Manager Olson thanked Ms. Johnson for this information. ***It was moved by Manager Olson, seconded by Manager Miller to adopt Resolution 25-075: Approving Repair of Hail Damage to District Vehicles and Insurance Claim Submittal as follows:***

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the repair and salvage of the District vehicles as outlined in staff's recommendation and authorizes the District Administrator to obtain vehicle repairs from Caliber Collision for LMCIT reimbursement.

Upon vote, the motion carried, 7-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: None.

Policy and Planning Committee Report: Manager Miller reported that the Committee met earlier in the evening and received a staff briefing on the diversity, equity and inclusion framework as incorporated into the District's community engagement and staff onboarding work. He noted that the briefing was exciting and comprehensive.

MN Watersheds Annual Conference Report: President White noted that she attended the annual Minnesota Watersheds conference, along with Managers Olson and Maxwell.

Manager Olson reported that the Board of Water and Soil Resources has produced helpful training videos on watershed management. He noted that some of the interesting presentations

he attended included groundwater impacts of data centers and Ms. Sweet's presentation on evaluating carp management. President White noted that along with this carp management presentation, she attended presentations on calcareous fens, climate change and resilience, chlorides policy initiatives, natural resource enhancements in flood mitigation, and a low-salt design presentation from the City of Hopkins.

Manager Maxwell noted that the District received the Project of the Year Award for the Arden Park Project. He thanked the staff, project partners including the City of Edina, and all of the partners for making this project such as success.

Manager Olson noted that he also recently attended a conference on watershed democracy at the University of Minnesota. One quotable comment was that flooding does not cause inequity, it reveals it. The conference underscored the critical importance of wetlands in climate resilience.

President White noted the schedule of upcoming meetings presented in the agenda.

PUBLIC HEARINGS AND PRESENTATIONS

None.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Resolution 25-080: Appointment of 2026 Citizens Advisory Committee Members

Mr. James O'Brien appeared before the Board of Managers to review the request for board action. He explained the recruitment and application process and the basis for recommendations on CAC membership.

It was moved by Manager Sando, seconded by Manager Hejjadi to adopt Resolution 25-080: Appointment of the 2026 Citizens Advisory Committee as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby appoints the following individuals to the 2026 Citizen Advisory Committee:

Serving 2026
Ricardo Bonner
Joshua Foschi
Robert Glisky

Serving 2026-2027
Cait Caswell
Laurie Goldsmith
John Iverson

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*Steve Hage
Suzanne Jiwani
Rich Nyquist
Kevin Zahler*

*Drew McGovern
Will Mulhern
Janet Schaefer
Sheri Wallace*

In response to a question from Manager Maxwell, Mr. O'Brien affirmed that the MCWD maintains contact with applicants not selected to keep them informed of District activities and encourage their future reapplication to serve on the CAC. ***There being no further discussion, upon vote, the motion carried 7-0.***

Resolution 25-081: Authorization to Execute Contract for Blandings Turtle Survey and Avoidance Plan

Mr. James McDermond-Spies appeared before the Board of Managers to review the request for board action. He explained that in 2023 Twin Lakes Park Pond and Nokomis-Amelia Pond were identified to be in need of maintenance in the coming winter. Work was unable to be completed, and the contract ultimately was terminated due to a combination of unseasonably warm weather, and permitting hurdles encountered with the reported presence of Blanding's Turtles in the vicinity of the Nokomis-Amelia work area.

Mr. McDermond-Spies noted that staff requested that Stantec, as the project engineer for dredging Amelia, provide a scope of work to develop an avoidance plan. The primary objective of a plan is to identify measures that, in the DNR's assessment, will allow MCWD to avoid impacts to Blanding's turtles that otherwise would require that MCWD apply to the DNR for a "take" permit. Stantec provided a scope of work, and Staff find this scope to meet the needs of the project and to be of reasonable cost.

It was moved by Manager Hejmedi, seconded by Manager Maxwell, to adopt Resolution 25-081: Authorization to Execute Contract for Blanding's Turtle Survey and Avoidance Plan as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the MCWD Administrator, on advice of legal counsel, to negotiate and execute a contract with Stantec Consulting, in an amount not to exceed \$15,086, and authorizes the Administrator to execute any amendments to the contract that he finds warranted, up to an additional 10 percent of the contract price, in aggregate.

In response to a question from Manager Miller, Mr. McDermond-Spies provided further background on the DNR's regulatory jurisdiction concerning Blanding's turtles, and their endangered species status. In response to a question from Manager Olson, Mr. McDermond-

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Spies and Mr. Wisker reviewed the discussions with the DNR about the preference for an avoidance plan over a “take” permit. Mr. Wisker also noted that the MCWD’s project is to maintain a constructed stormwater facility, which would appear to be an exception, but the preparation of an avoidance plan appears to be the only way to get the DNR to address this issue.

There being no further discussion, upon vote, the motion carried 7-0.

Resolution 25-074: Authorizing Contract for Accounting Services

Ms. Lauren Stretar appeared before the Board of Managers to review the request for board action. She reviewed the process of issuing a request for proposals for accounting services and the review of eight proposals received. She noted that after careful review of the proposals, which included the proposers’ understanding of the District’s scope of services, the composition of the team for redundancy purposes, knowledge and/or experience with Minnesota governmental clients, as well as Sage 50, the District’s financial software, and finally pricing, two proposals stood out, those of Abdo Financial Services and Eide Bailly.

Ms. Stretar noted that the Abdo proposal reflected a substantial fee increase. While Abdo is very familiar with the District, she noted that Eide Bailly staff are very knowledgeable and provided a clear transition plan at a reasonable cost. For these reasons, the staff recommend accepting the Eide Bailly proposal. *It was moved by Manager Miller, seconded by Manager Loftus, to adopt Resolution 25-074: Authorizing Contract for Accounting Services as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby selects Eide Bailly as the accounting firm for the District; and hereby authorizes the District Administrator, on advice of counsel, to execute a contract with Eide Bailly to provide accounting services for 2026 and 2027 at rates not to exceed those set forth in the firm’s proposal.

Manager Hejmadi complemented staff for a very thorough review process. Manager Loftus noted that the process revealed two strong frontrunners, and that change is always hard. In this case, Manager Loftus said, the change will introduce more competition into the marketplace and that could benefit other entities as well. Manager Maxwell stated that he values the staff input and recommendation. In response to a question from Manager Olson, Ms. Stretar noted the budget for accounting and audit preparation. In response to a question from Manager Hejmadi, Ms. Stretar affirmed that the staff is comfortable with the representatives from Eide Bailly. *There being no further discussion, upon vote the motion carried 7-0.*

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BOARD DISCUSSION ITEMS

None.

BOARD INQUIRIES, ISSUES, AND IDEAS

Manager Miller inquired about the status of financing the land acquisition at 6300 Painter Road in Minnetrista. Ms. Kaily Cermak and Mr. Wisker responded at the meeting that while there are adequate cash reserves, the opportunity to pursue private placement of bonded debt could be preserved by adopting a reimbursement resolution on or before the January 22, 2026, Board meeting. They noted that staff will present options at the January 8 meeting.

In response to a question from Manager Olson, Ms. Cermak noted all the typical closing concerns were addressed with counsel from Alex Sellke.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. The brochure to announce the kickoff of the 2027 water resources management planning process is complete and distributed to District partners. Manager Miller completed the staff on the quality of the brochure.
2. HDR and MCWD staff held a daylong design charette earlier in the day for the Downtown Long Lake Plan. The charette examined three distinct nodes in the downtown corridor: the Holbrook Park area; the area including a MnDOT pond, the Pioneer Museum and a channel to be redeveloped as the heart of downtown; and Nelson Lakeside Parks.
3. Mr. Wisker and Ms. Hoppe had a recent meeting with representatives from the DNR to discuss several functional points on engagement on aquatic plants, aquatic invasive plants, and public waters permitting.

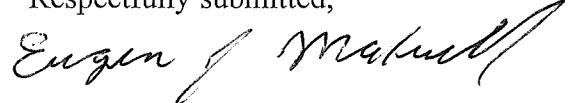
The managers thanked Mr. Wisker for this report.

Adjournment

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There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:10 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eugene J. Maxwell".

Eugene Maxwell, Secretary