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October 23, 2025

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 7:00 p.m. on October 23, 2025, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

ROLL CALL FOR ATTENDANCE

Vice President Olson called the roll to note attendance:

Richard Miller:	Present
Jessica Loftus:	Absent
Stephen Sando:	Absent
Eugene Maxwell:	Present
Arun Hejmadi:	Present, participating remotely
Sherry White:	Absent
William Olson:	Present

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Jenna Christenson, Permitting Assistant; James McDermond-Spies, Project Maintenance and Land Management Manager; Rachel Baker, Planner – Project Manager; Veronica Sannes, Permitting Lead; Nick Wyers, District Consulting Engineer; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Miller, seconded by Manager Maxwell, to approve the Agenda as distributed. Upon roll call vote, the motion carried, 4-0 as follows:

Miller: Aye
Loftus: Absent
Hejmadi: Aye
Maxwell: Aye
Sando: Absent

White: Absent
Olson: Aye

CONSENT AGENDA

It was moved by Manager Miller, seconded by Manager Maxwell, to approve the items on the Consent Agenda consisting of approval of the October 9, 2025, Board meeting minutes, approval of the General Check Register, including check numbers 42706 through 42714 in the amount of \$80,819.57, electronic funds withdrawals of \$223,913.88, credit card charges of \$12,473.84, managers per diems and reimbursements of \$2,171.22, employee reimbursements of \$201.10, and payroll electronic funds withdrawals and disbursements of \$188,113.01, for a total of \$507,692.62; the Surety Check Register with payment of \$30.00 in fees to Bremer Bank and check numbers 2259 through 2261 for a total of \$19,030.00; and wire transfers of \$52,461.58 to Bremer Bank for Office building loan repayment, and \$10,000 to Land Title Trust for 6300 Painter Road land purchase earnest money.

Upon roll call vote, the motion carried, 4-0 as follows:

Miller: Aye
Loftus: Absent
Hejmadi: Aye
Maxwell: Aye
Sando: Absent
White: Absent
Olson: Aye

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: None.

MN Watersheds Quarterly Report: Vice President Olson noted that he attended the quarterly meeting of the Metro Chapter of Minnesota Watersheds along with Manager Maxwell. Highlights of the meeting included a presentation about chloride management from the Edina water resources manager, announcement of the summer tour in August at Detroit Lakes, agency updates, and a discussion of data center impacts on water resources and potential for heat capture.

Vice President Olson noted the schedule of upcoming meetings presented in the agenda.

PUBLIC HEARINGS AND PRESENTATIONS

None.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

Permit 25-454: Minnewashta Parkway SFH Buffer Exception

Ms. Jenna Christenson appeared before the Board of Managers to review this permit application and request for an exception from the buffer requirement. She reviewed the project location and noted that this single-family home was constructed in spring of 2025 without an MCWD permit, so the applicant is seeking an after-the-fact permit. Ms. Christenson noted the application's compliance with the Floodplain Alteration Rule.

She stated that the applicant requests an exception, pursuant to the MCWD Variances and Exceptions Rule, with respect to the Wetland Protection Rule section 5, which requires that a vegetated buffer 24 feet in average width be established adjacent to a wetland with a Manage 2 classification in all areas downgradient of the new or reconstructed impervious surface. Section 5(c) states that the buffer width may be reduced to no less than 50% of the base width of 24 feet, and due to setback requirements and the proposed driveway and retaining wall, the applicant asserts that it is not feasible to meet this minimum width along the northern edge of the wetland. The site constraints have been reviewed by MCWD staff and staff finds the exception request due to those constraints to be reasonable. To offset the loss to buffer performance, the applicant proposes to increase total buffer area and enhance planting measures within the buffer to provide habitat and vegetative improvements to the wetland.

It was moved by Manager Miller, seconded by Manager Maxwell, to approve the requested exception and the permit application with the conditions recommended by staff in the permit report. In response to a question from Manager Maxwell, Ms. Christenson stated that the driveway does not drain to the wetland and would be paved. In response to a question from Manager Hejmadi, Ms. Christenson noted that plantings and maintenance would be the owner's responsibility, and a maintenance plan would be recorded on the title to the property. Manager Olson asked how the MCWD could work to avoid after-the-fact permit applications. Mr. Wisker reviewed the MCWD's outreach to cities to promote awareness of MCWD permit requirements. ***There being no further discussion, upon roll call vote, the motion carried, 4-0 as follows:***

Miller: Aye
Loftus: Absent
Hejmadi: Aye
Maxwell: Aye
Sando: Absent
White: Absent
Olson: Aye

ACTION ITEMS

Resolution 25-061: Award Contract for Twin Lakes Pond Maintenance

Mr. James McDermond-Spies appeared before the Board of Managers and reviewed the request for board action. He reviewed the project background and the need for dredging maintenance of the Twin Lakes Pond. He noted that ten firms attended the pre-bid meeting, and eight firms submitted bids. Mr. McDermond-Spies stated that staff recommend that Frattalone Companies be awarded the contract in the amount of \$254,580 for maintenance of the Twin Lakes Park Pond, and that the Board authorize the District Administrator to issue change orders totaling up to 10% of the contract price.

It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 25-061: Award Contract for Twin Lakes Pond Maintenance as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers awards the contract for maintenance of Twin Lakes Pond to Frattalone Companies in the amount of \$254,580;

BE IT FURTHER RESOLVED that the District Administrator is authorized, on advise of counsel, to enter into a contract with Frattalone Companies for the stated contract price, and further is authorized to execute change orders in his discretion up to an additional 10%, in aggregate, of the contract price; and

BE IT FINALLY RESOLVED that the District Administrator is authorized to issue a formal notice to proceed to Frattalone Companies, on advice of counsel and after receipt of a signed contract and required bonds and insurance documentation.

In response to a question from Manager Miller, Mr. McDermond-Spies stated that MCWD has not had direct experience working with Frattalone Companies in the past. Mr. Wisker stated that MCWD relies on its engineer to provide assistance in reviewing to determine responsive and responsible bidders. Mr. Wyers stated that Stantec has experience working with Frattalone on other projects and knows them to do competent work. In response to a question from Manager Hejmadi, Mr. Wyers reviewed the construction monitoring process to check that the work conforms to contract requirements. Manager Maxwell asked if neighbors have been alerted about the work, and Mr. McDermond-Spies confirmed that they have. In response to questions from Managers Hejmadi and Miller, Mr. McDermond-Spies reviewed the disposal requirements of the dredged spoils from the pond. Manager Olson inquired about weather risks, and Mr. McDermond-Spies stated that the work is best done during the

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winter, and Mr. Wyers stated that the bidding process was timed to allow the work to proceed at the first hard freeze.

There being no further discussion, upon roll call vote, the motion carried, 4-0 as follows:

Miller: Aye
Loftus: Absent
Hejmadi: Aye
Maxwell: Aye
Sando: Absent
White: Absent
Olson: Aye

Resolution 25-062: Authorization to Release Request for Proposals for Engineering Services

Ms. Rachel Baker and Ms. Veronica Sannes appeared before the Board of Managers to review the request for board action. They reviewed the requirement that the District solicit interest proposals every two years before retaining legal, professional, or technical consultant services, and the proposed process and timetable to solicit proposals for engineering services.

It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 25-062: Authorization to Release Request for Proposals for Engineering Services as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes staff to release the request for proposal for engineering services.

Manager Miller noted the value of having a Board member on the selection committee. *Manager Miller moved to amend the motion to read as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes staff to release the request for proposal for engineering services, and that President White or her designee from the Board serve on the Selection Committee.

Manager Maxwell concurred, and the amendment was adopted by unanimous consent.

In response to a question from Manager Maxwell, Ms. Sannes stated that the MCWD typically received a handful of proposals, though the MCWD is undertaking further outreach. Manager Hejmadi asked about the relevance of the 2027 Plan revision in this process. Mr. Wisker noted that the District Engineer generally is involved in the Plan process, though the MCWD also issued a separate RFP for the technical work on the Plan.

There being no further discussion, upon roll call vote, the motion to adopt the Resolution as amended carried, 4-0 as follows:

Miller: Aye
Loftus: Absent
Hejmadi: Aye
Maxwell: Aye
Sando: Absent
White: Absent
Olson: Aye

BOARD DISCUSSION ITEMS

None.

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Lake Minnetonka is currently at elevation 928.56 and the Creek is currently flowing at 30 cubic feet per second.
2. Staff have inspected willows growth at Six Mile Marsh Prairie and at the Japs Olson stormwater pond. At Six Mile, the volunteer growth of willows is to be expected, though a prescribed burn is planned for 2026 and the expectation is that the wetland will naturally control willow growth. The willows at the Japs Olson stormwater pond will be cut and treated to promote proper operation of the pond.
3. The executive director of the Minneapolis Parks Foundation has reached out to MCWD to express interest in discussing how potential projects planned by the partnership of MCWD, City of Minneapolis and the Minneapolis Park & Recreation Board could be supported by the Foundation.

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- 260 4. The Minneapolis Partnership staff team met to review the feasibility study from Stantec
261 for the Cedar Avenue project. Staff are working with legal counsel on drafting a
262 cooperative agreement for project implementation.
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264 The managers thanked Mr. Wisker for this report.
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266 **Adjournment**
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268 There being no further business, Vice President Olson declared the meeting of the Board
269 of Managers adjourned at 7:51 p.m.
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271 Respectfully submitted,
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275 Eugene Maxwell, Secretary