

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

April 23, 2026

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:02 p.m. on April 23, 2026, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

ROLL CALL FOR ATTENDANCE

President White called the roll to note attendance:

| | |
|-----------------|---------------------------------|
| William Olson: | Present |
| Stephen Sando: | Present |
| Eugene Maxwell: | Present |
| Ricardo Bonner | Present |
| Arun Hejmadi: | Present, participating remotely |
| Sherry White: | Present |

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Samantha Hoppe, Outreach Manager; James McDermond-Spies, Project Maintenance & Land Management Manager; Michael Hayman, Director of Project Planning; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Maxwell, seconded by Manager Bonner, to approve the Agenda as distributed. Upon roll vote, the motion carried, 6-0 as follows:

| | |
|-----------------|------------|
| <i>Hejmadi:</i> | <i>Aye</i> |
| <i>Olson:</i> | <i>Aye</i> |
| <i>Bonner:</i> | <i>Aye</i> |
| <i>Maxwell:</i> | <i>Aye</i> |
| <i>Sando:</i> | <i>Aye</i> |
| <i>White:</i> | <i>Aye</i> |

CONSENT AGENDA

It was moved by Manager Maxwell, seconded by Manager Sando, to approve the Consent Agenda consisting of approval of the April 9, 2026 Board meeting minutes, approval of the General Check Register, including check numbers 42749 through 42752 in the amount of \$28,844.71, electronic funds withdrawals of \$199,494.74, managers per diems and reimbursements of \$3,117.73, employee reimbursements of \$19.98, and payroll electronic funds withdrawals and disbursements of \$192,588.45, for a total of \$424,065.61; the Surety Check Register with payment of \$30.00 in fees to Old National Bank; wire transfers of \$41,726.78 to Old National for loan principal and \$10,734.80 for loan interest for a total of \$52,461.58; and the following resolution:

Resolution 26-043: Authorizing Conservation Easement Amendment, 555/535 Bushaway Road, Wayzata

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator, with non-material changes and on advice of counsel, to execute the proposed amendment to the conservation easement encumbering the property at 555 and 535 Bushaway Road.

Upon roll vote, the motion carried, 6-0 as follows:

*Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye*

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White reported that she had attended a mediation session with JTS Construction on April 20, joined Manager Olson and Mr. Wisker for a presentation to the Carver County Board of Commissioners on April 21, attended the Three Rivers Park District State of the Parks meeting with Managers Olson and Sando, and attended a reception honoring former Manager Miller earlier in the day.

Policy and Planning Committee Report: Manager Maxwell reported that the committee met earlier in the evening and received a briefing on the evaluation framework for the 2027 Plan.

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Three Rivers Park District State of the Parks: Manager Sando noted that this was an impressive gathering celebrating the Mississippi River and a focus on partnerships, families and youth education.

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

2025 Financial Audit and Fund Transfers

Resolution 26-044: Review and Accept 2025 Financial Audit

Resolution 26-045: Review and Approve 2025 Fund Transfers and Closures

Mr. Andy Hering of Redpath & Company appeared before the Board of Managers to review the 2025 financial audit. He noted that the audit produced a clean, unmodified opinion that the 2025 financial statements present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Minnehaha Creek Watershed District. Mr. Hering summarized the various elements of the financial audit and two recommendations, that the District implement user restrictions in its use of SmartSheets for invoice management; and that the District review its interest earnings on investment of a portion of its reserves while maintaining adequate liquidity and safety.

It was moved by Manager Olson, seconded by Manager Bonner, to adopt Resolution 26-044: Review and Accept 2025 Financial Audit as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby accepts the 2025 Annual Financial Report, and directs the District Administrator to transmit it to the Minnesota State Auditor, the Minnesota Board of Water and Soil Resources, and Hennepin and Carver County.

In response to a question from Manager Olson, Mr. Hering noted that the 4M fund, which provides for investment of local government funds, has recently been earning about 1.25 – 1.5% more than the District's current depository accounts.

Upon roll vote, the motion carried, 6-0 as follows:

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Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye

Resolution 26-045: Review and Approve 2025 Fund Transfers and Closures

Mr. Wisker reviewed the proposed fund transfers and closures recommended as a result of the 2025 audit.

It was moved by Manager Maxwell, seconded by Manager Bonner, to adopt Resolution 26-045: Review and Approve 2025 Fund Transfers and Closures as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby accepts the proposed transfers and fund closures within the Management Planning Fund.

Upon roll vote, the motion carried, 6-0 as follows:

Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye

Resolution 26-046: Authorization to Execute a Contract for Minneapolis Partnership Website

Ms. Samantha Hoppe appeared before the Board of Managers to review the request for board action. She reviewed the background on the formation of the Thriving Waters Partnership with the City of Minneapolis and the Minneapolis Park & Recreation Board, including the cooperative agreement and the collaborative development of a communications plan. Ms. Hoppe noted the request for a stand-alone website for the Partnership and the designation of MCWD to take the lead in such an effort. She stated that the MCWD informally sought quotes for this work and recommended that Fjorge be selected for this work based on cost-effectiveness and efficiencies.

It was moved by Manager Bonner, seconded by Manager Olson, to adopt Resolution 26-046: Authorization to Execute a Contract for Minneapolis Thriving Waters Partnership Website as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute a contract with Fjorge, on behalf of the Minneapolis Thriving Waters Partnership, for the development of a Partnership website, in an amount not to exceed \$23,490.

In response to a request from Manager Olson, Ms. Hoppe explained the thinking and process to develop the partnership logo. In response to a question from Manager Maxwell, Ms. Hoppe noted that each partner could take the lead on project outreach, depending on responsibilities for the given project. In response to a question from Manager Bonner, Ms. Hoppe explained that this action involves a \$250 increase in monthly managed service plan costs for the new website.

There being no further discussion, upon roll vote, the motion carried, 6-0 as follows:

***Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye***

Resolution 26-047: Authorization to Contract with Sunram Construction for Gray's Bay Dam Maintenance

Mr. James McDermond-Spies appeared before the Board of Managers to review the request for board action. He reviewed the current condition of the Gray's Bay control structure and the need for periodic replacement of the gate seals. He noted that the seals were last replaced in 2017 and, through routine operations, have experienced wear from contact with concrete surfaces, exposure to constant flow conditions, and age. Mr. McDermond-Spies noted that the MCWD solicited quotes to replace these seals in 2025 but only received one quote and elected to defer action. Another solicitation this year with more extensive outreach still produced only one quote, again from Sunram, who agreed to honor their previous quote from 2025.

It was moved by Manager Maxwell, seconded by Manager Bonner, to adopt Resolution 26-047: Authorization to Contract with Sunram Construction for Gray's Bay Dam Maintenance as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator, on advice of counsel, to execute a contract with Sunram Construction, Inc, in an amount not to exceed \$29,850, and authorizes the District Administrator, in his judgement, to execute work changes up to an additional 10 percent of the contract price, in aggregate.

Manager Olson asked whether there were any signs of damage to the concrete elements of the structure, and Mr. McDermond-Spies stated that none has been observed, only black rubber residue from the seals. Manager Sando asked whether there are any plans to replace the control structure, and Mr. McDermond-Spies said there is not, as the steel and concrete structure is still in good condition. Manager Maxwell asked how long the work would take, and Mr. McDermond-Spies said about a week. Manager Maxwell asked if the work would be warrantied, and Mr. Smith noted that beyond standard insurance requirements, he could review the contract documents further and report back on warranty for the work and the seal product. Mr. Wisker noted the photos showing some leakage through the control structure gates, which are a good indication that replacement of the seals is in order, but the leakage is not significant in terms of lake level management.

There being no further discussion, upon roll vote, the motion carried, 6-0 as follows:

Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye

BOARD INQUIRIES, ISSUES, AND IDEAS

Manager Bonner reported on reaching out to the Nature Conservancy and managers supported Mr. Wisker facilitating a networking meeting to compare interests and work.

BOARD DISCUSSION ITEMS

None.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Lake Minnetonka level is 929.05 and Minnehaha Creek is flowing at Hiawatha at 13 cubic feet per second;
2. As noted by Manager Olson, the presentation to the Carver County Board of Commissioners was well received and the commissioners were supportive of the MCWD's plans to move downstream to address issues at Turbid Lundsten;

3. Mr. Wisker and Rachel Baker recently had a productive meeting with the City of Long Lake administrator and public works director. The discussion identified the City's upcoming capital improvements and potential opportunities for collaboration;
4. President White and Mr. Wisker will be meeting on April 24 with Minneapolis Council Member Jamison Whiting to discuss the Thriving Waters Partnership as work advances on the Phase I project and a Policy Steering Committee meeting is planned for this summer;
5. The house on the property acquired by MCWD at 6300 Painter Road in Minnetrista will be burned by the Mound Fire Department as part of their training on Saturday, April 25;
6. MCWD staff will have a retreat on April 30, with the theme of "mission 2037" growing out of the 2027 planning process;
7. A joint meeting of the technical advisory committee and policy advisory committee for the 2027 Plan will be held on April 28.

CLOSED SESSION DISCUSSION

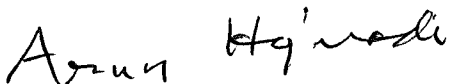
Upon recommendation of counsel, it was moved by Manager Olson, seconded by Manager Bonner to move into closed session for the purpose of receiving confidential legal advice concerning litigation strategy in the case of JTS Construction v. Minnehaha Creek Watershed District. Upon roll vote, the motion carried, 6-0 as follows:

*Hejmadi: Aye
Olson: Aye
Bonner: Aye
Maxwell: Aye
Sando: Aye
White: Aye*

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:55 p.m.

Respectfully submitted,



Arun Hejmadi, Secretary