

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

4
5 **July 23, 2026**
6

7
8 **CALL TO ORDER**
9

10 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called
11 to order by President Sherry White at 7:00 p.m. on July 23, 2026, at the MCWD offices, 15320
12 Minnetonka Boulevard, Minnetonka, Minnesota.
13

14 **ROLL CALL FOR ATTENDANCE**
15

16 President White called the roll to note attendance:
17

18 William Olson: Present
19 Stephen Sando: Present
20 Eugene Maxwell: Present, participating remotely
21 Ricardo Bonner Present
22 Arun Hejmadi: Present, participating remotely
23 Sherry White: Present
24

25 **DISTRICT STAFF AND CONSULTANTS PRESENT**
26

27 James Wisker, Administrator; and Louis Smith, District Counsel.
28

29 **MATTERS FROM THE FLOOR**
30

31 None.
32

33 **APPROVAL OF AGENDA**
34

35 *It was moved by Manager Olson, seconded by Manager Sando, to approve the Agenda*
36 *as distributed. Upon roll vote, the motion carried, 7-0 as follows:*
37

38 *Olson: Aye*
39 *Bonner: Aye*
40 *Maxwell: Aye*
41 *Sando: Aye*
42 *Schaefer Aye*
43 *Hejmadi: Aye*
44 *White: Aye*
45
46

47 **CONSENT AGENDA**

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49 *It was moved by Manager Maxwell, seconded by Manager Bonner, to approve the*
50 *Consent Agenda consisting of approval of the July 9, 2026 Board meeting minutes,*
51 *approval of the General Check Register, including check numbers 42763 through*
52 *42768 in the amount of \$27,846.24, electronic funds withdrawals of \$473,285.15,*
53 *managers per diems and reimbursements of \$2,896.38, employee reimbursements of*
54 *\$506.60, and payroll electronic funds withdrawals and disbursements of \$193,178.34,*
55 *for a total of \$697,712.71; the Surety Check Register with check numbers 2277-78 and*
56 *payment of \$50.00 in fees to Old National Bank for a total of \$13,550.00; and wire*
57 *transfers of \$8,365.00 to the City of Richfield for an interest payment on 2020A.*
58

59 *Upon roll vote, the motion carried, 7-0 as follows:*

60
61 *Hejmadi: Aye*
62 *Olson: Aye*
63 *Bonner: Aye*
64 *Maxwell: Aye*
65 *Sando: Aye*
66 *Schaefer: Aye*
67 *White: Aye*
68
69

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

71
72 President's Report: President White reported that she attended the recent meeting of the
73 Governance Advisory Committee and attended the Citizens Advisory Committee meeting with
74 Manager Maxwell.
75

76 Citizens Advisory Committee: Manager Maxwell reported that the recent CAC meeting focused
77 on the 2027 budget and an update on the 2027 ten-year plan.
78

79 Minnesota Watersheds Metro Chapter: Manager Hejmadi reported that he attended the quarterly
80 meeting that was chaired by Manager Olson. Much of the discussion focused on a proposal by
81 the Minnesota Plumbing Board to prohibit stormwater reuse, and the extensive opposition to this
82 proposal from watershed districts and many other organizations. The state agencies provided
83 updates, and there was a discussion of the extensive loss of natural shoreline in Minnesota.
84

85 President White noted the schedule of upcoming meetings presented in the agenda.
86

87 **PUBLIC HEARINGS AND PRESENTATIONS**

88
89 None.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Resolution 26-062: Authorization to Advance Campus Improvement Project

Mr. Wisker appeared before the Board of Managers to review the request for board action. He reviewed the MCWD's effort since 2019 to pursue the reconstruction of its parking lot to address failed pavement, heaved sidewalks, poor drainage, and deficient subgrade that contribute to winter slip and fall hazards. He noted the driveway area cross easements shared with the MCWD's neighbor, Campbell-Sevey, which requires both owners' consent for shared expenditures over \$1,000. Despite multiple discussions with Campbell-Sevey, MCWD has not reached agreement on negotiating an improved, more workable easement or on reconstructing the driveway. He noted that last winter, there was a slip and fall accident in the parking lot which caused serious injury, underscoring the need to have these conditions addressed.

Mr. Wisker noted that staff presented two options to the Board at the May 28, 2026, meeting, one for a full reconstruction of the parking lot, and the other for pavement reclamation, which would have a shorter useful life of about five to ten years. The Board expressed a preference for the full construction option. Mr. Wisker stated that staff and legal counsel recommend a two-phased implementation plan to preserve the opportunity for a cooperative, full-width driveway reconstruction while establishing a clear path for MCWD to proceed on its own property if an agreement cannot be reached. In Phase One, MCWD would make an offer to Campbell-Sevey to subsidize the cost of constructing the full width of the shared driveway in exchange for a narrower easement aligned with the drive aisle and workable future construction and maintenance terms, whereby either owner could perform conforming work at its own cost without the other owner's consent, while prior written consent would remain a requirement before one owner could charge the costs to the other.

If Campbell-Sevey did not accept the proposal within 30 days, then MCWD would proceed to a limited easement condemnation seeking to acquire or extinguish only Campbell-Sevey easement rights over MCWD property needed to reduce the easement footprint to the shared drive aisle width, make improvements on MCWD property conforming to the easement, and clarify consent rights necessary for MCWD-funded reconstruction and maintenance on MCWD owned property. This limited exercise of eminent domain would permit full-depth reconstruction of MCWD's parking areas and MCWD's portion (half) of the shared driveway. It would not authorize MCWD to enter

or reconstruct Campbell-Sevey property or otherwise produce a full-width driveway reconstruction.

Mr. Wisker suggested that the Board of Managers discuss the terms of the easement proposal to Campbell-Sevey in closed session. Mr. Smith explained that under Minnesota Statutes Section 13D.05, subdivision 3, the Board may go into closed session to develop or consider offers for the purchase or sale of real property.

It was moved by Manager Olson, seconded by Manager Sando, that the Board move into closed session for the purpose of discussing the terms of an offer to amend the easement rights of MCWD and its neighbor Campell-Sevey at 15320 and 15350 Minnetonka Boulevard in Minnetonka, MN. Upon roll vote, the motion carried, 7-0 as follows:

Hejmadi: Aye

Olson: Aye

Bonner: Aye

Maxwell: Aye

Sando: Aye

Schaefer: Aye

White: Aye

The Board of Managers moved into Closed Session.

The Board of Managers returned to Open Session. ***It was moved by Manager Maxwell, seconded by Manager Bonner, to adopt Resolution 26-062: Authorization to Advance Campus Improvement Project, as follows:***

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the following actions:

- Staff and counsel to finalize and transmit a voluntary easement proposal consistent with Board direction established in closed session, and to allow Campbell-Sevey 30 days from transmittal to respond; staff and counsel will promptly advise the Board of Campbell-Sevey's response;***
- Staff and counsel, if the proposal is rejected or not accepted within 30 days, to initiate a limited eminent domain proceeding to acquire or extinguish only those Campbell-Sevey easement rights over MCWD property necessary to reduce the easement footprint to the shared drive aisle width, clarify MCWD's right to reconstruct and maintain its parking areas and its portion of the shared driveway at its own cost in***

174 *conformity with the remaining easement, and, to further clarify*
175 *easement rights to the extent necessary;*

- 176 • *The District Administrator to execute contracts for legal, engineering,*
177 *and appraisal services in base amounts totaling \$53,930, plus a 10%*
178 *contingency, for a total amount not to exceed \$59,323, as follows:*
179 *o Legal services: \$40,000*
180 *o Engineering services: \$8,930*
181 *o Appraisal services: \$5,000*
182 • *Completion of design and permitting and preparation of bidding*
183 *documents, with staff to return to the Board for authorization to*
184 *advertise for sealed bids and for award of the construction contract.*
185

186 *Upon roll vote, the motion carried, 7-0 as follows:*
187

188 *Hejmadi: Aye*
189 *Olson: Aye*
190 *Bonner: Aye*
191 *Maxwell: Aye*
192 *Sando: Aye*
193 *Schaefer: Aye*
194 *White: Aye*
195
196

197 **BOARD DISCUSSION ITEMS**
198

199 None.
200

201 **BOARD INQUIRIES, ISSUES, AND IDEAS**
202

203 Manager Olson noted the news that MCWD would be receiving an award from the Izaak
204 Walton League and suggested that resolutions of gratitude be prepared to recognize and
205 express appreciation for all of the MCWD partners involved in our work. Mr. Wisker
206 noted that staff is working on several ideas along these lines and asked if it would be
207 acceptable to bring a recommendation to the Board accordingly. Manager Olson agreed
208 with this approach.
209

210 **STAFF UPDATES**
211

212 Administrator's Report
213

214 Mr. Wisker reported on the following items:
215

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1. As Manager Olson noted, MCWD will be receiving the National Honor Roll award from the Izaak Walton League, one of the League's highest recognitions presented to individuals outside the Izaak Walton League whose lifetime of work has made an extraordinary contribution to conservation;
2. The drought continues and Lake Minnetonka is at elevation 928.9 with minimal discharge from the Grays Bay control structure.
3. Staff hiring continues, as the District is seeking applications for a new planner – project manager; permitting assistant, and outreach manager. Maggie Menden has announced her plans to leave the MCWD on August 12;
4. Plans are underway for the upcoming Board retreat on governance culture to be held at the Westwood Nature Center on July 31;
5. MCWD has received correspondence from the Knollwood Association concerning a proposed Kwik Trip project at the northwest corner of Highway 169 and Minnetonka Boulevard; staff is aware and coordinating with the City of Minnetonka staff;
6. The Minneapolis Park & Recreation Board Administration and Finance Committee recently recommended approval of the Cedar Avenue Project Cooperative Agreement, which will come to the Board of Managers at an August meeting; plans are underway for Policy Steering Committee meeting in October for the Thriving Waters Partnership;
7. The Technical Advisory Committee recently had a great meeting to discuss how cities can set water resource priorities as part of the 2027 ten-year plan process;
8. President White and Manager Schaefer, as Long Lake liaisons will join Mr. Wisker for upcoming meets with Orono and Long Lake officials;
9. Mr. Wisker will be out on vacation August 10 – 21. ***It was moved by Manager Olson, seconded by Manager Bonner to name Ms. Christopher as acting administrator during Mr. Wisker's absence. Upon roll call vote, the carried, 7-0 as follows:***

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

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259

260 **Adjournment**

261

262 There being no further business, President White declared the meeting of the Board of Managers
263 adjourned at 8:06 p.m.

264

265 Respectfully submitted,

266

267

268

269 Arun Hejmadi, Secretary

DRAFT