

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

4
5 March 24, 2016
6

7 **CALL TO ORDER**
8

9 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was
10 called to order by President Sherry White at 6:45 p.m. at the District office, 15320
11 Minnetonka Boulevard, Minnetonka, Minnesota 55345.
12

13 **MANAGERS PRESENT**
14

15 Sherry White, Brian Shekleton, Richard Miller, Kurt Rogness, William Olson, Pam Blixt
16 and William Becker.
17

18 **MANAGERS ABSENT**
19

20 None.
21

22 **DISTRICT STAFF AND CONSULTANTS PRESENT**
23

24 Lars Erdahl, District Administrator; David Mandt, District Operations and Support
25 Services Services Director; James Wisker, District Planning and Projects Director; Craig
26 Dawson, District Research and Monitoring Director; Eric Fieldseth, District AIS Program
27 Manager; Tiffany Schaufler, District Project and Land Program Manager; Laura
28 Domyancich, District Project and Land Technician; Anna Brown, District Planner-
29 Project Manager; Chris Meehan, District Consulting Engineer; Louis Smith, District
30 Counsel.
31

32 **OATH OF OFFICE**
33

34 Mr. Smith administered the Oath of Office to Brian Shekleton and William Becker.
35

36 **MATTERS FROM THE FLOOR**
37

38 None.
39

40 **APPROVAL OF THE AGENDA**
41

42 *It was moved by Manager Miller, seconded by Manager Olson, to approve the agenda*
43 *as distributed. Upon vote, the motion carried, 7-0.*
44

45 **CONSENT AGENDA**

46

47 Manager Shekleton requested that items 7.2 through 7.6 be pulled from the Consent
48 Agenda. *It was moved by Manager Olson, seconded by Manager Shekleton, to approve*
49 *the remaining items on the Consent Agenda, including the approval of the March 10,*
50 *2016 Board minutes; approval of the check registers, including the general checking*
51 *account, with items 36451 through 36517 for a total of \$374,754.22, payroll direct*
52 *deposits of \$154,807.06, and electronic fund withdrawals totaling \$154,625.27, for total*
53 *expenses of \$684,186.55; and acceptance of the 325 Blake Road checking account.*
54 *Upon vote, the motion carried, 7-0.*

55

56 **REGULAR AGENDA**

57

58 **Board, Committee, and Task Force Reports**

59

60 President's Report:

61

62 President White noted that the Executive Committee met earlier in the evening to review
63 the 2015 audit. She reviewed the upcoming meeting and events schedule.

64

65 Planning and Policy Committee Report:

66

67 Manager Miller reviewed the recent meeting of the Planning and Policy Committee,
68 noting that all members had been in attendance except for Managers Rogness and Blixt.
69 Manager Miller noted that the Committee reviewed and recommended approval of the
70 action items on this evening's Board agenda other than the 2015 annual audit. President
71 White noted that she will be reviewing the designation of the committee chair in the near
72 future.

73

74 **Public Hearings and Presentations**

75

76 2015 Six Mile Creek Carp Assessment Annual Report

77

78 Ms. Anna Brown appeared before the Board of Managers and introduced Justine Koch,
79 Reed Swanson and Dr. Peter Sorenson from the University of Minnesota who presented
80 an annual report of the University assessment of the carp problem in the Six Mile Creek
81 subwatershed. Ms. Koch reviewed the data gathered on carp in the Six Mile Creek
82 Watershed, reviewing data in multiple management units, the variances in biomass by
83 location, the winter aggregation of carp and the opportunity for harvest, the identification
84 of spawning corridors, and the relatively few locations for recruitment of juveniles. The
85 managers thanked the University team for this report.

86

87 Aquatic Invasive Species Update

88

89 Mr. Eric Fieldseth appeared before the Board of Managers and provided an update on
90 aquatic invasive species in the watershed. The managers thanked Mr. Fieldseth for this
91 report.

92

93 Action Items

94

95 Resolution 16-026, Acceptance of 2015 Annual Financial Audit

96

97 Mr. Mark Gibbs appeared before the Board of Managers to review the 2015 Annual
98 Financial Audit. He stated in summary that he rendered a clean opinion with no findings.
99 *Following discussion, it was moved by Manager Shekleton, seconded by Manager*
100 *Rogness, to adopt Resolution 16-026, BE IT RESOLVED that the MCWD accepts the*
101 *2015 Annual Financial Audit and releases it to the Minnesota State Auditor, the Board*
102 *of Water and Soil Resources, Hennepin County and Wells Fargo. Upon vote, the*
103 *motion carried, 7-0.*

104

105 Resolution 16-021, Authorization to Enter into Cost-Share Agreement with City of
106 Shorewood to Provide Watercraft Inspection Services at Christmas Lake in 2016

107

108 Resolution 16-022, Authorization to Enter into Cost-Share Agreement with Carver
109 County to Provide Watercraft Inspection Services at Lake Minnewashta in 2016

110

111 Resolution 16-023, Authorization to Enter into Cost-Share Agreement with Minneapolis
112 Park and Recreation Board to Provide Watercraft Inspection Services at Lakes Calhoun,
113 Harriet and Nokomis in 2016

114

115 Resolution 16-024, Authorization to Enter into Agreement with Carver County to Provide
116 Roaming Watercraft Inspection Services in 2016.

117

118 Resolution 16-025, Authorization to Enter into Agreement with Three Rivers Park
119 District to Provide Roaming Watercraft Inspection Services in 2016.

120

121 Mr. Fieldseth provided an overview of these proposed cost share grants for purposes of
122 aquatic invasive species inspections with various partners in the District. Manager
123 Shekleton explained that he requested to pull these items from the Consent Agenda
124 because he noted that the Operations and Programs Committee had not reviewed these
125 applications. Manager Shekleton asked for more detail on past experience with cost share
126 grants for AIS inspections. Mr. Fieldseth reviewed inspection experience in past years at
127 Christmas Lake and other sites around the watershed. He noted that vendors have
128 changed and there is now better quality and broader hours coverage. Manager Miller
129 asked about the effectiveness of this effort, given the percentage of boat launches on
130 Lake Minnetonka that can be covered, and the experience of Christmas Lake being

131 infested with zebra mussels. Mr. Fieldseth noted that the effort is to deal with degrees of
132 risk reduction, and that the Minneapolis Park and Recreation Board inspection program
133 has been very effective, having stopped infested boats from entering Minneapolis lakes.
134 President White noted that this inspection effort is included within the District's
135 comprehensive plan, work plan, and budget. Manager Miller stated that he would be
136 voting no on these resolutions because he had concerns about the ultimate effectiveness
137 of an inspection program, though Minneapolis may be an exception. Manager Shekleton
138 stated that he concurred with Manager Miller's concerns, but noted that there are positive
139 education outcomes through this program and also acknowledged that the program had
140 been included in the work plan and budget.

141

142 *Following discussion, it was moved by Manager Olson, seconded by Manager Becker*
143 *to adopt Resolution 16-021 as follows:*

144

145 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
146 ***Watershed District Board of Managers authorizes the execution of an***
147 ***agreement with City of Shorewood to provide AIS education through***
148 ***these watercraft inspection services at the Christmas Lake public access,***
149 ***with the District's cost-share grant not to exceed \$44,010.***

150

151 ***BE IT FURTHER RESOLVED that the Board of Managers authorize***
152 ***the District Administrator to enter into this agreement contingent that***
153 ***applicant demonstrate its AIS and lake management plans and related***
154 ***activities are consistent with the goals of the MCWD's Comprehensive***
155 ***Waster Resource Management Plan and upon advice of counsel and***
156 ***with such further minor revisions as may be necessary to effect the***
157 ***intent of the parties.***

158

159 *Upon vote, the motion carried, 5-2 (Managers Miller and Shekleton voting against the*
160 *motion).*

161

162 *It was moved by Manager Olson, seconded by Manager Becker to adopt Resolution 16-*
163 *022 as follows:*

164

165 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
166 ***Watershed District Board of Managers authorizes the execution of an***
167 ***agreement with Carver County to provide AIS education through these***
168 ***watercraft inspection services at the Lake Minnewashta public access,***
169 ***with the District's cost-share grant not to exceed \$17,600.***

170

171 ***BE IT FURTHER RESOLVED that the Board of Managers authorize***
172 ***the District Administrator to enter into this agreement contingent that***
173 ***applicant demonstrate its AIS and lake management plans and related***
174 ***activities are consistent with the goals of the MCWD's Comprehensive***

175 *Waster Resource Management Plan and upon advice of counsel and*
176 *with such further minor revisions as may be necessary to effect the*
177 *intent of the parties.*

178

179 *Upon vote, the motion carried, 5-2 (Managers Miller and Shekleton voting against the*
180 *motion).*

181

182 *It was moved by Manager Olson, seconded by Manager Becker to adopt Resolution 16-*
183 *023 as follows:*

184

185 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
186 *Watershed District Board of Managers authorizes the execution of an*
187 *agreement with the Minneapolis Park and Recreation Board to provide*
188 *AIS education through these watercraft inspection services at public*
189 *accesses to Lakes Calhoun, Harriet and Nokomis, with the District's*
190 *cost-share grant not to exceed \$86,000.*

191

192 *BE IT FURTHER RESOLVED that the Board of Managers authorize*
193 *the District Administrator to enter into this agreement contingent that*
194 *applicant demonstrate its AIS and lake management plans and related*
195 *activities are consistent with the goals of the MCWD's Comprehensive*
196 *Waster Resource Management Plan and upon advice of counsel and*
197 *with such further minor revisions as may be necessary to effect the*
198 *intent of the parties.*

199

200 *Upon vote, the motion carried, 6-1 (Manager Shekelton voting against the motion).*

201

202 *It was moved by Manager Olson, seconded by Manager Becker to adopt Resolution 16-*
203 *024 as follows:*

204

205 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
206 *Watershed District Board of Managers authorize the execution of an*
207 *agreement with Carver County to provide these watercraft inspection*
208 *services at a cost not to exceed \$40,000; and*

209

210 *BE IT FURTHER RESOLVED that the Board of Managers authorize*
211 *the District Administrator, upon advice of counsel and with such further*
212 *minor revisions as may be necessary to effect the intent of the parties, to*
213 *enter into this agreement.*

214

215 *Upon vote, the motion carried, 5-2 (Managers Miller Shekleton voting against*
216 *the motion).*

217

218 *It was moved by Manager Olson, seconded by Manager Becker to adopt*
219 *Resolution 16-025 as follows:*

220

221 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
222 *Watershed District Board of Managers authorize the execution of an*
223 *agreement with Three Rivers Park District to provide these watercraft*
224 *inspection services at a cost not to exceed \$14,560; and*

225

226 *BE IT FURTHER RESOLVED that the Board of Managers authorize*
227 *the District Administrator, upon advice of counsel and with such further*
228 *minor revisions as may be necessary to effect the intent of the parties, to*
229 *enter into this agreement.*

230

231 *Upon vote, the motion carried, 5-2 (Managers Miller and Shekleton voting*
232 *against the motion).*

233

234 Resolution 16-027, Authorization to grant Hennepin County easements on two District
235 Properties to install Weather Stations

236

237 Ms. Tiffany Schaufler appeared before the Board of Managers and reviewed the request
238 for board action. She noted this item had been reviewed by the Planning and Policy
239 Committee. *Following discussion, it was moved by Manager Miller, seconded by*
240 *Manager Rogness to adopt Resolution 16-027 as follows:*

241

242 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
243 *Watershed District Board of Managers hereby authorizes the Board*
244 *President to execute the proposed easements, with non-material changes*
245 *and on advice of counsel, granting Hennepin County the right to install*
246 *and maintain weather stations on two District properties.*

247

248 **Upon vote, the motion carried, 7-0.**

249

250 Resolution 16-028 Support for the Concept of Acting as Conservation Easement Holder
251 for the Deerhill Preserve

252

253 Ms. Laura Domyancich appeared before the Board of Managers and reviewed the request
254 for board action. She noted that this is before the Board for concept approval and also had
255 been considered at the meeting of the Planning and Policy Committee. *It was moved by*
256 *Manager Miller, seconded by Manager Rogness to adopt Resolution 16-028 as follows:*

257

258 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
259 *Watershed District Board of Managers hereby supports the concept of*
260 *acting as the conservation easement holder for the Deerhill Preserve*

261 *Conservation Design – Planned Unit Development pending negotiation*
262 *of final easement language.*

263
264 **Upon vote, the motion carried, 7-0.**

265
266 Resolution 16-029 Authorization to Request Qualifications for Six Mile Planning
267

268 Ms. Anna Brown appeared before the Board of Managers and reviewed the request for
269 board action. She described the process for posting the request for qualifications with
270 various planning firms. *It was moved by Manager Olson, seconded by Manager Miller*
271 *to adopt Resolution 16-029 as follows:*

272
273 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
274 ***Watershed District Board of Managers authorizes staff to issue a request***
275 ***for qualifications for Six Mile planning assistance;***

276
277 ***NOW, THEREFORE, BE IT FURTHER RESOLVED that staff may***
278 ***revise and finalize the request for qualifications in consultation with the***
279 ***District Administrator and Legal Counsel.***

280
281 Manager Blixt asked for examples of firms that might submit responses, and Mr. Wisker
282 provided examples. Upon a question from Manager Rogness, Mr. Wisker confirmed that
283 landscape architecture and planning firms would be included as potential responders.
284 ***Upon vote, the motion carried, 7-0.***

285
286 Manager Miller suggested that Manager Rogness attend and participate in this process.

287
288 Resolution 16-030 Authorization to Execute a Cooperative Agreement with Park Nicollet
289 to Collaborate on Flood Solutions and Master Planning for the Methodist Hospital

290
291 Mr. James Wisker appeared before the Board of Managers. He stated that the City of St.
292 Louis Park is supportive of this effort and has been involved in past discussions, but is
293 not in position to act on this agreement in time to become a formal party to the
294 agreement. Mr. Smith reviewed how the District is assuring its proper regulatory role in
295 the context of this partnership agreement. ***Following discussion, it was moved by***
296 ***Manager Shekleton, seconded by Manager Rogness to adopt Resolution 16-030 as***
297 ***follows:***

298
299 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
300 ***Watershed District Board of Managers hereby authorizes the Board***
301 ***President to execute a cooperative agreement with Park Nicollet Health***
302 ***Services; and***

303

304 ***NOW, THEREFORE, BE IT FURTHER RESOLVED that the***
305 ***Minnehaha Creek Watershed District Board of Managers hereby***
306 ***authorizes non-substantive revisions to be made to the Cooperative***
307 ***Agreement as the document is finalized with Park Nicollet, on advice of***
308 ***counsel; and***
309

310 ***NOW, THEREFORE, BE IT FURTHER RESOLVED that the***
311 ***Minnehaha Creek Watershed District Board of Managers hereby***
312 ***authorizes the District Administrator to execute a contract with Wenck***
313 ***Associates for an amount not to exceed a total cost of \$24,940 and a not***
314 ***to exceed District cost of \$12,469.50.***
315

316 **Upon vote, the motion carried, 7-0.**

317

318 **Staff Updates**

319

320 **Administrators Report**

321

322 Mr. Erdahl reported on the follow items:

323

- 324 • Staff is reviewing the process for solicitation of cost share grant applications and
- 325 • upcoming deadlines;
- 326 • District will continue to seek a Green Corps volunteer;
- 327 • Plans for the Minnehaha Creek Clean up are underway for July 24;
- 328 • Orientation and on-boarding training for new staff is being implemented; and
- 329 • The staff joins the Administrator in expressing thanks to Jim Calkins for his years
- 330 • of service on the Board of Managers and welcoming William Becker.

331

332 **ADJOURNMENT**

333

334 There being no further business, the meeting of the Minnehaha Creek Watershed District
335 Board of Managers was adjourned at 9:22 p.m.

336

337 Respectfully submitted,

338

339

340

341 Kurt Rogness, Secretary