

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

4
5 December 17, 2015
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, James Calkins, Pam Blixt, Richard Miller, Brian Shekleton and Kurt
16 Rogness.
17

18 **MANAGERS ABSENT**
19

20 William Olson.
21

22 **OTHERS PRESENT**
23

24 Lars Erdahl, District Administrator; James Wisker, District Planning and Projects
25 Director; David Mandt, District Operations and Support Services Director; Tom Dietrich,
26 District Permitting Technician; Laura Domyancich, District Project and Land Technician;
27 Tiffany Schaufler, District Project and Land Program Manager; Chris Meehan, District
28 Consulting Engineer; and Louis Smith, District Counsel.
29

30 **MATTERS FROM THE FLOOR**
31

32 None.
33

34 **APPROVAL OF THE AGENDA**
35

36 *It was moved by Manager Calkins, seconded by Manager Shekleton, to approve the*
37 *agenda as distributed. Upon vote, the motion carried, 6-0.*
38

39 **CONSENT AGENDA**
40

41 *It was moved by Manager Shekleton, seconded by Manager Rogness, to approve the*
42 *consent agenda, including the following items: Minutes of December 10, 2015;*
43 *approve of the check registers, including the general checking account, with items*
44 *36224 thru 36302 for a total of \$409,071.02; payroll direct deposits of \$150,624.12;*
45 *and electronic fund withdrawals totaling \$155,292.34; with total expenses for the*
46 *period of November 20 through December 17, 2015 of \$714,987.48; acceptance of the*

47 ***325 Blake Road checking account; adoption of resolution 15-102, Approval of the 2016***
48 ***meeting calendar; and adoption of the following resolutions:***

49

50 **Resolution 15-097, Authorization to Award a Contract to RMB Environmental**
51 **Laboratories, Inc. for Water Quality Sample Analysis Services from January 2016**
52 **through December 2017**

53

54 ***NOW, THEREFORE, BE IT RESOLVED, that the MCWD Board of***
55 ***Managers; hereby authorizes the MCWD District Administrator to***
56 ***extend the agreement with RMB Environmental Laboratories, Inc. to***
57 ***provide water quality sample analysis services from January 2016***
58 ***through December 2017 in accordance with RMB Environmental***
59 ***Laboratories, Inc. proposal at a total cost estimated to be \$106,700 per***
60 ***its December 9, 2015 quotation.***

61

62 **Resolution 15-098, Approval of Cynthia Krieg Watershed Stewardship Fund Grant**
63 **Applications for the 2016 Funding Cycle**

64

65 ***THEREFORE, BE IT RESOLVED, that the Minnehaha Creek***
66 ***Watershed District Board of Managers have considered the Citizen***
67 ***Advisory Committee recommendations and hereby authorize funding***
68 ***thirteen applications, pending compliance with district policies, for a***
69 ***total of \$122,888, from the Cynthia Krieg Watershed Stewardship Fund***
70 ***Program as follows; and***

71

72 ***BE IT FURTHER RESOLVED, that the District Administrator be***
73 ***authorized to sign the appropriate agreements with each funding***
74 ***recipient; and***

75

76 ***BE IT FINALLY RESOLVED that if Minnehaha Creek Watershed***
77 ***District permits are required, that they be applied for and approved***
78 ***before the release of funding.***

79

80 **Resolution 15-099, Authorization to Renew the Contract with Freshwater Society**
81 **for the Watershed Association Initiative**

82

83 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
84 ***Watershed District Board of Managers authorizes the District***
85 ***Administrator to enter into a contract not to exceed \$25,000 with***
86 ***Freshwater Society to continue the Watershed Association Initiative;***

87

88 ***BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed***
89 ***District Board of Managers authorizes the District Administrator to***
90 ***reimburse funds, not to exceed a total of \$5,000 to citizen groups***

91 *according to the parameters set in the Watershed Association Initiative*
92 *Mini Grant Program;*

93
94 *BE IT FINALLY RESOLVED that the District Administrator is*
95 *authorized to sign necessary documents to carry out the Watershed*
96 *Association Initiative, pending approval of form and execution by the*
97 *District counsel.*
98

99 **Resolution 15-100, Authorization to Hire Redpath and Company to Complete the**
100 **2015 MCWD Financial Audit**

101
102 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
103 *Watershed District Board of Managers; hereby authorizes the District*
104 *Administrator to sign the attached letter of engagement with Redpath*
105 *and Company for auditing services for the year ending December 31,*
106 *2015 and with the provision that the audit be completed and submitted to*
107 *the MCWD Board of Managers no later than March 31, 2016.*
108

109 *Upon vote, the motion carried, 6-0.*
110

111 **REGULAR AGENDA**

112
113 **Board, Committee and Task Force Reports**

114
115 **President's Report**

116
117 President White reported on the updated list of Citizen's Advisory Committee members
118 and attendance at a recent meeting of the Hopkins City Council, where there was tribute
119 to outgoing Mayor Gene Maxwell.
120

121 **Policy and Planning Committee:**
122

123 Manager Miller and Manager Calkins reported on a meeting held earlier on December 17
124 of the Policy and Planning Committee. The committee reviewed the strategic framework
125 for the update to the District's comprehensive plan, briefings on planning in the Six Mile
126 Creek and Painter Creek subwatershed areas, and coordinated permitting initiatives.
127

128 Manager Miller also reported that the staff has requested authorization from the Board to
129 explore a concept for a conservation plan with property owned by the Teller family on
130 Piersons Lake in the City of Chaska. *It was moved by Manager Miller, seconded by*
131 *Manager Shekleton, to authorize these staff discussions. Upon vote, the motion carried,*
132 *6-0.*
133
134

135 Permits Requiring a Variance or Discussion

136

137 15-668: MCWD Erosion Control/Dredging, Gleason North Stormwater Ponds 2 and 3,
138 Plymouth

139

140 Mr. Tom Dietrich and Ms. Laura Domyancich appeared before the Board of Managers
141 and reviewed the permit application as set forth in the staff report. They noted that the
142 erosion control criteria of the District rules are being met in the application. ***Following***
143 ***discussion, it was moved by Manager Calkins, seconded by Manager Miller, to approve***
144 ***permit 15-668 with the conditions recommended by staff. Upon vote, the motion***
145 ***carried, 6-0.***

146

147 Resolution 15-101, Acceptance of the 2014 MCWD Flood Report

148

149 Ms. Tiffany Schaufler appeared before the Board of Managers and reviewed the key
150 findings of the 2014 flood report, noting the record breaking precipitation; record
151 breaking lake levels and creek flows; and that the operations of the Gray's Bay Dam was
152 not a factor in impacting these flooding levels.

153

154 Ms. Schaufler noted a comparison of flood levels established by the Federal Emergency
155 Management Administration (FEMA), and an updated Atlas 14 model. Manager Blixt
156 asked whether there is any role for the District in providing advice to property owners
157 and others about these differences. Mr. Smith and Mr. Wisker recommended that the staff
158 and legal counsel develop recommendations for how to manage this issue in coordination
159 with other agencies, including the Department of Natural Resources and affected
160 municipalities. Mr. Erdahl noted that the staff will develop a coordinated response and
161 bring recommendations back to the Board of Managers.

162

163 ***There being no further discussion, it was moved by Manager Shekleton, seconded by***
164 ***Manager Miller, to adopt Resolution 15-101, accepting the 2014 MCWD Flood Report***
165 ***dated December 14, 2015. Upon vote, the motion carried, 6-0.***

166

167 Ms. Schaufler also reported on key information concerning the operation of the Gray's
168 Bay dam:

169

- 170 • As of December 16 the Lake Minnetonka level was 928.71 and the dam discharge
- 171 was 150 cfs
- 172 • Need to reach 928.59 to close the dam
- 173 • On Nov. 11 the lake reached 928.55 and the dam was closed
- 174 • Cumulatively since November 11, precipitation has added 6.12 inches of water to
- 175 the lake level which the District has been able to manage through operation of the
- 176 dam.
- 177 • The latest the dam has been operated previously was December 10, 1984
- 178 • Lake Minnetonka ice records:

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- 179 o Earliest ice in November 25, 1991
- 180 o Latest ice in January 2, 2001
- 181 o Median ice in December 7

182

183 Administrator's Report

184

185 Mr. Erdahl reported on successful Advisory Committee meetings concerning the update
186 to the District's Comprehensive Plan; he noted a recent meeting with the Mississippi
187 Watershed Management Organization and the Board of Water and Soil Resources
188 concerning the one watershed, one plan initiative; and he reported that the legal services
189 and engineering services contracts are being completed and will be presented to the
190 Board of managers at an upcoming meeting.

191

192 ADJOURMENT

193

194 There being no further business, the meeting of the Board of Managers was adjourned at
195 7:37 p.m.

196

197 Respectfully submitted,

198

199

200

201 Kurt Rogness

202 Secretary