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2
3 **MINUTES OF THE REGULAR MEETING OF**
4 **THE MINNEHAHA CREEK WATERSHED DISTRICT**
5 **BOARD OF MANAGERS**
6

7 January 14, 2016
8

9 **CALL TO ORDER**

10
11 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called
12 to order by President Sherry White at 6:45 p.m., at the District office, 15320 Minnetonka
13 Boulevard, Minnetonka, Minnesota 55345.
14

15 **MANAGERS PRESENT**

16
17 Sherry White, Brian Shekleton, Richard Miller, Kurt Rogness, Jim Calkins, William Olson.
18

19 **MANAGERS ABSENT**

20
21 Pamela Blixt.
22

23 **DISTRICT STAFF AND CONSULTANTS PRESENT**

24
25 Lars Erdahl, District Administrator; James Wisker, District Planning and Projects Director;
26 David Mandt, District Operations and Support Services Director; Katherine Sylvia, District
27 Permitting Program Lead; Anna Brown, District Planner-Project Manager; Beth Brown, District
28 Permitting Technician; Michael Hayman, District Planner-Project Manager; Kelly Dooley,
29 District Water Quality Manager; Bret Eidem, District Cost Share Grant Administrator; Becky
30 Christopher, District Lead Planner-Project Manager; Chuck Holtman, District Counsel.
31

32 **MATTERS FROM THE FLOOR**

33
34 Beth Brown informed the Board that she is leaving the District to take a position in the
35 environmental assessment unit of the Minnesota Department of Transportation. She thanked the
36 Board for the opportunity to work for the District. Ms. Sylvia expressed her appreciation to Ms.
37 Brown for her good work. The Board wished Ms. Brown well.
38

39 **APPROVAL OF AGENDA**

40
41 *It was moved by Manager Miller, seconded by Manager Calkins to approve the agenda. Upon*
42 *vote, the motion carried 6-0.*
43

44 **INFORMATION ITEMS/CORRESPONDENCE**

45
46 Manager White reported that the Cities of Tonka Bay and Excelsior have written to the District
47 to advise that their wellhead protection plans have been approved by the Minnesota Department
48 of Health and to thank the District for its assistance.

49
50 **CONSENT AGENDA**

51
52 *It was moved by Manager Olson, seconded by Manager Calkins to approve the consent agenda*
53 *with the exception of Resolution 16-003, approval of the 2016 depository, consisting of the*
54 *December 17, 2015 minutes; the revised April 23, 2015 minutes; and resolutions as follows:*

55
56 **Resolution 16-001, 2016 Fee Schedule, providing as follows:**

57
58 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
59 *Watershed District Board of Managers hereby approves the following 2016 fee*
60 *schedule:*

61

	<i>2015 fees</i>
<i>District professional staff</i>	<i>\$ 65.51</i>
<i>District interns</i>	<i>\$ 40.35</i>
<i>District clerical staff</i>	<i>\$ 46.69</i>
<i>Consulting Senior Engineer</i>	<i>\$ contracted rate</i>
<i>Consulting Engineer/Technician</i>	<i>\$ contracted rate</i>
<i>District Counsel</i>	<i>\$ contracted rate</i>
<i>Application fee</i>	<i>\$ 10.00</i>
<i>B&W Copy costs (per 8½X 11 page)</i>	<i>\$.25 + actual staff time</i>
<i>Color copies (per 8½X11 page)</i>	<i>\$ 1.00 + actual staff time</i>
<i>Watershed Plan (Paper)</i>	<i>\$ cost of production</i>
<i>Watershed Plan (CD)</i>	<i>\$ 10.00</i>
<i>Watershed Plan CIP</i>	<i>\$ 10.00</i>
<i>Electronic recording of meetings</i>	<i>\$ cost of production</i>

62
63 *District expenses for postage, mailing labels, contracted services, and other*
64 *miscellaneous services will be billed at cost.*

65
66 **Resolution 16-002, 2016 Official Newspaper, providing as follows:**

67
68 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
69 *Watershed District Board of Managers name[s] the 2016 official newspaper as*
70 *the Star Tribune.*

71
72 *Upon vote, the motion carried 6-0.*

73

74 **REGULAR AGENDA**

75

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

77 Manager White referenced the December 17, 2015 minutes of the Planning and Policy
78 Committee at lines 112-114 indicating a committee recommendation to the Board that staff
79 advance discussion with landowners in an area north of Pierson Lake. ***It was moved by Manager***
80 ***White, seconded by Manager Calkins to adopt the committee's recommendation. Upon vote,***
81 ***the motion carried 6-0.***

82

83 Manager White presented the President's report. She reported on her attendance at the Citizens'
84 Advisory Committee (CAC) and Wayzata Lake Effect meetings. She reported as well on the
85 Executive Committee meeting preceding the Board meeting, at which the topic of discussion was
86 a letter from the Minnesota State Auditor reporting on its review of a matter asserting misuse of
87 District funds by a former manager and raising a question about District payment of legal and
88 communication expenses related to the former manager's alleged conduct. The State Auditor
89 suggested that the Board establish a process to report any instances of noncompliance with
90 District policies and procedures. She noted that the Board is scheduled soon to do its annual
91 review of policies but that the Committee recommends quick action to be responsive to the
92 auditor's suggestion. Manager Miller concurred in the benefit of a timely action. Manager
93 Shekleton presented the Committee a proposed resolution, which was revised and is now
94 recommended by the Committee as revised.

95

96 ***It was moved by Manager Miller, seconded by Manager Rogness as follows:***

97

98 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
99 ***Watershed District Board of Managers hereby directs the District Attorney and***
100 ***the District Administrator to propose amendments to the Governance Policies***
101 ***and Employee Handbook; and***

102

103 ***BE IT FURTHER RESOLVED to clarify a process and define roles and***
104 ***responsibilities for Board members and any District staff member who identify***
105 ***or experience any other potential violation of law or policy;***

106

107 ***BE IT FURTHER RESOLVED that proposed amendments to the Governance***
108 ***Polices and Employee Handbook be presented to the Minnehaha Creek***
109 ***Watershed District Board of Managers at the January 28, 2016 meeting of the***
110 ***Board.***

111

112 ***Upon vote, the motion carried 6-0.***

113

114 Meadowbrook Golf Course Ecological Restoration Project Update

115
116 Mr. Hayman presented an update on collaborative work with the Minneapolis Park and
117 Recreation Board (MPRB) to redesign and regrade the Meadowbrook Golf Course and perform
118 channel and ecological restoration on Minnehaha Creek as it passes through the course for
119 floodplain management and ecological benefits. Mr. Hayman noted the MPRB goals of flood
120 resiliency and a move toward a more historical prairie layout for the course. The District's goals
121 include flood management and ecological improvements. One feature of the design is intended to
122 provide for a city of Edina letter of map revision to remove downstream residences from the
123 floodplain.

124
125 Mr. Hayman advised that as design is proceeding, it appears that the District will be able to
126 capture more ecological restoration than thought, including a renaturalized area of some 30
127 acres. Cost estimate has remained steady at about \$9 million total and about \$1.5 million for the
128 District's work. The MPRB is exploring with the City of Minneapolis the issuance of Green
129 Bonds for the work. The District and MPRB applied for a Clean Water Fund \$440,000 grant
130 request but did not receive it, in part because of the challenge to show a specific level of
131 phosphorus removal from the project. The Hennepin County Board of Commissioners will
132 consider an Opportunity Grant and County staff are recommending an award at the \$100,000
133 maximum. District and MPRB staffs are applying also for a Conservation Partners Legacy Grant.

134
135 Mr. Hayman reported that the MPRB's Environmental Assessment Worksheet determination is
136 scheduled for February 3, 2016. Golf course final design should occur this month, with the
137 District's ecological design completed in April or May. Mr. Hayman reviewed the proposed
138 phasing of the work and noted that the MPRB is now looking to reopen the course in 2018, a
139 year later than originally intended, so that vegetation can be fully established and the full course
140 can be opened for play.

141
142 Manager Miller noted that the City of Edina is very pleased regarding the proposed flood
143 improvements and that the potential trail extension is generating a lot of interest. He thanked
144 District staff for its hard work.

145
146 Manager Shekleton noted that the strong relationship that the District has formed with the MPRB
147 and the City regarding Meadowbrook and Hiawatha golf courses and noted that many City
148 stormwater outfalls are on MPRB land. He urged consideration of a broader citywide
149 memorandum of understanding toward better management of outfalls.

150
151 Mr. Wisker replied by noting that the planning process involves a policy and a technical advisory
152 committee, both of which include representatives from the two bodies. In addition,
153 Councilmember Palmisano and MPRB Commissioner Musich have had some conversation about
154 this sort of broader process. He added that staff is considering the concept of the City of
155 Minneapolis as a focal geography, though it would be a complicated one.

156

157 **ACTION ITEMS**

158
159 Designation of 2016 Depository

160
161 Mr. Mandt presented a revised Resolution 16-003 adding text to the request for board action and
162 a WHEREAS to clarify the process under which Springsted, Inc., reviewed proposals from
163 institutions and recommended Beacon Bank, now Alerus, to provide District banking services. ***It***
164 ***was moved by Manager Olson, seconded by Manager Shekleton to adopt revised resolution 16-***
165 ***003, providing as follows:***

166
167 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
168 ***Watershed District Board of Managers hereby names Alerus, formerly known***
169 ***as Beacon Bank, as the 2016 official depository of District funds.***

170
171 ***Upon vote, the motion carried, 6-0. It was moved by Manager Miller, seconded by Manager***
172 ***Shekleton to reconsider the prior action to insure that the adopted resolution reflects the***
173 ***proper inserted text. Upon vote, the motion carried 6-0.*** The Board confirmed that the resolution
174 in front of it contained all of the recommended text. ***It was moved by Manager Miller, seconded***
175 ***by Manager Olson to adopt resolution 16-003 with the additional WHEREAS as recited. Upon***
176 ***vote, the motion carried 6-0.***

177
178 Election of 2016 Board of Officers and Committee Assignments

179
180 President White called for nominations for the office of President. Manager Miller nominated
181 President White. No other nominations were offered. ***President White was elected 6-0.***

182
183 President White called for nominations for the office of Vice President. President White
184 nominated Manager Shekleton. No other nominations were offered. ***Manager Shekleton was***
185 ***elected 6-0.***

186
187 President White called for nominations for the office of Treasurer. Manager Shekleton
188 nominated Manager Miller. No other nominations were offered. ***Manager Miller was elected 6-***
189 ***0.***

190
191 President White called for nominations for the office of Secretary. Manager Miller nominated
192 Manager Rogness. No other nominations were offered. ***Manager Rogness was elected 6-0.***

193
194 President White advised that she has spoken to all managers and that all managers favor
195 maintaining present committee membership and chairs. ***It was moved by Manager Miller,***
196 ***seconded by Manager Shekleton to continue committee membership and chairs as at present.***
197 ***Upon vote, the motion carried 6-0.***

198
199 President White noted that the naming of liaisons is still open as she has not yet spoken with all
200 managers on that subject.

201 Contract With Imagine IT for Information Technology Services

202
203 Mr. Mandt reviewed the process that staff followed under Minnesota Statutes §103B.227.
204 Twelve firms were interested, seven submitted full proposals, five were interviewed and staff
205 preformed two site visits. The District has been served by Veracity since 2010 and has been
206 pleased with their services, but would like to broaden to include strategic planning,
207 communications and coordination with other technical consultants. The staff team unanimously
208 recommends entering into a contract with Imagine IT.

209
210 Mr. Mandt also directed the Board’s attention to a revision to the proposed resolution that would
211 include system backup among the provided services and increase the monthly cost from \$3,100
212 to \$4,000. The proposed resolution would authorize the District Administrator to enter into a
213 two-year contract with Imagine IT at a cost not to exceed \$4,300 in one-time expenditures and
214 \$4,000 per month, on advice and consent of District counsel. The cost is within budget.

215
216 ***It was moved by Manager Calkins, seconded by Manager Olson to move the proposed***
217 ***resolution to the January 28 consent agenda.***

218
219 Manager Olson asked Mr. Mandt what the team finds most impressive from Imagine IT’s
220 proposal. Mr. Mandt replied that Imagine IT is eager to work with staff in advance of budget
221 planning and is very much interested in helping the District with its strategic planning based on
222 its knowledge of a full range of current technology options. The team also is impressed by the
223 company’s culture and its desire to be a “one-stop shop” for the District. ***Upon vote, the motion***
224 ***carried 6-0.***

225
226
227 Contract with TDS for Office Telephone System

228
229 Mr. Mandt reviewed the solicitation of competitive quotes from the two providers that presently
230 serve the area. TDS is the existing District provider and staff recommends remaining with them.
231 The proposed resolution would authorize the District Administrator to enter into a three-year
232 contract at a cost not to exceed \$1,720 per month. This proposal would reduce the District’s
233 present cost by \$1,000 a month with no loss of service or service interruption.

234
235 *Manager Miller left the room at this time.*

236
237 ***It was moved by Manager Shekleton, seconded by Manager Olson, to advance the proposed***
238 ***resolution to the January 28 consent agenda. Upon vote, the motion carried 5-0.***

239
240 *Manager Miller returned to the room at this time.*

241

242 Purchase of KISTERS' WISKI Water Resource Data Management System

243

244 Ms. Dooley reviewed the inadequacies of the District's present water resource data management
245 system and the process of District staff in reviewing options including a custom database, the
246 Aquarius system and the WISKI system. She noted that a custom database and the WISKI
247 system meet all staff criteria but that a custom system requires much time and effort to develop
248 with a vendor and to test and debug, and that it is difficult to anticipate in advance all features
249 that will be desired.

250

251 The offer includes a flat rate annual support/maintenance fee and connects to other software
252 including Laserfiche. Ms. Dooley reviewed the cost comparison and suggested that the WISKI
253 system is very cost-effective including all important modules. Responding to Manager Miller,
254 Ms. Dooley said that Wenck was not directly involved in the proposal review process but is
255 aware of the WISKI system. Manager Miller emphasized that he wants to be sure that it does
256 everything that is proposed. Ms. Dooley elaborated that she spoke with the District engineer
257 early in the process and he reviewed and concurred in the capacity of the system. She noted that
258 the vendor does business internationally out of California and that the Capitol Region Watershed
259 District bought the system a year ago and is extremely impressed with it.

260

261 Ms. Dooley noted the simplicity of importing data from Excel and that it will save the District a
262 tremendous amount of time in inputting and organizing data. She said that the U.S. Fish and
263 Wildlife Service and the Capitol Region Watershed District are very impressed with the
264 technical support. It also can incorporate equations such as E-grade directly into the system and
265 allows data to be publicly available much more readily. The total cost of the system, including
266 first-year support and maintenance, would be \$112,000.

267

268 ***It was moved by Manager Olson, seconded by Manager Miller to move the proposed resolution***
269 ***authorizing system purchase to the January 28 consent agenda.*** Manager Miller confessed that
270 wholesale data conversion causes him anxiety and he is concerned about the integrity of 45 years
271 of District data. He would like the Board to receive a monthly report on how the data transfer
272 and system operation are working. Ms. Dooley replied that staff will provide that report. She also
273 noted that the District will continue to maintain the data in their present format for the time
274 being. ***Upon vote, the motion carried 6-0.***

275

276 **BOARD DISCUSSION ITEMS**

277

278 Cost Share 2016 Process Update

279

280 Mr. Eidem reviewed the recent administration of the cost-share program. He noted the three
281 elements of the program: the homeowner program for demonstration and community behavior
282 change; the community engagement program for demonstration at a larger scale, education and
283 outreach; and the green infrastructure program employing city partnership for regional treatment
284 beyond compliance requirements.

285

286 The program has created a scoresheet for each of these components and staff has worked with
287 the CAC to develop a more efficient application processing framework. The present framework
288 allows staff to approve funding up to \$1,000 without CAC review. Funding between \$1,000 and
289 \$5,000 is reviewed by a CAC committee and then approved by the CAC on consent. Funding
290 above \$5,000 goes to the Board for approval.

291
292 Mr. Eidem reviewed the staff intent for 2016 program administration. The aim is for enhanced
293 internal coordination and closer work with cities for efficiency and proactive identification of
294 projects. The budget is \$100,000 for the homeowner component and \$500,000 for the other two.
295 Overall goals for outcomes are increased efficiency in customer service, increased staff capacity,
296 enhanced capacity to compare projects when making funding decisions, increased ability to track
297 city projects and a team-based approach for comprehensive review.

298
299 President White stated that the Board is pleased with staff's work to develop in-house
300 coordination and is pleased with the funding demand and the interest of the public in
301 participating.

302
303 Six Mile Creek Subwatershed Plan Update

304
305 Anna Brown reported on the status of work within the Six Mile Creek subwatershed focal
306 geography. She noted that this is the first focus area where staff is working to formalize a
307 process. There is much emphasis on coordination with partners through a policy and a technical
308 committee, and Managers White and Olson are participating as well in a liaison capacity. The
309 District begins with a natural resources layer and then works with local partners to overlay roads
310 and infrastructure, homes and businesses and recreational facilities. Opportunities begin to reveal
311 themselves and the next task is an investment framework that matches potential work with
312 funding opportunities.

313
314 Ms. Brown also reviewed the planning partnership work with the U.S. Army Corp of Engineers
315 (USACE). The USACE is bringing funding for cooperative planning work aimed toward
316 identifying Section 206 projects and exploring the feasibility of a programmatic general permit
317 under Section 404. In the next month, staff will meet with policymakers and the Policy and
318 Planning Committee regarding the investment framework and will endeavor to complete a scope
319 of work for the District engineer under the USACE planning mantle for Board consideration on
320 January 28. Policy and technical committee meetings will start in early March.

321
322 Strategic Framework

323
324 Ms. Christopher appeared with Laurie Bauer, Himle Rapp and Company. Ms. Christopher
325 reviewed the process to date of strategic framework development. Ms. Bauer reviewed the
326 current status of vision and mission statements. She presented two vision statements for Board
327 consideration.

328

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
1-14-2016

329 Mr. Miller opined that the definition of the District’s vision is the most important thing that the
330 Board does to identify what the District is and what it is aiming to achieve. He is concerned that
331 both formulations are not exciting or descriptive enough. Great work is occurring but the
332 formulations don’t capture that.

333 There was conversation as to the timeline to complete this framing work. Mr. Wisker suggested
334 that the vision and mission statements and goals should be in place principally to frame program
335 evaluations for the 2017 budget cycle. Complete wordsmithing is not needed for that purpose.
336

337 Manager Shekleton likes the words “resiliency” and “vibrancy” to describe communities.
338 Manager Calkins agrees with Manager Miller. The vision statement lacks specificity. The
339 specificity could be in the goals but he would like to see more care taken in these statements as
340 well.

341
342 Ms. Bauer reviewed three formulations of a mission statement. President White likes the term
343 “integrated land and water management.” Manager Olson does not like the term “landscape” as it
344 is divorced from water resources and suggests gardening. Manager Miller noted that visual
345 features of landscape are important for value, not just water quality. Manager Rogness likes the
346 word “landscape” because of the visual element and because water is important for where it is
347 and where it is not. Manager Olson is concerned not to create a misimpression that the District
348 will be disturbing people’s use of their land. Manager Calkins likes the word “landscape” but it
349 risks suggesting that the District’s focus will stretch beyond water resources.
350

351 The Board discussed the term “sound science” and whether the first word is necessary. The
352 Board agreed that “partnering” is an important concept to capture.
353

354 Ms. Bauer then reviewed proposed values of partnership, innovation, leadership and sound
355 science. Manager Miller does not like the term “leadership.” Manager Rogness suggested
356 reference to the District being “recognized” by others whose opinion is credible. President White
357 asked about the word “excellence.” She asked whether the District wants to present itself as a
358 superior organization, or wants to present its watershed as a superior watershed.
359

360 Ms. Bauer also referenced “service” and “strategic focus” as possible values. Mr. Wisker noted
361 the CAC opinion that strategic focus is not a “value.” Manager Calkins concurred that perhaps
362 none of the six is a “value.” Ms. Christopher suggested referring to them as “guiding principles”
363 rather than “values.” The Board concurred that this is a preferable term. Mr. Erdahl queried
364 whether leadership should be more about the District’s role within its community and less about
365 its standing within the universe of watershed organizations. Manager Olson agreed.
366

367 Ms. Bauer reviewed proposed goals including water quality, water quantity, ecological
368 integration and engaged communities. There was conversation as to whether the last of these is a
369 goal or a strategy to a goal. Manager Calkins offered that the titles without the subsequent
370 descriptions aren’t goals and don’t make sense. Manager Miller is not certain what “engaged
371 communities” communicates. Manager Calkins suggested reference to surface and groundwater

372 “levels” not “flows.” Manager Miller suggested reference to an engaged “community” or
373 engaging “people.”

374

375 *It was moved by Manager Miller, seconded by Manager Rogness that Managers Miller and*
376 *Olson work with staff and the consultant to help further focus the drafting and creation of a*
377 *revised set of materials to be brought back to the Board. Upon vote, the motion carried 6-0.*

378

379 **ADMINISTRATOR’S REPORT**

380

381 Mr. Erdahl noted that in 2015 the District processed 704 permits, which is a District record. He
382 said that staff continues to partner with Park Nicollet Methodist Hospital on potential flood
383 management work at the hospital. Staff also has met with the Knollwood Mall owners regarding
384 regional treatment possibilities. Closing on the Japs Olson parcel was completed by December
385 31 with a strong effort by staff and consultants to meet that deadline for the seller. He noted the
386 Metro Watershed Partners collaboration that is working on shared messaging. Craig Dawson will
387 be representing the District at the Department of Natural Resources roundtable discussion
388 tomorrow. Finally, he noted receiving information today regarding the Governor’s water summit,
389 to be held on February 27 in St. Paul.

390

391 **ADJOURNMENT**

392

393 There being no further business, the regular meeting of the Minnehaha Creek Watershed District
394 Board of Managers was adjourned at 9:55 p.m.

395

396 Respectfully Submitted,

397

398

399

400 Kurt Rogness, Secretary