



47 **Resolution 16-004, Authorization for the Administrator to Enter into a Three (3)-**  
48 **Year Communications Contract with TDS for District Phone Services.**

49

50 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
51 *Watershed District Board of Managers authorizes the District*  
52 *Administrator to enter a contract for telephone service with TDS, on*  
53 *advice and consent of counsel as to form and execution, extending the*  
54 *existing service for three (3) years at a cost not to exceed \$1,720 per*  
55 *month.*

56

57 **Resolution 16-005, Authorization to Enter into a Contract with Imagine IT for**  
58 **Managed Service Provider Services**

59

60 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
61 *Watershed District Board of Managers Authorizes the District*  
62 *Administrator to enter a two (2)-year contract for information*  
63 *technology managed services, including system backup, with Imagine IT*  
64 *at a cost not to exceed \$4,300 in one-time expenditures and \$4,000 per*  
65 *month, on advice and consent of District Counsel;*

66

67 *NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of*  
68 *Managers authorizes the administrator to amend the agreement, on*  
69 *advice and consent of counsel, to add additional services as necessary at*  
70 *a cost not to exceed ten (10) percent of the total contract amount.*

71

72 **Resolution 16-006, Authorization to Purchase KISTERS' WISKI Water Resource**  
73 **Data Management System**

74

75 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
76 *Watershed District Board of Managers hereby authorizes the District*  
77 *Administrator to purchase KISTERS' WISKI Water Resource Data*  
78 *Management System, with the total cost not to exceed \$112,000.*

79

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

81

82 **REGULAR AGENDA**

83

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

85

86 **President's Report**

87

88 President White reported on the Wayzata Lake Effect Committee meeting and reviewed  
89 the upcoming meeting schedule.

90

91

92 Policy and Planning Committee:

93

94 Manager Calkins reviewed the January 21, 2016 meeting of the Policy and Policy  
95 Committee, noting the meeting summary in the meeting materials. The discussion  
96 included: a review of the Six Mile Subwatershed Investment Framework; further  
97 discussion of the District vision and mission, in the form of its strategic framework and  
98 program evaluation process; an update on the Wayzata Lake Effect; and activities at  
99 Knollwood Mall.

100

101 Manager Blixt arrived at this point in the meeting (6:52 p.m.).

102

103 Metro MAWD

104

105 Manager Olson reported on the January 2016 meeting of the Metropolitan Chapter of the  
106 Minnesota Association of Watershed Districts, which included discussion of the  
107 upcoming Governor's Water Summit, a DNR report on groundwater activities, and a  
108 report on Phase III funding for disaster recovery from the Board of Water and Soil  
109 Resources.

110

111 President White noted the upcoming meeting schedule and, specifically, that the meeting  
112 of the Operations and Programs Committee for February 4, 2016 would be cancelled.

113

114 Permits Requiring a Variance or Discussion

115

116 Permit 16-002: Painter Creek Culvert Replacement

117

118 Mr. Tom Dietrich and Ms. Tiffany Schaufler appeared before the Board of Managers to  
119 review the proposed project and permit application. Mr. Dietrich provided an overview of  
120 the permit application, and Ms. Schaufler reviewed the background that led to the  
121 initiation of the project by the District. Reports of flooding around South Katrina marsh  
122 in June 2014 prompted an investigation into the cause of this flooding. Two culverts  
123 underlying private driveways were identified as flow-constricting points within this  
124 corridor. There is no record of the authorization of these culverts, or when the culverts  
125 were installed. The District determined that the culverts were significantly undersized and  
126 agreed to pursue a collaboration with the property owners as part of a land conservation  
127 initiative in which the District will replace the culverts in exchange for conservation  
128 easements over a proximate land entrance.

129

130 Manager Olson asked for clarification about the culverts in relation to the driveway  
131 elevation, and Mr. Meehan explained that the grades will remain the same and there will  
132 be no change in elevation, but there will be less earth material between the culvert pipe  
133 and the driveway. Manager Shekleton asked whether there are any downstream water  
134 impacts concerns to be addressed. Mr. Dietrich explained that the installation of the new

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135 culverts will cause the drainage ditch water level to rise by three (3) inches in a 100-year  
136 event, but that the flows will still be confined within the ditch. Manager Calkins asked for  
137 a clarification about any upstream relocation, and Mr. Dietrich confirmed that there will  
138 be no change in upstream conditions.

139

140 ***Following discussion, it was moved by Manager Miller, seconded Manager Calkins, to***  
141 ***approve the application with the conditions recommended by staff. Upon vote, the***  
142 ***motion carried, 7-0.***

143

144 Resolution 16-008: Authorization to Enter Into an Agreement for Easement Conveyance  
145 and Culvert Replacement and Construction

146

147 Ms. Schaufler noted that this is the project for which permit application 16-002 had just  
148 been approved. She noted that staff is requesting authorization to enter into an agreement  
149 for the conveyance of an easement from nine landowners, as well as a private road  
150 easement for access District access, in exchange for the District replacing culverts at  
151 4650 and 4680 Creekwood Trail in Orono; and authorization to enter into a contract with  
152 Minnesota Dirt Works for this project in the amount of \$43,437 and to establish a not-to-  
153 exceed budget of \$47,780.70.

154

155 Ms. Schaufler reviewed further details about the project and the nature of the land  
156 easements under consideration. Ms. Schaufler requested that the Board of Managers  
157 adjourn to closed session for the purpose of considering and developing an offer to  
158 acquire the subject easements. Mr. Smith noted the subject parcel addresses, and where  
159 no addresses are available, the following PID numbers:

160

161 Address unassigned (PID 3011823440006 and two associated sections of  
162 private roadway PID 3011823440007 and 3011823430005);

163 4490 Watertown Road (PID 3111823210005);

164 4720 Watertown Road (PID 3111823220005);

165 4675 Creekwood Trail (PID 3011823330007);

166 4650 Creekwood Trail (PID 3011823330006);

167 4680 Creekwood Trail (PID 3011823330005);

168 4700 Creekwood Trail (PID 3011823330004);

169 1100 Town Line Road (PID 3011823320007);

170 4575 Spruce Way (PID 3011823310004).

171

172 ***It was moved by Manager Calkins, seconded by Manager Rogness, to adjourn to closed***  
173 ***session for this purpose. Upon vote, the motion carried, 7-0.***

174

175 The managers returned to open session.

176

177 Ms. Schaufler reviewed the proposed resolution and the specific authorization requested.

178 *It was moved by Manager Shekleton, seconded by Manager Calkins, to adopt*  
179 *Resolution 16-008 as follows:*

180

181 **Resolution 16-008, Authorization to Enter into an Agreement for Easement**  
182 **Conveyance and Culvert Replacement on Painter Creek and Authorization to Enter**  
183 **into a Construction Contract for Culvert Replacement at 4650 & 4680 Creekwood**  
184 **Trail, Orono**

185

186 *BE IT FURTHER RESOLVED that the District Administrator is*  
187 *authorized, on advice of counsel, to enter into a contract with Minnesota*  
188 *Dirt Works, Inc., in the amount of \$43,437 for the culvert replacement*  
189 *work; and*

190

191 *BE IT FURTHER RESOLVED that the Board establishes a project*  
192 *construction budget in the not-to-exceed amount of \$47,780.70 and*  
193 *authorizes the District Administrator, in his judgment and on the*  
194 *recommendation of the District engineer, to authorize change orders*  
195 *obligating the District up to that amount; and*

196

197 *BE IT FURTHER RESOLVED that the District Administrator is*  
198 *authorized to issue a supplemental work order to the District engineer*  
199 *for construction oversight, preparation of as-built plans, and associated*  
200 *contract management tasks in an amount not to exceed \$4,150; and*

201

202 *BE IT FINALLY RESOLVED that the amount of \$53,000 is transferred*  
203 *from the Land Restoration Fund (2005) to the Land Conservation Fund*  
204 *(2004) for the purpose of funding the work described, and the District*  
205 *budget is adjusted accordingly.*

206

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

208

209 **BOARD DISCUSSION**

210

211 Strategic Framework: Mission, Vision, Goals, and Values

212

213 Ms. Becky Christopher appeared before the Board of Managers and reviewed the  
214 proposed strategic framework document. She noted that Managers Miller and  
215 Olson had worked with staff to develop this most recent draft, based on earlier  
216 input. She stated that the staff is now looking for Board direction on this draft.  
217 President White stated that she was pleased with the work that had been done to  
218 produce this draft.

219

220 *It was moved by Manager Miller, seconded by Manager Rogness, to approve the*  
221 *Strategic Framework, Mission, Vision, Goals, and Values as distributed.*

222

223 Manager Calkins stated that he was opposed to the vision as stated because it  
224 lacked specifics and also lacked a watershed focus. He stated that he felt that it  
225 was not a reasonable focus for the District and not exciting. He stated that he felt  
226 the language lacked a specific commitment to achievements, and that the  
227 proposed mission statement was not an improvement over the current version.  
228 Manager Calkins stated he felt it was important for these documents to tell the  
229 public what it is that the District is trying to achieve.

230

231 Manager Rogness stated he had past experience with development of vision and  
232 mission statements, and that there are always countervailing considerations  
233 between inadequate description and short, crisp statements. He felt that the  
234 proposed document achieves the right balance in this case. Manager Rogness said  
235 that he felt that the proposed vision and mission statements were the best  
236 statements of any organization that he had been involved in, and very worthy of  
237 the Board's approval.

238

239 Manager Shekleton noted that these documents were the product of between four  
240 and six meetings. He felt that the proposed statements were a good reflection of  
241 land and water resource concerns and the District's partnership model. He stated  
242 that he felt they were succinct and effective statements, and he was pleased with  
243 the draft. President White stated that she felt that the new statements were helpful,  
244 if not perfect, and set a new stage for the District's work into the future.

245

246 *Following discussion, upon vote, the motion carried, 5-2 (Managers Calkins  
247 and Blixt voting against the motion).*

248

249 Resolution 16-009

250

251 Mr. Erdahl reviewed the proposed resolution which had been developed with the  
252 advice of legal counsel in response to the Board's earlier request. Manager  
253 Shekleton expressed his appreciation for this work and said that it now provides a  
254 clear path to follow if there are any issues regarding compliance with policy and  
255 procedures.

256

257 *Following discussion, it was moved by Manager Shekleton, seconded by  
258 Manager Miller, to adopt the resolution as follows:*

259

260 *Resolution 16-009, Governance Policy Review and Compliance Process*

261

262 *NOW, THEREFORE, BE IT RESOLVED that the Board adopts the  
263 following policy:*

264

- 265       • *A manager who believes that another manager may have violated a*  
266       *policy will seek to review the concern with the other manager. If the*  
267       *concern remains, he or she will ask the executive committee for informal*  
268       *review.*
- 269       • *A staff member who believes that a manager may have violated a policy*  
270       *in a respect that may affect his or her work performance, or the progress*  
271       *or outcome of work for which he or she is responsible, should raise the*  
272       *matter with his or her supervisor and the administrator. If the*  
273       *administrator shares the staff concern, he or she will review the concern*  
274       *with the manager, with notice to the executive committee chair (or other*  
275       *executive committee member if the chair is the manager in question). If*  
276       *the concern remains, he or she will ask the executive committee for*  
277       *informal review.*
- 278       • *The executive committee may review the matter and may move the*  
279       *matter to the board agenda or simply report to the full Board. The Board*  
280       *may make a finding as to whether it believes the manager has violated a*  
281       *policy, and may take any action as is within its authority.*

282

283       ***FURTHER, BE IT RESOLVED that the Board directs that this policy***  
284       ***be inserted into the Governance Manual at page 22, Policy #4:***  
285       ***Governance Process, Board Members' Code of Conduct, and in the***  
286       ***Employee Handbook, Problem-Solving Process, at page 18.***

287

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

289

290       Administrator's Report

291

292       Mr. Erdahl reported on the following items:

- 293
- 294       • Meetings have taken place with policy makers in the Six Mile Creek project  
295       area to brief them on the process and projects ahead. Thank you to Managers  
296       White and Olson for participating in these meetings.
- 297
- 298       • James Wisker will be attending the Northwest River Symposium in  
299       Washington State next week to provide a presentation highlighting  
300       MCWD efforts with the projects in the Minnehaha Creek Greenway.
- 301
- 302
- 303       • Staff is looking forward to participating in its annual all-day staff retreat  
304       tomorrow. Much of the agenda for the day will focus on leadership at all  
305       levels, goals for 2016, core values, and considering the Strengths Finders  
306       process.

307

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- 308       • MCWD hosted a workshop this past Wednesday regarding best  
309 practices for snow removal and road salt to a full room of participants  
310 representing local communities.  
311
- 312       • MCWD also hosted a well-attended community meeting for the Clean Water  
313 Minnesota initiative this week. This program provides consistent messaging  
314 and opportunities to collaborate with community partners.  
315

316 The managers thanked Mr. Erdahl for this report.  
317

318 Mr. Erdahl also noted that Mr. Dietrich would like to speak to the Board. Mr. Tom  
319 Dietrich appeared before the Board of Managers to express his sincere thanks for his  
320 employment opportunity with the District. He thanked the Board for being open-  
321 minded and expressed his appreciation for working with such enthusiastic staff. Ms.  
322 Catherine Sylvia appeared before the Board of Managers to express her appreciation for  
323 Tom's work and noted that the permitting department has benefited greatly from his  
324 involvement and positive attitude. Mr. Dietrich noted that he would be working with  
325 the City of Minnetonka as a Water Resources professional. President White thanked  
326 Mr. Dietrich for his good work with the District and wished him well in the future.  
327

328 Mr. Smith requested that the Board adjourn to closed session for the purpose of  
329 receiving legal advice concerning the claim brought by a former employee.  
330

331 *It was moved by Manager Shekelton, seconded by Manager Olson, to adjourn to*  
332 *closed session. Upon vote, the motion carried, 7-0.*  
333

334 The Board returned to open session.  
335

336

337

338 **ADJOURNMENT**

339 There being no further business, the meeting of the Board of Managers was adjourned at  
340 8:23 p.m.  
341

342

343 Respectfully submitted,  
344

345

346

Kurt Rogness, Secretary