

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

5 **June 25, 2019**

6  
7 **CALL TO ORDER**  
8

9 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called  
10 to order by President Sherry White at 7:20 p.m. at the District office, 15320 Minnetonka  
11 Boulevard, Minnetonka, Minnesota.

12 **MANAGERS PRESENT**

13 Sherry White, William Olson, Richard Miller, Jessica Loftus, Arun Hejmadi and Eugene  
14 Maxwell.

15 **MANAGERS ABSENT**

16 Kurt Rogness.

17  
18 **DISTRICT STAFF AND CONSULTANTS PRESENT**  
19

20 James Wisker, Administrator; Heidi Quinn, Permitting Technician; Becky Christopher, Policy  
21 Planning Manager; Anna Brown, Planner Project Manager; Tiffany Schaufler, Project Land  
22 Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.  
23

24 **MATTERS FROM THE FLOOR**  
25

26 None.  
27

28 **APPROVAL OF AGENDA**  
29

30 *It was moved by Manager Miller seconded by Manager Olson, to approve the agenda as*  
31 *submitted. Upon vote, the motion carried, 5-0 (Manager Hejmadi absent for this vote).*  
32

33 **CONSENT AGENDA**  
34

35 *It was moved by Manager Olson, seconded by Manager Loftus, to approve the Consent*  
36 *Agenda, consisting of the minutes of the June 13, 2019 Board meeting; approval of the Check*  
37 *Register consisting of checks 39792 through 39838 totaling \$ 339,459.46; payroll direct*  
38 *deposits totaling \$145,010.35; electronic fund withdrawals- general checking totaling*  
39 *\$116,288.63; and electronic fund withdrawals – surety checking totaling \$10.00; for total*  
40 *expenses of \$600,798.44; and approval of Resolution 19-065: Approval to Purchase*  
41 *Stormwater Monitoring Equipment:*  
42

43           ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
44           ***Watershed District Board of Managers hereby authorizes the District***  
45           ***Administrator to purchase the described stormwater monitoring equipment for***  
46           ***an amount not to exceed \$6,500.***  
47

48           ***Resolution 19-066: Authorization to Release the 2018 MS4 Annual Report to the Minnesota***  
49           ***Pollution Control Agency:***  
50

51           ***NOW, THEREFORE, BE IT RESOLVED, that the MCWD Board of Managers***  
52           ***accepts the 2018 MS4 Annual Report and authorizes its release to the MPCA.***  
53

54           ***Upon vote, the motion carried, 5-0 (Manager Hejmadi absent for vote).***  
55

56           **REGULAR AGENDA**  
57

58           Board, Committee and Task Force Reports  
59

60           President's Report: President White reported that the recent Minnesota Association of  
61           Watershed Districts meeting included a report from the Local Government Roundtable, and an  
62           update on watershed-based funding. She expressed appreciation for the staff and board  
63           participation in the June 20 retreat.  
64

65           President White noted the need to designate committee assignments, and named Manager  
66           Hejmadi to serve on the Operations and Programs Committee, and Manager Maxwell to serve on  
67           the Policy and Planning Committee. ***It was moved by Manager Miller, seconded by Manager***  
68           ***Olson, to confirm these committee assignments. Upon vote, the motion carried, 5-0 (Manager***  
69           ***Hejmadi absent for vote).***  
70

71           Policy and Planning Committee Report: Manager Miller reported that the Committee received  
72           detailed briefings on the Long Lake Subwatershed Assessment, and 325 Blake Road.  
73

74           President White directed the Board to the upcoming meetings and events listed in the agenda.  
75

76           **PERMITS REQUIRING A VARIANCE OR DISCUSSION**  
77

78           Permit 19-170: 4798/4800 Northern Road, Mound  
79

80           [Manager Hejmadi arrived at this point in the meeting, 7:25 p.m.] Ms. Heidi Quinn reviewed the  
81           permit application and request for board action. She explained that this project involves  
82           demolition of a residence and construction of an addition to the adjoining property. The  
83           applicant proposes 316 cubic feet of fill in the floodplain, which will be compensated by 331  
84           cubic feet of compensatory excavation. To match the addition to the existing condition at the  
85           existing residence, the applicant seeks a 0.4 foot variance from the 2.0 feet of freeboard

86 requirement in the floodplain alteration rule. Ms. Quinn reviewed the variance analysis in the  
87 permit report, noting that the staff and engineer find that the variance would only pose an  
88 enhanced flood risk for this property. ***Following discussion, it was moved by Manager Miller,***  
89 ***seconded by Manager Olson, to approve the variance requested by the applicant, based on the***  
90 ***findings set forth in the permit report.*** Upon a question from Manager Olson, Ms. Quinn stated  
91 that the home and addition have no basement, constructed on slab. ***Upon vote, the motion***  
92 ***carried, 6-0.***

93  
94 ***It was moved by Manager Olson, seconded by Manager Hejmadi, to approve the permit with***  
95 ***the three conditions recommended by staff.*** Upon a question from Manager Maxwell, Mr.  
96 Smith explained that in addition to requiring submission of draft declaration memorializing the  
97 noncompliant low-opening elevation for review by District Staff and then recordation, the  
98 additional condition of a draft indemnification of MCWD for flooding damages arising from  
99 noncompliant low-opening would be additional protection for the District within the board's  
100 reasonable discretion. ***Upon vote, the motion carried, 6-0.***

101  
102 ***Manager Miller moved, Manager Olson seconded, to approve the permit with staff-***  
103 ***recommended conditions.*** Manager Olson asked how the redirected water is being conveyed to  
104 the other stormwater practices. Ms. Quinn replied that the applicant will install piping for that  
105 purpose. ***Upon vote, the motion carried 6-0.***

106  
107 Permit 18-536: Orono 2018 Stormsewer Improvements, Orono

108  
109 Ms. Quinn reviewed the permit application and the request for board action. She noted that there  
110 is no variance or exception involved in this application, but a resident requested a hearing before  
111 the board. Efforts to contact the resident and discuss any specific concerns with the project were  
112 unsuccessful. The storm sewer work involves a new lining or cure in place method, so the  
113 erosion control rule is not triggered. Only the waterbody crossing rule is triggered, and staff  
114 finds that the application complies with the District rule. ***It was moved by Manager Hejmadi,***  
115 ***seconded by Manager Miller, to approve the permit application as recommended by staff.***  
116 ***Upon vote, the motion carried 6-0.***

117  
118 **ACTION ITEMS**

119  
120 Resolution 19-067: Approval of Tonka Bay Local Water Management Plan

121  
122 Ms. Becky Christopher appeared before the Board of Managers to review the request for board  
123 action. ***It was moved by Manager Olson, seconded by Manager Maxwell, to adopt the***  
124 ***proposed resolution as follows:***

125  
126 ***NOW, THEREFORE, BE IT RESOLVED, the MCWD hereby approves the City of***  
127 ***Tonka Bay Local Water Management Plan; and***

128

129 ***BE IT FURTHER RESOLVED, that the Board approves the associated coordination***  
130 ***plan and adopts it on behalf of the MCWD; and***  
131

132 ***BE IT FINALLY RESOLVED that the City is to adopt and implement its LWMP within***  
133 ***120 days, and to notify the MCWD within 30 days thereafter that it has done so***  
134 ***authorizes the District Administrator, on advice of counsel and with any non-material***  
135 ***changes, to execute the contract with Himle LLC for the Strategic Communications***  
136 ***and Engagement Plan in an amount not to exceed \$55,000.***  
137

138 ***Upon vote, the motion carried 6-0.***  
139

140 Resolution 19-068: Approval of St. Louis Park Local Water Management Plan  
141

142 Ms. Christopher reviewed the request for board action. ***It was moved by Manager Miller,***  
143 ***seconded by Manager Loftus, to adopt the proposed resolution as follows:***  
144

145 ***NOW, THEREFORE, BE IT RESOLVED, that the MCWD hereby approves the City of St.***  
146 ***Louis Park Local Water Management Plan with the condition that the City incorporate the***  
147 ***required inventory of City owned property into the LWMP; and***  
148

149 ***BE IT FURTHER RESOLVED, that the Board approves the associated coordination plan and***  
150 ***adopts it on behalf of the MCWD; and***  
151

152 ***BE IT FINALLY RESOLVED that the City is to adopt and implement its LWMP within 120***  
153 ***days, and to notify the MCWD within 30 days thereafter that it has done so.***  
154

155 ***Upon vote, the motion carried 6-0.***  
156

157 Resolution 19-069: Authorization to Release RFP for Design Services for Wasserman Lake Park  
158

159 Ms. Anna Brown appeared before the Board of Managers to review the request for board action.  
160

161 ***Following discussion, it was moved by Manager Olson, seconded by Manager Miller, to adopt***  
162 ***the proposed resolution, as follows:***  
163

164 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District***  
165 ***Board of Managers authorizes the release of the request for proposals for design services for***  
166 ***Wassermann Lake Park, and allows for the administrator to make non-substantive edits to the***  
167 ***document and schedule based on advice of MCWD legal counsel.***  
168

169 ***Upon vote, the motion carried 6-0.***  
170

171 **BOARD DISCUSSION ITEMS**

172 Minnehaha Parkway Regional Trail Master Plan Update

173

174 Ms. Tiffany Schaufler appeared before the Board of Managers and provided a detailed update on  
175 the regional trail master plan. In response to a question from Manager Miller, Mr. Wisker  
176 indicated that staff could gather more information about the capacity of stormwater ponds in  
177 south Minneapolis. Ms. Schaufler reviewed the alignment of the long term capital improvement  
178 plans for this project, with a focus on stormwater best management practices and water quality  
179 benefits. The managers thanked Ms. Schaufler for this briefing.

180

181 **STAFF UPDATES**

182

183 Administrator's Report

184

185 Mr. Wisker noted the following items:

186

- 187 1. Staff is monitoring governance discussions about aquatic invasive species, including a  
188 recent summit meeting convened by U.S. Representative Phillips, which highlighted the  
189 need for a statewide policy framework;
- 190 2. Staff is monitoring land use and policy discussions about housing affordability and  
191 regulatory costs;
- 192 3. Tom Langer was recently hired as an aquatic ecologist;
- 193 4. Arden Park construction is proceeding, with new bridges arriving soon;
- 194 5. Staff appreciated the recent board – staff retreat discussions;
- 195 6. Ms. Schaufler reported that water levels receded somewhat in June, and Lake  
196 Minnetonka is close to the 929.6 elevation.

197

198 **ADJOURNMENT**

199

200 There being no further business, the meeting of the Board of Managers was adjourned at 9:22  
201 p.m.

202

203 Respectfully submitted,

204

205

206

207 Kurt Rogness, Secretary