

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

4  
5                                   **December 15, 2022**

6  
7                                   **CALL TO ORDER**

8  
9                                   The regular meeting of the Minnehaha Creek Watershed District was called to order by  
10                                   President Sherry White at 7:10 p.m. on December 15, 2022.

11  
12                                   **MANAGERS PRESENT**

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

15  
16                                   **MANAGERS ABSENT**

17  
18                                   Arun Hejmadi, Stephen Sando.

19  
20                                   **DISTRICT STAFF AND CONSULTANTS PRESENT**

21  
22                                   James Wisker, Administrator; Tiffany Schaufler, Senior Project Maintenance  
23                                   Coordinator; Kate Moran, Policy Planning Coordinator; Daniel Mock, Planner – Project  
24                                   Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District  
25                                   Counsel.

26  
27                                   **APPROVAL OF AGENDA**

28  
29                                   President White noted that a report from legal counsel would be added to the Agenda  
30                                   before the Staff Updates. *It was moved by Manager Miller, seconded by Manager Olson*  
31                                   *to approve the Agenda with this change. Upon vote, the motion carried 5-0 (Managers*  
32                                   *Hejmadi and Sando absent).*

33  
34                                   **MATTERS FROM THE FLOOR**

35  
36                                   None.

37  
38                                   **INFORMATION ITEMS**

39  
40                                   NOAA and National Weather Service Recognition of MCWD as an Ambassador of  
41                                   Excellence

42  
43                                   Mr. James Wisker and Ms. Tiffany Schaufler introduced Mr. Craig Schmidt of the  
44                                   National Weather Service. Mr. Schmidt appeared before the Board of Managers to  
45                                   present MCWD will a certificate recognizing the District as a Weather-Ready Nation  
46                                   Ambassador of Excellence. He thanked Ms. Schaufler and the MCWD staff for excellent

47 collaboration, noting that this was one of about 60 recognitions around the U.S. among  
48 over 12,000 weather stations. He stated that MCWD was one of the most deserving  
49 partners reflecting the four tenets of the National Oceanic and Atmospheric  
50 Administration Administration's program:

- 51
- 52 • Inspired other to take action and become ready, responsive, and resilient;
  - 53 • Created innovative ways to engage their community, their workforce, and/or
  - 54 their social network;
  - 55 • Formed unique collaborations with NOAA and/or other ambassador
  - 56 organizations to achieve goals they alone could not meet; and
  - 57 • Embraced building "a Weather-Ready Nation for All" by addressing vulnerable
  - 58 populations' needs.

59

60 The managers thanked Mr. Schmidt for this recognition and for the partnership with the  
61 National Weather Service.

62

63 **CONSENT AGENDA**

64

65 *It was moved by Manager Maxwell, seconded by Manager Miller, to approve the items*  
66 *on the Consent Agenda consisting of approval of the December 1, 2022, Board meeting*  
67 *minutes, approval of the General Check Register, including check numbers 42115*  
68 *through 42145 in the amount of \$286,686.18, electronic funds withdrawals of*  
69 *\$37,793.82, Managers Per Diems and Reimbursements of \$5,668.99, employee*  
70 *reimbursements of \$952.90, and payroll electronic funds withdrawals and*  
71 *disbursements of \$173,967.76 for a total of \$505,069.65; the Surety Check Register for*  
72 *check numbers 2184 through 2186 in the amount of \$14,630.21; and the Wire Check*  
73 *Register in the amount of \$28,050.00 to Wells Fargo for 325 Blake Road Refinance.*

74

75 *Upon vote, the motion carried 5-0 (Managers Hejmadi and Sandol absent).*

76

77 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

78

79 President's Report: President White noted that meetings with county commissioners  
80 continued this month and more are planned in January. She noted the recent annual  
81 conference of the Minnesota Association of Watershed Districts included a well-attended  
82 presentation by Michael Hayman on the Arden Park project, and the MCWD's  
83 recognition as the DNR's Watershed District of the Year. The Hennepin County chloride  
84 management program was selected as program of the year. Two proposed resolutions at  
85 the conference were not adopted: the proposed changes to the Open Meeting Law and the  
86 proposed resolution on urban irrigation. Manager Olson noted the large turnout at the  
87 conference. President White also noted that the recent mediation session on the  
88 Minnehaha Preserve Boardwalk litigation was unsuccessful in producing a settlement.

89

90 Policy and Planning Committee: Manager Miller noted that the Committee met earlier in  
91 the evening and received a presentation from Ms. Samantha Maul and Mr. Joel Carlson  
92 on the recent elections and legislative outlook; and a presentation from Mr. Hayman on  
93 the 325 Blake Road final design.

94  
95 Upcoming Meeting and Event Schedule: President White directed the managers to the  
96 meetings listed on the agenda.

97  
98 **ACTION ITEMS**

99  
100 Resolution 22-084: Adoption of MCWD's Climate Action Framework

101  
102 Ms. Kate Moran appeared before the Board of Managers and reviewed the request for  
103 board action. She reviewed the background and context, planning process, situational  
104 assessment findings, guiding principles, and next steps for the climate action framework.

105  
106 *It was moved by Manager Miller, seconded by Manager Olson to adopt Resolution 22-*  
107 *084: Adoption of MCWD's Climate Action Framework as follows:*

108  
109 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
110 ***Watershed District Board of Managers hereby adopts the Climate Action***  
111 ***Framework; and***

112  
113 ***BE IT FURTHER RESOLVED that the Board directs the District***  
114 ***Administrator and staff to take steps necessary to implement the strategy***  
115 ***outlined in the Climate Action Framework, including development of detailed***  
116 ***plans for stakeholder engagement and other near-term actions.***

117  
118 Manager Miller stated that he was pleased with this comprehensive analysis, and science  
119 focus to how the MCWD can address climate issues within our mission. He noted that  
120 rather than detract from the MCWD's core mission, the framework identifies more  
121 opportunities and the need for partnership. Manager Olson noted that the framework  
122 relates to the core purpose of flood control. Upon a question from Manager Maxwell,  
123 Ms. Moran reviewed the plan for rolling out this framework with city partners through  
124 planned conversations. President White states that it was great to see this work come  
125 together.

126  
127 *Upon vote, the motion carried 5-0 (Managers Hejmadi and Sando absent).*

128  
129 Resolution 22-085: Authorization to Award Contract for East Auburn Wetlands  
130 Feasibility Study

131

132 Mr. Daniel Mock appeared before the Board of Managers to review the request for board  
133 action. He noted the RFP process, the four proposals received, the review process and  
134 recommendation to select Moore Engineering for this contract.

135  
136 *It was moved by Manager Olson, seconded by Manager Miller to adopt Resolution 22-*  
137 *085: Authorization to Award Contract for East Auburn Wetlands Feasibility Study as*  
138 *follows:*

139  
140 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
141 *Watershed District Board of Managers authorizes the District Administrator, on*  
142 *the advice of Counsel, to execute a contract with Moore Engineering to conduct*  
143 *a feasibility study for East Auburn, in accordance with the developed scope of*  
144 *work as the Administrator may refine it, and in an amount not to exceed*  
145 *110 percent of the amount set forth in the proposal.*

146  
147 *Upon vote, the motion carried, 5-0 (Managers Hejmadi and Sando absent).*

148  
149

150 **BOARD INQUIRIES, ISSUES, AND IDEAS**

151  
152 None.

153  
154

154 **LEGAL COUNSEL REPORT**

155  
156 Mr. Smith reported that Anoka County District Court recently ruled that a Rice Creek  
157 Watershed District manager's appointment was void. While the court found that the City  
158 of Columbus properly nominated the manager, it also found that the Anoka County Board  
159 failed to consider whether her reappointment would fairly represent the various  
160 hydrologic areas within the watershed district, and thus the appointment was void. Mr.  
161 Smith noted that while this is a district court decision, it reflects the requirement in the  
162 statute to consider hydrologic areas in watershed manager appointments. In many cases,  
163 counties may appreciate information from watershed districts concerning the definition of  
164 "hydrologic areas" in this context. For MCWD, this may simply be a matter of  
165 distinguishing the area above Gray's Bay dam from the area below the dam.

166  
167

167 **STAFF UPDATES**

168  
169

169 **Administrator's Report**

170  
171

171 Mr. Wisker reported on the following items:

172

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
12-15-22

- 173 1. Recent meetings with Hennepin County commissioners have reflected interest  
174 and support for the MCWD's work at 325 Blake Road, Long Lake Subwatershed,  
175 and climate action;  
176
- 177 2. The Research & Monitoring staff are attending a data science conference, and Brian Beck  
178 was recently appointed to the Minnesota Stormwater Research Advisory Board;  
179
- 180 3. Lumber has been secured for the reconstruction of the Minnehaha Preserve Boardwalk,  
181 and the work is scheduled for late February or early March;  
182
- 183 4. The Technical Advisory Committee held its third meeting to discuss the Land and Water  
184 Partnership program and proposed rule revisions; there is good relationship energy with  
185 cities and great alignment of shared goals;  
186
- 187 5. As President White noted, the Department of Natural Resources awarded MCWD as the  
188 Watershed District of the Year, noting our partnership work on climate action and study  
189 of issues around Lake Nokomis;  
190
- 191 6. The rollout of the Climate Action Framework will include discussion of cities' issues  
192 with the Technical Advisory Committee and work to build the 2D model; the outreach  
193 staff will issue a media release noting the DNR and National Weather Service awards,  
194 and will distribute the Climate Action Framework sometime in February or so.  
195

196 **Adjournment**

197  
198 There being no further business, President White declared the meeting of the Board of  
199 Managers adjourned at 8:10 p.m.  
200

201 Respectfully submitted,  
202

203  
204  
205 Eugene Maxwell, Secretary