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

September 12, 2019

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CALL TO ORDER

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The regular meeting of the Minnehaha Creek Watershed District was called to order by President Sherry White at 7:00 p.m. on September 12, 2019, at the MCWD office, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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MANAGERS PRESENT

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Sherry White, William Olson, Richard Miller, Kurt Rogness, Jessica Loftus, and Eugene Maxwell.

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MANAGERS ABSENT

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Arun Hejmadi.

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DISTRICT STAFF AND CONSULTANTS PRESENT

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James Wisker, Administrator; Becky Christopher, Policy Planning Manager; Laura Domyancich, Planner-Project Manager; Anna Brown, Planner-Project Manager; Tom Dietrich, Permitting Program Manager; Janna Jonely, Project and Land Management Technician; Alex Steele, GIS Technician; Chris Meehan, Consulting Engineer; Louis Smith, Counsel.

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MATTERS FROM THE FLOOR

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None.

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APPROVAL OF AGENDA

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It was moved by Manager Rogness, seconded by Manager Olson, to approve the agenda as distributed. Upon vote, the motion carried 5-0 (Manager Miller absent for this vote).

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CONSENT AGENDA

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President White requested that Item 7.2, Resolution 19-077: Authorization to Release Request for Terms for Note Refinance, be pulled from the Consent Agenda. *It was moved by Manager Maxwell, seconded by Manager Rogness, to approve the remaining item on the Consent Agenda: Resolution 19-076: SMCHB Xcel Energy Utility Fees as follows:*

46

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the Administrator to execute the underground

47 *service form and pay the associated fees for utility installation at North Lundsten Lake*
48 *to Xcel Energy for the cost of \$15,820.55.*

49
50 *Upon vote, the motion carried, 5-0 (Manager Miller absent).*

51
52 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

53
54 President's Report: President White noted that she attended the 50th anniversary celebration of
55 the Riley Purgatory Bluff Creek Watershed District; a meeting on water quality concerns for
56 Pierson Lake; a review of preliminary findings on strategic communications; and an
57 environmental institute addressing equity and the environment.

58
59 President White reviewed a proposed list of board liaisons and schedule for the Citizens
60 Advisory Committee and the Metropolitan Chapter of the Minnesota Association of Watershed
61 Districts. *It was moved by Manager Olson, seconded by Manager Rogness, to confirm these*
62 *appointments. Upon vote, the motion carried, 5-0 (Manager Miller absent).*

63
64 President White noted that the board's regular meeting scheduled for December 5 would conflict
65 with the annual conference of the Minnesota Association of Watershed Districts. *It was moved*
66 *by Manager Loftus, seconded by Manager Maxwell, to move this meeting date to Tuesday,*
67 *December 3 at 7:00 p.m. Upon vote, the motion carried 5-0 (Manager Miller absent).*

68
69 Operations and Programs Committee Report: Manager Loftus reported that the committee
70 received a briefing on a land conservation opportunity in St. Louis Park, a summary of the
71 transitions plan for communications staff, and an update on the Lake Minnetonka Conservation
72 District's master plan for aquatic invasive species.

73
74 Citizens Advisory Committee Report: Manager Maxwell reported that the recent meeting of the
75 CAC was well attended and CAC members are very knowledgeable about District issues. The
76 meeting included a review of the stakeholder engagement process, and work to report to the
77 public more effectively on research and monitoring activities.

78
79 **PUBLIC HEARINGS AND PRESENTATIONS**

80
81 Arden Park Construction Update

82
83 Ms. Laura Domyancich appeared before the Board of Managers to present an update on
84 construction activities at Arden Park. Manager Miller arrived at this point in the meeting (7:15
85 p.m.) The managers thanked Ms. Domyancich for her presentation.

86
87 **ACTION ITEMS**

88
89 Resolution 19-078: Authorization to Award Contract for 2019 Stormwater Pond Annual Survey
90 and Maintenance

91
92 Ms. Janna Jonely appeared before the Board of Managers and reviewed the request for board
93 action. She noted the planning for possible scenarios of pond maintenance needs and the process
94 to request proposals. ***It was moved by Manager Loftus, seconded by Manager Rogness, to***
95 ***adopt Resolution 19-078, authorizing the District Administrator, on advice of counsel, to***
96 ***execute a contract with Wenck for the annual survey, technical memo, and maintenance***
97 ***recommendation of six ponds, and sediment sampling and analysis, design, bid documents,***
98 ***and construction oversight for the maintenance of one pond for \$32,904.50, and authorizing***
99 ***the administrator to execute change orders as necessary in the not-to-exceed amount of***
100 ***\$36,194.95.*** Manager Miller noted that Ms. Jonely’s presentation was particularly helpful in
101 tying this work to the District’s strategic goals, and could be a model for future presentations.
102 ***Upon vote, the motion carried, 6-0.***

103
104 Resolution 19-079: Approval of Victoria Local Water Plan

105
106 Ms. Becky Christopher appeared before the Board of Managers and reviewed the request for
107 board action. ***It was moved by Manager Olson, seconded by Manager Miller, to adopt***
108 ***Resolution 19-079: Approval of Victoria Local Water Plan. Upon vote, the motion carried, 6-***
109 ***0.***

110
111 Resolution 19-080: Approval of Phase II of IT Consultant Contract

112
113 Mr. Alex Steele appeared before the Board of Managers and reviewed the request for board
114 action. ***It was moved by Manager Rogness, seconded by Manager Olson, to adopt Resolution***
115 ***19-080 approving Phase II of the IT consultant contract. Upon vote, the motion carried, 6-0.***

116
117 Resolution 19-081: Approval of Consultant Contracts for Permitting Program Alignment

118
119 Mr. Tom Dietrich appeared before the Board of Managers and reviewed the request for board
120 action. ***It was moved by Manager Miller, seconded by Manager Maxwell, to adopt Resolution***
121 ***19-081 approving the consultant contracts for permitting program alignment. Upon vote, the***
122 ***motion carried, 6-0.***

123
124 Resolution 19-082: Approval of 2020 Budget and Work Plans and Announcement of Public
125 Comment Meeting

126 Resolution 19-083: Certification of 2020 Levy

127
128 Mr. James Wisker appeared before the Board of Managers and reviewed the process to develop
129 work plans, proposed budget and proposed levy for 2020. He noted the public hearing held by
130 the Board of Managers on August 22. ***Following discussion, it was moved by Manager***
131 ***Rogness, seconded by Manager Miller, to adopt Resolution 19-082 approving the 2020 budget***
132 ***and work plans and announcing the public comment meeting on December 3. Upon roll call***
133 ***vote, the motion carried 6-0 (Manager Hejmadi absent).***

135 ***It was moved by Manager Miller, seconded by Manager Maxwell, to adopt Resolution 19-083***
136 ***certifying the 2020 levy. Upon roll call vote, the motion carried 6-0 (Manager Hejmadi***
137 ***absent).***

138

139 Resolution 19-077: Authorization to Release Request for Terms for Note Refinance

140 Mr. Wisker reviewed the request for board action, noting that Manager Miller had concerns to
141 clarify that all proposals should be directed to the administrator; questions or inquiries should be
142 directed to both the operations manager and the administrator; and the resolution should be
143 revised to include that the proposed action be taken on advice of bond counsel, general counsel,
144 and financial advisors. ***It was moved by Manager Miller, seconded by Manager Maxwell, to***
145 ***adopt Resolution 19-077 with this revision. Upon vote, the motion carried, 6-0.***

146

147 Administrator's Report

148

149 Mr. Wisker reported on the following items:

150

- 151 1. September 30 is the deadline to submit proposed resolutions for the Minnesota
152 Association of Watershed District's annual meeting; no proposed resolutions from the
153 District have been identified to date;
- 154 2. Mr. Wisker sent a letter on September 6 to the Board of Water and Soil Resources on
155 watershed-based funding policy;
- 156 3. Mr. Wisker sent a letter on September 11 to the Area Partnership for Pierson Lake
157 Enhancement to review water quality concerns for Pierson Lake;
- 158 4. District staff will be meeting with staff at the City of Hopkins to explore further
159 cooperation for the redevelopment of 325 Blake Road;
- 160 5. District staff will be meeting with the cities of Medina, Orono, Long Lake and Long Lake
161 Waters to review the natural resource assessment of the Long Lake subwatershed;
- 162 6. District staff will attend an upcoming meeting with Lake Nokomis area residents,
163 Representative Jean Wagenius and water resource experts with the University of
164 Minnesota on September 17;
- 165 7. Ms. Tiffany Schaufler reviewed current water levels and the precipitation of 2.5 – 3.5
166 inches in the past week over the watershed, bringing the annual total to 11 inches above
167 normal; Lake Minnetonka is currently at 929.39 and discharging at 150 cfs.

168

169 Adjournment

170

171 There being no further business, the meeting of the board of managers adjourned at 8:45 p.m.

172

173 Respectfully submitted,

174

175

176 Kurt Rogness, Secretary