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

April 27, 2017

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CALL TO ORDER

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The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:00 p.m. at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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MANAGERS PRESENT

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Sherry White, Brian Shekleton, Richard Miller, William Olson, Kurt Rogness, William Becker and Jessica Loftus.

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MANAGERS ABSENT

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None.

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DISTRICT STAFF AND CONSULTANTS PRESENT

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Lars Erdahl, Administrator; James Wisker, Planning and Projects Director; Michael Hayman, Planner-Project Manager; Anna Brown, Planner-Project Manager; Becky Christopher, Lead Planner-Project Manager; Louis Smith, Counsel.

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MATTERS FROM THE FLOOR

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Ms. Sara Sutherland of Drew Avenue South in Minneapolis appeared before the Board of Managers to express her concern with the problem of waste tires. She distributed information and expressed concerns about the hazardous qualities from the various uses of waste tires. The managers thanked Ms. Sutherland for her presentation. ***It was moved by Manager Miller, seconded by Manager Rogness to direct the staff and legal counsel to develop a recommendation on the appropriate response for the District concerning this issue. Upon vote, the motion carried, 7-0.***

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APPROVAL OF THE AGENDA

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Manager Shekleton requested that an additional item be added to Item 8.1 on the agenda, Board Updates, for a report on the Hiawatha Golf Course meetings. ***It was moved by Manager Becker, seconded by Manager Miller, to approve the agenda with this addition. Upon vote, the motion carried, 7-0.***

46 **CONSENT AGENDA**

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48 *It was moved by Manager Shekleton, seconded by Manager Olson, to approve the items*
49 *in the Consent Agenda, which included the following items: approval of April 13, 2017*
50 *Board meeting minutes; approval of the general checking account, checks numbered*
51 *38138 to 38205 for a total of \$313,539.17; payroll direct deposits of \$230,637.10; and*
52 *electronic fund withdrawals totaling \$98,448.18 for total expenses of \$642,624.45;*
53 *surety account check registers; acceptance of the 325 Blake Road checking account;*
54 *and the following resolutions:*

55

56 **Resolution 17-060, Authorization to Execute the Development of Schutz Lake**
57 **Phosphorus Budget as Revised and Distributed on April 27:**

58

59 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
60 *Watershed District Board of Managers hereby authorize the District*
61 *Administrator to execute the development of the Schutz Lake*
62 *phosphorus budget for the cost not-to-exceed \$11,802.*

63

64 **Resolution 17-032, Authorization to Accept Tort Liability Limits:**

65

66 *NOW, THEREFORE, BE IT RESOLVED, that the District does not*
67 *waive the monetary limits on tort liability established by Minnesota*
68 *Statutes 466.04 and authorizes the Administrator to advise the LMCIT*
69 *accordingly.*

70

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

72

73 **REGULAR AGENDA**

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

76

77 **Board Updates**

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79 **President's Report:**

80

81 President White noted possible dates for an upcoming tour of the watershed on May 31 or
82 June 1; she noted plans for the update for policy makers on May 4 in cooperation with the
83 Freshwater Society. She invited Manager Olson to report on the recent meeting of the
84 Metropolitan Chapter of Minnesota Association of Watershed Districts. Manager Olson
85 noted discussion of MAWD organizational issues that will be addressed at the summer
86 tour and the importance of appointing delegates to that meeting. He noted that that the
87 Metropolitan Chapter also received updates from the Department of Natural Resources
88 and the Board of Water and Soil Resources.

89

90 Manager Shekleton reported that he and Mr. Wisker and Mr. Hayman recently attended
91 another community meeting about the planning for the Hiawatha Golf Course. He
92 described the meeting as a very successful exercise in community engagement in concept
93 planning for future uses of the golf course site and important progress in this effort.
94

95 **ACTION ITEMS**

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97 **Resolution 17-031: Carver County Water Management Organization Boundary Change**

98
99 Ms. Anna Brown appeared before the Board of Managers and reviewed the request for
100 board action. She described discussions with the Carver County Water Management
101 Organization to consider boundary adjustments that more closely aligned legal and
102 hydrological boundaries of the two organizations, as well as the Riley Purgatory Bluff
103 Creek Watershed District. Ms. Brown reviewed the general nature of the changes. She
104 noted that the net budget impact of these changes would be less than 0.1 percent,
105 reflecting net transfer of area to the Carver County Water Management Organization.
106

107 She also stated that continual coordination and cooperation efforts in the Six Mile Creek
108 Subwatershed will be assured through ongoing coordination with Carver County WMO
109 regardless of these boundary changes. Manager Shekleton noted the development
110 pressures in this general area and asked whether boundary of the two watersheds should
111 be revisited on a more frequent basis. Manager Olson asked for further detail which Ms.
112 Brown provided concerning the nature of storm sewer alignment and service drainage.
113 Manager Becker requested that the boundary transfer included a review of any liability or
114 property interest which may be impacted. *It was moved by Manager Shekleton,*
115 *seconded by Manager Olson to adopt Resolution 17-031 as follows:*
116

117 ***NOW, THEREFORE, BE IT RESOLVED that the Board of Managers***
118 ***supports a boundary adjustment as described in Exhibit A, and***
119 ***authorizes the Board President, on advice of counsel, to sign a petition***
120 ***to BWSR in accordance with Minnesota Statutes to adjust the common***
121 ***boundary of the CCWMO and MCWD.***
122

123 ***BE IT FURTHER RESOLVED that the MCWD Administrator is***
124 ***authorized to fulfill all responsibilities of the MCWD to implement the***
125 ***boundary adjustment as approved by BWSR.***
126

127 ***Upon vote, the motion carried, 7-0.***
128

129 **BOARD DISCUSSION ITEMS**

130
131 **MAWD Update-Strategic Plan, Transition, Summer Tour and Meeting**
132

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133 Mr. Perry Forester, President of the Riley Purgatory Bluff Creek Watershed District
134 Board of Managers appeared before the Board and reviewed the Strategic Planning
135 process for MAWD. He noted the upcoming retirement of the MAWD Executive
136 Director Ray Bohn, and the general transition plan for the hiring of a new executive
137 director, as well as lobbying assistance. The managers discussed with Mr. Forster the
138 range of alternatives, including contracting with a firm for management of the association
139 and legislative representation; the various advantages of a full time administrator to
140 attend to needs of MAWD throughout the year; and budgetary issues. Mr. Forester
141 explained that the transition plan would be considered at the MAWD summer tour in
142 June. The managers thanked Mr. Forester for his presentation and his efforts with this
143 strategic planning process.

144

145 445 Brown Road Agreement

146

147 Ms. Renae Clark appeared before the Board of Managers and clarified that this matter is
148 presented for information only, with action at an upcoming Board meeting in May. Ms.
149 Clark reviewed the environmental site assessment and exploration of easement terms at
150 this site to achieve District objectives. She explained that in the past, District objectives
151 had not been achievable due to a lack of available land, but new availability of this site
152 presents a good opportunity for the District. The managers thanked Ms. Clark for her
153 presentation.

154

155 Comprehensive Plan Update

156

157 Ms. Becky Christopher appeared before the Board of Managers and reviewed the status
158 of the process to update the District's Comprehensive Plan. She reviewed the upcoming
159 schedule for the next few months, with a goal of a draft to be released on or about June 8.

160

161 Election of MAWD Delegates

162

163 President White invited the Board to elect delegates to the MAWD meeting at the
164 summer tour in June. ***It was moved by Manager Shekleton, seconded by Manager
165 Miller, to select President White and Manager Olson as delegates, and Manager
166 Rogness as an alternate. Upon vote, the motion carried, 7-0.***

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168 STAFF UPDATES

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170 Administrator's Report

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172 Mr. Erdahl reported on press coverage of 50th anniversary events and noted the upcoming
173 events in the series. He said the *StarTribune* ran a story on Methodist Hospital flood wall
174 project in response to efforts by MCWD staff, and the Mound Laker is doing a profile on
175 MCWD's work there and a separate story on the Six Mile Creek subwatershed carp
176 assessment results. The *South Lake Neighbors* magazine will run quarterly articles

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177 prepared by MCWD. The magazine serves Shorewood, Excelsior, Greenwood,
178 Deephaven and Tonka Bay. MCWD's new communications coordinator, Sarah Bihmani,
179 starts Monday.

180
181 Mr. Erdahl reported that hydroseeding of vertical vegetated walls took place today at the
182 Bushaway Road project, which should be completed soon. Public notice has been issued
183 for an Edina meeting, and the Board of Water and Soil Resources has issued information
184 on performance based grant funding. Riley-Purgatory-Bluff Creek Watershed District is
185 taking the lead in pursuing a corrective boundary change with MCWD and other
186 watersheds.

187 The managers thanked Mr. Erdahl for his report.

188
189 The regular meeting of the Board of Managers was adjourned at 8:31 p.m.

190
191 Closed Session/Executive Committee Meeting/Administrator Performance Evaluation

192
193 President White noted that the Executive Committee had convened briefly at 6:00 p.m.
194 and continued its meeting until after the Board of Managers meeting for the purpose of
195 discussing the Administrator's performance review. Following the closed session of the
196 Executive Committee, the Executive Committee adjourned at 8:59 p.m.

197
198 Respectfully submitted,

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200
201
202 Kurt Rogness, Secretary

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