

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

4
5 **February 10, 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 7:02 p.m. on February 10, 2022. President White noted that
11 this meeting was convened electronically through Zoom, pursuant to Minnesota Statutes
12 13D.021, due to the COVID-19 pandemic and her determination that it is not prudent for
13 the Board of Managers, or any committee thereof, to meet in person, and it is not feasible
14 to provide for any member of the Board, or of the public, to meet at the regular meeting
15 location. For this reason, until this determination is withdrawn by the District’s presiding
16 officer, chief legal counsel or chief administrative officer, the meetings of the Board and
17 its committees will be convened by telephone or other electronic means as the presiding
18 officer determines appropriate. All such meetings will be noticed and conducted in
19 accordance with §13D.021 and all other applicable terms of the Open Meeting Law.
20 President White noted that, pursuant to §13D.021, all votes will be by roll call.

21
22 President White called the roll to note attendance:

23
24 Hejmadi: Present
25 Loftus: Present
26 Sando: Present
27 Miller: Present
28 Olson: Present
29 Maxwell: Present
30 White: Present.

31
32 **DISTRICT STAFF AND CONSULTANTS PRESENT**

33
34 James Wisker, Administrator; Laura Domyancich-Lee, Planner – Project Manager;
35 Michael Hayman, Project Planning Manager; Helen Schnoes, Outreach Manager; Chris
36 Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

37
38 **MATTERS FROM THE FLOOR**

39
40 None.

41
42 **APPROVAL OF AGENDA**

43
44 *It was moved by Manager Miller, seconded by Manager Hejmadi to approve the*
45 *Agenda as distributed. Upon roll call vote, the motion carried 7-0 as follows:*
46

47 Hejmadi: Aye
48 Loftus: Aye
49 Sando: Aye
50 Miller: Aye
51 Olson: Aye
52 Maxwell: Aye
53 White: Aye

54

55 **CONSENT AGENDA**

56

57 *It was moved by Manager Miller, seconded by Manager Sando, to approve the items on*
58 *the Consent Agenda consisting of approval of the January 27, 2022 Board meeting*
59 *minutes; and adoption of the following resolution:*

60

61 *Resolution 22-006: Authorization to Accept Tort Liability Limits on the District P&C*
62 *Insurance Policy:*

63

64 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
65 *Watershed District Board of Managers accepts the statutory tort liability limits*
66 *as set forth in Minnesota Statute 466.04 and authorizes the District*
67 *Administrator to advise the LMCIT accordingly.*

68

69 *Upon roll call vote, the motion carried 6-0 as follows:*

70

71 Hejmadi: Aye
72 Loftus: Aye
73 Sando: Aye
74 Miller: Aye
75 Olson: Aye
76 Maxwell: Aye
77 White: Aye

78

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

80

81 President's Report: President White reported on recent meetings with Hennepin County
82 Commissioners Goettel and Fernando, and an upcoming meeting with Commissioner
83 Conley.

84

85 Operations and Programs Committee: Manager Loftus reported that the committee had a
86 productive working session on both mitigation and adaptation elements in the climate
87 action framework. Further work will continue in March.

88

89 Upcoming Meeting and Event Schedule: President White directed the managers to the
90 meetings listed on the agenda.

91

92 **ACTION ITEMS**

93

94 Resolution 22-007: Authorization to Solicit Bids for Six Mile Marsh Prairie Trail
95 Construction

96

97 Ms. Laura Domyancich-Lee appeared before the Board of Managers and reviewed the
98 request for board action. She reviewed design alterations and bid package refinements
99 intended to obtain better pricing from contractors than the previous request for bids. She
100 reviewed the revised bidding and contracting schedule. *Following discussion, it was*
101 *moved by Manager Olson, seconded by Manager Miller to adopt Resolution 22-007 as*
102 *follows:*

103

104 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
105 ***Watershed District Board of Managers authorizes the District Administrator to***
106 ***solicit bids for construction of the Six Mile Marsh Prairie trail.***

107

108 Upon a question from Manager Maxwell, Ms. Domyancich-Lee and Mr. Meehan stated
109 that they expect greater interest from contractors and better bids this round.

110

111 ***Upon roll call vote, the motion carried by a vote of 7-0 as follows:***

112

113 Hejmadi: Aye
114 Loftus: Aye
115 Sando: Aye
116 Miller: Aye
117 Olson: Aye
118 Maxwell: Aye
119 White: Aye

120

121 Ms. Domyancich-Lee noted that this would be her last meeting as she had accepted a
122 position as an ecologist with Friends of the Mississippi River. The managers thanked
123 Ms. Domyancich-Lee for her dedication and service to the District.

124

125 Resolution 22-008: Authorization to Execute a Contract Amendment with Stantec for
126 Completion of Environmental Investigation at 325 Blake Road

127

128 Mr. Michael Hayman appeared before the Board of Managers to review the request for
129 board action. He reviewed the status of environmental investigation at the 325 Blake
130 Road site, and MCWD's commitment to delivering a clean site for both the construction
131 of the regional stormwater facility and the facilitation of development.

132 *Following discussion, it was moved by Manager Miller, seconded by Manager Sando to*
133 *adopt Resolution 22-008: Authorization to Execute a Contract Amendment with*
134 *Stantec for Completion of Environmental Investigation at 325 Blake Road as follows:*

135
136 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
137 ***Watershed District Board of Managers hereby authorizes the District***
138 ***Administrator to execute a contract amendment with Stantec for additional***
139 ***environmental investigation at 325 Blake Road in the amount of \$15,390, and***
140 ***authorizes the Administrator to execute change orders in his discretion***
141 ***up to an additional 10% of the fee for an amount not to exceed \$16,930.***
142

143 Upon a question from Manager Olson, Mr. Hayman reviewed the soil vapor testing and
144 noted that it does not include testing for radon, which is handled separately under the
145 building code. Upon a question from President White, Mr. Hayman speculated on
146 possible sources of benzene and reviewed the past environmental mitigation actions at the
147 site.

148
149 *Upon roll call vote, the motion carried by a vote of 7-0 as follows:*

150
151 Hejmadi: Aye
152 Loftus: Aye
153 Sando: Aye
154 Miller: Aye
155 Olson: Aye
156 Maxwell: Aye
157 White: Aye

158
159
160 **STAFF UPDATES**

161
162 **Administrator's Report**

163
164 Mr. Wisker reported on the following items:

- 165
166 1. The 60% level design for the stormwater facilities at 325 Blake Road is
167 advancing, and a purchase agreement should be ready for the Board's
168 consideration on March 10;
- 169
170 2. Initial conversations have occurred to explore alternatives for the MAWD
171 summer tour; more information to come in future meetings;
- 172
173 3. Helen Schnoes is working to hire additional outreach staff;
- 174

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- 175 4. The Sun newspapers carried a story about the MCWD’s decision to close the
176 Minnehaha Preserve boardwalk and initiate a process to reconstruct the
177 boardwalk to ensure public safety and the longevity of the facility;
178
179 5. DNR has awarded \$1.25 million in funding for local organizations to address
180 aquatic invasive species;
181
182 6. Mr. Wisker’s evaluation is scheduled for February 24.
183

184 **Adjournment**

185
186 There being no further business, President White declared the meeting of the Board of
187 Managers adjourned at 8:07 p.m.

188
189 Respectfully submitted,

190
191
192 Eugene Maxwell, Secretary
193