

47 Loftus: Aye
48 Rogness: Aye
49 Miller: Aye
50 Olson: Aye
51 Maxwell: Aye
52 White: Aye

53

54 **CONSENT AGENDA**

55

56 *It was moved by Manager Miller, seconded by Manager Rogness, to adopt the items on the*
57 *Consent Agenda, consisting of the approval of the October 8, 2020 Board Minutes; the*
58 *General Checking Account consisting of checks 41317 through 41342 in the amount of*
59 *\$611,829.56; electronic funds withdrawals in the amount of \$31,252.70; manager per diems*
60 *and reimbursement direct deposits in the amount of \$2,750.00; employee reimbursements -*
61 *direct deposits in the amount of \$558.29; and payroll direct deposits in the amount of*
62 *\$144,495.05; and the surety checking account consisting of checks 41343 through 41346, in*
63 *the amount of \$23,600.00; electronic fund transfer of \$52,461.69 to Bremer Bank for office*
64 *building refinance and the following resolution:*

65 **Resolution 20-082: Approving the Execution of a Second Amendment to the Cooperative**
66 **Agreement with the City of Richfield with Respect to the Taft-Legion Lake Regional Volume**
67 **and Load Reduction Project**

68 ***NOW, THEREFORE, BE IT RESOLVED by the Minnehaha Creek Watershed***
69 ***District Board of Managers that:***

70 ***1. MCWD approves the issuance of the MCWD Project Refunding Bonds by the***
71 ***City of Richfield for the purposes of debt service savings.***

72 ***2. The Board of Managers hereby authorizes and directs the Board President to***
73 ***execute the Second Amendment to the Agreement on behalf of the MCWD, on advice***
74 ***of counsel and on advice of the MCWD's financial advisor that the MCWD project***
75 ***Refunding Bonds achieve debt service savings over the life of the MCWD Project***
76 ***Refunding Bonds in an amount of at least \$135,000.***

77 ***3. The schedule for payments to be made by the MCWD to pay the principal of***
78 ***and interest on the MCWD Project Refunding Bonds shall be attached as Attachment***
79 ***A to the Second Amendment to the Agreement.***

80

81 ***Upon roll call vote, the motion carried, 7-0 as follows:***

82

83 Hejmadi: Aye
84 Loftus: Aye
85 Rogness: Aye
86 Miller: Aye

87 Olson: Aye
88 Maxwell: Aye
89 White: Aye
90

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

92
93 President's Report: President White reported that she and Managers Olson and Hejmadi
94 attended the meeting of the Metropolitan Chapter of the Minnesota Association of
95 Watershed Districts. The meeting included reports on the Clean Water Council
96 recommendation not to fund soil and water conservation districts with legacy funds;
97 MAWD urging more spending of Clean Water funds on project implementation; an
98 update on watershed-based funding allocation of Clean Water funds; and MAWD
99 communications on the rigor of watershed district planning. Manager Olson noted that
100 Pamela Blixt will discontinue service on the Clean Water Council as a watershed district
101 representative due to health reasons; state agencies will continue working remotely to
102 June 2021; DNR has many staff openings; and the Met Council suspended its water
103 quality monitoring programs this year due to COVID-19. Manager Hejmadi noted plans
104 for MAWD's annual conference by remote means and noted that negative legislation
105 against the interests of watershed districts did not get attention from the legislature this
106 year.
107

108 Policy and Planning Committee Report: Manager Miller reported that the Committee
109 received a status update on the Schelitzche property evaluation and corridor planning;
110 and discussed long term strategic planning to guide the board in meeting future
111 challenges. This planning effort will seek to minimize the burden on staff given the
112 pressures of the current project implementation workload.
113

114 Citizens Advisory Committee: Manager Miller reported that the recent CAC meeting
115 included a productive discussion of the District's role in addressing climate change, with
116 a focus on science and partnerships.
117

118 Upcoming Meeting and Event Schedule: President White directed the managers to the
119 meetings listed on the agenda; all of the meetings to be noticed and held via WebEx.
120

121 **PUBLIC HEARINGS AND PRESENTATIONS**

122
123 Report from Hennepin County – Commissioner Callison

124
125 Commissioner Jan Callison appeared before the Board of Managers to present her annual report
126 from Hennepin County. She noted that this would be her last report, as she will not seek
127 reelection after her current term ends this year. Commissioner Callison reviewed the County's
128 response to COVID-19, Minneapolis unrest, the 2021 budget, and plans for the elections.
129

130 The managers each expressed their gratitude for Commissioner Callison’s service, dedication to
131 working with the District, and friendship. President White and Mr. Wisker presented the
132 Board’s resolution of appreciation and a model replica of the Minnehaha Creek watershed.

133
134 Annual Public Hearing on Stormwater Pollution Prevention Plan

135
136 President White opened the public hearing on the District’s annual review of its Stormwater
137 Pollution Prevention Plan. Ms. Erin Manlick appeared before the Board of Managers to review
138 the plan. She noted that no comments had been received on the plan. No one from the public
139 appeared at the hearing to offer comments. The managers thanked Ms. Manlick for her
140 presentation and President White closed the public hearing.

141
142 **ACTION ITEMS**

143
144 Resolution No. 20-081: Authorization to Extend Engagement of Construction Litigation Counsel

145
146 Mr. Michael Hayman appeared before the Board of Managers to review the request for board
147 action. *It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution*
148 *No. 20-081 as follows:*

149
150 ***THEREFORE BE IT RESOLVED the MCWD Board of Managers authorizes the***
151 ***continuation of work toward resolution of the matter and for that purpose is extending***
152 ***the retention of litigation counsel for total fees and expenses in an amount not-to-***
153 ***exceed \$35,000.***

154
155 *Upon roll call vote, the motion carried, 7-0 as follows:*

156
157 Hejmadi: Aye
158 Loftus: Aye
159 Rogness: Aye
160 Miller: Aye
161 Olson: Aye
162 Maxwell: Aye
163 White: Aye

164
165 **STAFF UPDATES**

166
167 Administrator’s Report

168
169 Mr. Wisker reported on the following items:

170

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
10-22-20

- 171 1. Due to snow and weather conditions, work to complete the Wassermann Lake Preserve
172 Project has halted and completion of the work and a ribbon cutting ceremony are
173 postponed to 2021;
174
- 175 2. Following a meeting of President White and Manager Loftus with two Greenwood City
176 Council members, Mr. Wisker received an email from Council Member Fletcher
177 requesting that the District revise its 2021 budget to designate \$345,000 to addressing
178 aquatic invasive species in Lake Minnetonka. Mr. Wisker proposed that the District
179 respond by explaining that it is not feasible to evaluate or seek adequate public input to
180 revise the 2021 budget by accommodating this request, but the District is committed to
181 considering this issue next year. The managers concurred with this proposed response,
182 and also asked Mr. Wisker to confirm whether there was a formal city council action in
183 support of the request.
184

185
186 **Adjournment**

187
188 There being no further business, President White declared the meeting of the Board of Managers
189 adjourned at 8:04 p.m.

190
191 Respectfully submitted,

192
193
194
195 Kurt Rogness, Secretary
196