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3 **MINUTES OF THE REGULAR MEETING OF**
4 **THE MINNEHAHA CREEK WATERSHED DISTRICT**
5 **BOARD OF MANAGERS**
6

7 April 14, 2016
8

9 **CALL TO ORDER**

10
11 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called
12 to order by President Sherry White at 6:45 p.m., at the District office, 15320 Minnetonka
13 Boulevard, Minnetonka, Minnesota 55345.
14

15 **MANAGERS PRESENT**

16
17 Sherry White, Brian Shekleton, Richard Miller, Kurt Rogness, Pamela Blixt, William Becker.
18

19 **MANAGERS ABSENT**

20
21 William Olson.
22

23 **DISTRICT STAFF AND CONSULTANTS PRESENT**

24
25 Lars Erdahl, District Administrator; Craig Dawson, District Research and Monitoring Director;
26 Eric Fieldseth, District AIS Program Manager; Laura Domyancich, District Project and Land
27 Technician; Renae Clark, District Project Manager; Michael Hayman, District Planner-Project
28 Manager; Chris Meehan, District Consulting Engineer; Chuck Holtman, District Counsel.
29

30 **MATTERS FROM THE FLOOR**

31
32 None.
33

34 **APPROVAL OF AGENDA**

35
36 *It was moved by Manager Miller, seconded by Manager Rogness to approve the agenda with*
37 *the addition of new staff introduction, a report on the Minnesota Association of Watershed*
38 *Districts (MAWD) legislative reception, and a report on the Hopkins City Council meeting.*
39 *Upon vote, the motion carried 5-0.*
40

41 (Manager Shekleton arrived at this time.)
42

43 **NEW STAFF INTRODUCTION**

44
45 Mr. Dawson introduced four new staff who will be providing seasonal water quality and aquatic
46 invasive species (AIS) monitoring. Marcie Lapointe graduated from the University of Minnesota.

47 Rachel Fleck graduated from the University of Wisconsin-Madison and is doing graduate work
48 at the University of Wisconsin-Stout. Johanna Grimsley is a graduate of St. Cloud State
49 University. Cameron Blake also is a University of Minnesota graduate. The Board welcomed the
50 new staff.

51 **INFORMATION ITEMS/CORRESPONDENCE**

52
53 President White noted the two informational items on the agenda.

54
55 **CONSENT AGENDA**

56
57 *It was moved by Manager Miller, seconded by Manager Shekleton to approve the consent*
58 *agenda consisting of the March 24, 2016 minutes. Upon vote, the motion carried 6-0.*
59

60 **REGULAR AGENDA**

61
62 **Board, Committee and Task Force Reports**

63 President White noted the upcoming meeting and event schedule.

64 Manager Shekleton reported on the Citizens' Advisory Committee (CAC) meeting held last
65 night. Manager Becker attended and introduced himself to the CAC. There was a discussion of
66 AIS matters particularly concerning the starry stonewort, hybrid milfoil and zebra mussels. The
67 CAC discussed cost-share projects, which led into a discussion as to project benefits and costs.
68 The CAC will be offering recommendations on this subject.
69

70 Manager Miller reported that he and James Wisker attended a recent Hopkins City Council
71 workshop where there was discussion of the area studies concerning the Southwest Light Rail
72 Transit project and the Blake Road area. There was a discussion of funding tools to enhance
73 transit oriented development. Manager Miller noted that Southwest Community Works has been
74 funding a number of studies and they suggest that the District's cold storage site is the best site
75 for redevelopment, while other properties in the area don't complement the developing land use
76 as well. He noted that the Blake Road reconstruction, Cottageville Park and the trail
77 enhancement work all support the redevelopment intentions for the cold storage site. He
78 reminded the Board that the District is looking toward 2017 to issue a request for qualifications
79 concerning redevelopment.
80

81 Manager Rogness reported on the MAWD legislative event. He added that Manager Blixt also
82 attended the reception, and Manager White attended the breakfast. He noted a sorting of
83 attendees into roughly rural and urban groups, with Senators Senjem and Skoe and
84 Representative Torkelson all engaged prominently in discussions. The amendment to last
85 session's buffer bill was a major focus of discussion. The Department of Natural Resources said
86 that it is progressing on mapping and Manager Rogness has the sense that the Governor's
87

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88 original legislation is now thought of somewhat as a placeholder. MAWD priority topics include
89 the buffer bill, statewide flood control funding and the delay of the state tax exemption for
90 certain local units of government including watershed districts. He noted nothing was said
91 regarding Minnesota River sediment issues or governance initiatives. Manager Rogness added
92 that more recently he met with Representative Thissen and Senator Dibble, and that both
93 officials are familiar with the District and support the work that it is doing.

94
95 Manager White noted that with the recent changes on the Board of Managers, committee
96 adjustments need to be made. She asked the Board to approve the appointment of Manager
97 Rogness to the Policy and Planning Committee; Manager Becker to the Operations and Programs
98 Committee; and Manager Miller as Chair of the Policy and Planning Committee. ***It was moved***
99 ***by Manager Shekleton, seconded by Manager Miller to approve the indicated appointments.***
100 ***Upon vote, the motion carried 6-0.***

101
102 Wayzata Lake Effect Presentation

103
104 Ms. Clark noted that President White and she participated in the schematic design process for the
105 City of Wayzata lakefront redesign project. She introduced Mayor Ken Willcox and Mary
106 deLaittre, who led the process for the City.

107
108 Mayor Willcox began by thanking the District for all of its efforts on the Bushaway Road
109 project, which he said were hugely important for the City. He then provided a historical review
110 of the Wayzata Lake Effect project, which began as a question of what to do about a large
111 lakefront surface parking lot and grew to a concept of how to make the lakefront a proper
112 comprehensive expression of the City's relationship to the lake, and integration of the
113 recreational and ecological values of the community. He noted that the project has been very
114 community driven. Recently the City held a design competition of national scope and received
115 eight bids. It awarded the design contract to Civitas out of Denver. This step led to the process
116 just completed that involved President White and Ms. Clark, whose contributions the Mayor
117 commended.

118
119 Ms. deLaittre reported on a public meeting that the design team hosted last week. The City
120 Council will take action in May regarding next steps. She reviewed the foundation for the
121 project, including core values that it be about the lake experience, the environmental experience,
122 for local residents and that it be safe with respect to railroad crossings. She distributed concept
123 planning documents and reviewed the potential project elements. She noted that in particular the
124 existing marina is considered a part of Lake Minnetonka so its reconfiguration will be a
125 permitting question. The total cost, including both proposed phases, is estimated at about \$19
126 million.

127
128

129 Ms. deLaittre identified the elements of a District partnership to include assistance through the
130 technical committee, review and participation in the environmental impact work, and District
131 permitting.

132
133 Mayor Willcox added that the project will include addressing five existing stormwater outfalls
134 into the lake. Ms. deLaittre also noted the intent to address ecological restoration along the entire
135 shoreline. Responding to Manager Blixt's question, Ms. Clark stated that the boardwalk over the
136 lake edge would not involve fill, but would be on poured piers.

137
138 Mayor Willcox concluded by noting that the City will establish a conservancy to provide
139 support, continuity and fundraising. Manager Blixt asked about the existing District stormwater
140 basin on the lake edge. Ms. Clark responded that the parties are examining turning it more into a
141 wetland but ensuring that the water quality performance of the basin is preserved.

142
143 **ACTION ITEMS**

144
145 **Contract Award, 2016 Stormwater Pond Sediment Surveys**

146
147 Ms. Domyancich reviewed the request for board action concerning the Districts policy for
148 periodic survey and maintenance of its numerous water quality basins. Staff is recommending
149 retaining Wenck Associates in an amount not to exceed \$36,430 to survey and potentially
150 characterize sediments for seven basins: the three Lake Nokomis basins, Glenbrook Pond in
151 Wayzata, Excelsior Pond in St. Louis Park, the County Road 6 Pond in Orono and the Gideon
152 Glen basin in Shorewood. The Nokomis ponds are thought to have received a lot of sediment
153 during the 2014 flooding. The Glenbrook pond was last surveyed in 2013 and is on a three-year
154 cycle. County Road 6 Pond is on a five-year monitoring cycle and is due for surveying. Gideon
155 Glen was built in 2006 and has not been surveyed. Finally, Excelsior Pond was completed in
156 2013 and staff endeavors to survey a new basin after three years to assess its rate of sediment
157 accumulation.

158
159 ***It was moved by Manager Shekleton, seconded by Manager Becker to place the proposed***
160 ***resolution on the April 28 consent agenda. Upon vote, the motion carried 6-0.***

161
162 Manager Miller remarked that the staff basin maintenance spreadsheet is comprehensive and
163 very informative.

164
165 **Contract Award, Vegetation Restoration and Maintenance, Minnehaha Preserve Enhancement**
166 **Project; Access Easement**

167
168 Mr. Hayman reviewed the recent history of the District's collaborative work with Japs
169 Olson Company, culminating in the construction by Japs Olson of a stormwater
170 management facility and deeding of the underlying 3.67 acres to the District, which will
171 maintain the basin for water quality purposes and have the right to undertake ecological
172 enhancements on the parcel and integrate it into the Minnehaha Preserve project. The

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173 present request for board action concerns vegetation planting and restoration on the
174 parcel as well as vegetation maintenance and invasive species management on another
175 1.5 acres of adjoining land. The proposed work will include visual screening of the Japs
176 Olson facility, treatment of invasive species and vegetation enhancement. The overall
177 project also includes trail connections and a trailhead parking area, which per the Board's
178 earlier decision will proceed at a later time.

179
180 Mr. Hayman presented proposed resolution 16-031, awarding the vegetation restoration contract
181 to Applied Ecological Services in an amount not to exceed \$30,988. He informed the Board that
182 staff solicited four quotes and received three. AES is the low quote and is staff's
183 recommendation.

184
185 Mr. Hayman added that vegetation maintenance for the deeded parcel is estimated at about
186 \$1,200 to \$1,500 per year, with a 20-year maintenance cost estimate of \$100,000, which includes
187 basin maintenance.

188
189 Mr. Hayman then reviewed the trail and trailhead parking concept to date. Plans and
190 specifications for the trail work are completed, and the cost is estimated at \$95,000. Plans and
191 specifications for the parking area are 90 percent complete, with the estimate running from
192 \$71,000 to \$95,000, depending on whether the surface will be bituminous or permeable. With
193 respect to permeable paving, Mr. Hayman noted that considerations include stormwater
194 management, the intensity of use, whether there will be a need for winter maintenance and the
195 opportunity for a demonstration site.

196
197 *It was moved by Manager Shekleton, seconded by Manager Miller to adopt proposed*
198 *resolution 16-031, providing as follows:*

199
200 ***NOW, THEREFORE, BE IT RESOLVED, that the District Administrator is***
201 ***authorized, on advice from District counsel, to enter into a contract with***
202 ***Applied Ecological Services in the amount of \$30,988 for the Minnehaha***
203 ***Preserve Enhancement project vegetation maintenance and that the Board***
204 ***establishes a project maintenance budget in the not to exceed amount of***
205 ***\$34,087 and authorizes the District Administrator, in his judgment, to authorize***
206 ***change orders obligating the District up to that amount.***

207
208 *Upon vote, the motion carried 6-0.*

209
210 *It was moved by Manager Miller, seconded by Manager Becker to adopt proposed resolution*
211 *16-032, providing as follows:*

212
213 ***THEREFORE, BE IT RESOLVED, that President of the Board of Managers***
214 ***hereby is authorized to execute the grant of nonexclusive access easement for***
215 ***driveway purposes, with any non-material changes and on advice of counsel.***
216

217 ***Upon vote, the motion carried 6-0.***
218

219 Manager Miller urged that staff explore with the City of St. Louis Park its interest in assuming
220 maintenance of the trailhead parking lot because of the economy of scale. He suggested that the
221 District seek agreement that it would invest in the permeable surface if the City would assume
222 the maintenance role. Manager Blixt added that if there is interest in this respect, the City should
223 be involved in the selection of the surfacing material.
224

225 Cost-Share Grant to Lake Minnetonka Conservation District, AIS Watercraft Inspection
226

227 Mr. Fieldseth reviewed a proposed resolution providing for \$18,781 in cost-share funding to the
228 Lake Minnetonka Conservation District (LMCD) for AIS inspection at nine public access points
229 on Lake Minnetonka. He noted this is similar to cost-share grants provided to the LMCD for the
230 past four years.
231

232 ***It was moved by Manager Blixt, seconded by Manager Becker, to advance the proposed***
233 ***resolution to the April 28 consent agenda.***
234

235 Manager Shekleton asked how many hours per day the access points would be unstaffed. Mr.
236 Fieldseth replied that there will be 16 hours per day of coverage at nine public access locations
237 from May to October. He said that this equals coverage of about 40 percent of public access
238 hours during that period. President White asked if there are statistics on the percentage of boats
239 that would be inspected, given that access points will be staffed during times of heavier uses. Mr.
240 Fieldseth replied that there are not such figures. Manager Miller stated that he agrees with the
241 project structure but that it is incomplete and therefore a symbolic effort.
242

243 Manager Shekleton stated that that it is important to maintain relationships with the District's
244 partners and to fulfill expectations, but that the District needs to think more about how it spends
245 its funds in these areas. The Board should discuss and consider if the intent is education or
246 enforcement and then how that goal is achieved.
247

248 Manager Blixt stated that not doing anything isn't responsible. She agrees with Managers Miller
249 and Shekleton that discussion is needed but said that she will support the present action because
250 of partner expectations. The Board's conversation should occur well in advance of next summer
251 so that partner expectations can be properly respected.
252

253 Manager Shekleton agreed with Manager Blixt. He would like staff to think about how the
254 District can preserve its partnerships but restrain the District's use of funds until the District can
255 be more sure that spending is oriented toward its goals.
256

257 ***Upon vote, the motion carried 4-2 (Managers Miller, Rogness opposed).***
258
259

260 Accept Hennepin County Grant for Hybrid Milfoil Study Continuation; Enter Agreement with
261 Montana State University for Milfoil Genetic Analysis

262
263 Mr. Fieldseth reviewed the work done to date by the District in cooperation with researchers
264 from Montana State University pursuant to Hennepin County grant funds. He noted that the
265 packet includes a resolution to enter into a supplemental \$20,000 grant agreement with Hennepin
266 County as well as authorization to contract with Montana State University to perform genetic
267 analysis on milfoil samples.

268
269 ***It was moved by Manager Becker, seconded by Manager Shekleton to advance to the April 28***
270 ***consent agenda the proposed resolution to enter into a grant agreement with Hennepin***
271 ***County. Upon vote, the motion carried 6-0.***

272
273 ***It was moved by Manager Shekleton, seconded by Manager Blixt to advance to the April 28***
274 ***consent agenda the proposed resolution authorizing the Administrator to contract with***
275 ***Montana State University.***

276
277 ***Upon vote, the motion carried, 6-0.***

278
279 Hennepin County Grant Agreement, Zebra Mussel Veliger Control Study; Agreement with
280 Minnesota Aquatic Invasive Species Research Center for Zebra Mussel Veliger Control Study

281
282 Mr. Fieldseth reviewed the proposed resolution authorizing the Administrator to enter into a
283 \$24,000 grant agreement with Hennepin County to partner with the Minnesota Aquatic Invasive
284 Species Research Center (MAISRC) to perform a zebra mussel veliger control study. He also
285 reviewed a proposed resolution authorizing the Administrator to enter into an agreement with the
286 MAISRC to perform the study.

287
288 ***It was moved by Manager Becker, seconded by Manager Shekleton to advance to the April 28***
289 ***consent agenda the proposed resolution authorizing the Administrator to enter into a grant***
290 ***agreement with Hennepin County as described. Upon vote, the motion carried 6-0.***

291
292 ***It was moved by Manager Blixt, seconded by Manager Becker to advance to the April 28***
293 ***consent agenda the proposed resolution authorizing the Administrator to enter into an***
294 ***agreement with the MAISRC to perform a zebra mussel veliger control study. Upon vote, the***
295 ***motion carried 6-0.***

296
297 **BOARD DISCUSSION ITEMS**

298
299 Arden Park/Reach 15 Project, City of Edina

300
301 Ms. Clark reviewed the history of the Board's consideration of ecological improvements within
302 this reach of Minnehaha Creek, centering around the existing grade control structure. She
303 reminded the Board that it was committed to preserving this structure for recreational kayaking

304 purposes until 2014 high water altered the hydraulic setting and removed the standing wave. At
305 that time, the Board asked staff to preview the site more comprehensively for both ecological and
306 recreational enhancements.

307
308 Ms. Clark reported that staff has worked with City staff and talked with a number of people and
309 interests in the community. The City supports a more robust park plan, incorporating stormwater
310 and ecological considerations along with potential park improvements. At this time, staff is
311 recommending a three-phase process: The first stage would be development of a schematic
312 design through extensive public engagement with technical support from the District's
313 consultants; a design would be developed in 2017; finally, the District's improvements within the
314 creek channel and along its riparian edge would occur in 2018. Ms. Clark briefly reviewed
315 certain anticipated elements of the District's project design. She advised that staff expects to
316 return shortly with a proposed contract for schematic design and public engagement as well as
317 some form of agreement with the City on the roles of the parties in the first phase of the process.

318
319 Manager Miller offered that the park is neglected and that this is a great opportunity. Manager
320 Shekleton asked if removing the impoundment would have a downstream hydraulic impact. Mr.
321 Meehan replied that the 54th Street Bridge just below the site remains the hydraulic restriction
322 and therefore there would be no change below that point. Manager Rogness urged that the
323 District use the opportunity to reinstitute meanders into the creek. Manager Miller noted the
324 presence of a hockey rink that the City values for its "historical" aspect. Manager Blixt asked if
325 any whitewater features would remain. Mr. Meehan replied that the kayaking community would
326 still like a feature but supports incorporating this element into an overall park design.

327
328 Painter Marsh Easement

329
330 Ms. Clark noted that this subject was updated to the Policy and Planning Committee in
331 December. She reviewed the proposed design for the District's reconstruction of a cattle crossing
332 within the Painter marsh. She noted that the repair is exempt from §404 and Wetland
333 Conservation Act permitting requirements as it is work on a structure reconstructed by the
334 District in 2008. She reviewed the proposed easement that the District is negotiating on eight
335 parcels of land all owned by the Johnson family.

336
337 Mr. Holtman noted that there are other parcels, particularly on the western side of the marsh, that
338 are not presently under discussion and on which the District would need to extend flowage rights
339 in order to pursue certain project goals such as partnership with the U.S. Army Corps of
340 Engineers (USACE). Ms. Clark added that under the agreement with the Johnsons, the parties
341 will work together to engage these additional landowners and that this is something Ms. Clark
342 will be working on over the next several months. She noted that the District does presently hold
343 easements from the 1980's-90's that in locations would allow flowage nearly coextensive to
344 what would be required under the USACE feasibility design.

345
346

347 **ADMINISTRATOR’S REPORT**

348

349 Mr. Erdahl noted that the District’s automated monitoring equipment has been installed at the
350 Lake Street/Powell Road site to gather data in advance of District construction of the regional
351 stormwater facilities on the cold storage site. He also noted that he is in the process of preparing
352 and submitting to the Board of Water and Soil Resources the District’s bi-annual capital project
353 budget. This exercise assists BWSR in its funding request but is not binding in any respect on the
354 District. Participating in this process is of some small benefit when the District applies for grants.

355

356 **ADJOURNMENT**

357

358 There being no further business, the regular meeting of the Minnehaha Creek Watershed District
359 Board of Managers was adjourned at 9:25p.m.

360

361 Respectfully submitted,

362

363

364

365 Kurt Rogness, Secretary

