**MINUTES OF THE REGULAR MEETING OF
THE MINNEHAHA CREEK WATERSHED DISTRICT
OPERATIONS AND PROGRAMS COMMITTEE
November 5, 2015**

1.   CALL TO ORDER
The regular meeting of the Minnehaha Creek Watershed Operations and Programs Committee was called to order at 6:45 p.m. in the Big Island Room at the Minnehaha Creek Watershed District offices.

2.   OPC   MEMBERS PRESENT
William Olson, Kurt Rogness, and Pam Blixt

OTHER BOARD MEMBERS PRESENT
Brian Shekleton, Sherry White, Jim Calkins

OTHERS PRESENT
MCWD staff – Lars Erdahl, Telly Mamayek, Eric Fieldseth, Darren Lochner, David Mandt, Jennifer Scharlow,
Others Present -- Jen Kaden, Freshwater Society; Joe Shneider, Christmas Lake Homeowners Association and Jerry Marten resident from Lake Zumbra

3.   APPROVAL OF AGENDA
The agenda was approved.

4.   INFORMATION ITEMS/CORRESPONDENCE

4.1 MAWD Registration and Delegation Selection – Board

Manager Olson passed around the MAWD booklet and asked if anyone would attend and encouraged committee to attend. The booklet contained information on Registration, Pending Resolutions for Consideration, and Process for nominating delegates.

Lars Erdahl offered to send out additional information on registering for the MAWD event.

Manager Olson said that MCWD just needs two delegates.

5.   DISCUSSION ITEMS

5.1 Consider Potential AIS Pilot Program Options* - Fieldseth

Eric Fieldseth presented some ideas with regards to a possible AIS pilot program.

There was some interest from the residents on Christmas Lake and Lake Zumbra to be involved in a possible pilot based on a Regional Inspection Station model. Lake Tahoe was used as an example, and how components of what they use could be applied here.

Currently, the primary prevention tool is the watercraft inspection cost-share grant program which relies on partnerships. Inspections have prevented the spread of AIS, and it is a cost-effective program (50% cost-share with partners), but there are gaps. It's hard to justify having inspectors at lakes that don't have high traffic of boats. The 2016 Work Plan has components for a more comprehensive approach to AIS prevention, but MCWD needs partnerships and should focus work on a smaller scale. Mr. Fieldseth suggested taking on 1-3 lakes to see how effective these pilots might be.

Mr. Fieldseth referenced the MN Statute relating to watercraft inspection which allows mandatory inspections to be conducted by local governments via delegation agreement with the DNR and DNR authorization, however no groups have piloted this type of approach yet. Regional mandatory stations could be possible. The local governments overseeing these inspections would be responsible for all financial and legal responsibilities associated with operating an inspection site. Local law enforcement or the DNR would be called in for making any citations. MCWD has a delegation agreement with the DNR, however there is no plan in place.

Christmas Lake could be a pilot site for the regional station as there already is a decontamination unit there. There would be other satellite lakes involved where people would need to be routed to the monitoring station to receive a tag, and then be allowed to launch their watercraft in the satellite lake. Currently, Zumbra and Steiger inspections are 100% paid for by MCWD but are contracted out to the Three Rivers Park District to perform the service, and these are low-use lakes with few inspections. It would be hard to justify having inspectors there all the time. Both lakes have milfoil but are not completely taken over. The Zumbra public launch is operated by Three Rivers. There is also a private launch which is locked and only accessible by homeowners.

Initiative Foundation Grants are still available if MCWD wants to come up with a comprehensive pilot for AIS.

Joe Shneider, resident on Christmas Lake is incredibly interested in proceeding with a pilot.

Manager Shekleton asked what the DNR thought about Lake Tahoe's process. Because MCWD was already working at Christmas Lake, which ended up getting Zebra Mussels anyhow, why should the MCWD proceed? Joe Shneider referenced a private study done by the Christmas Lake Homeowners Association completed in 2014, that suggests one scenario for the infestation is eco-terrorism; that someone may have dropped the Zebra Mussels into the lake intentionally. Discussion between the lake association and DNR conservation officers and local law enforcement resulted in there being little evidence to go further with investigating this scenario.

The next step, if the Board were to recommend proceeding with a pilot, would be for staff to further develop the plans and identify partnerships. The first area would be the City of Victoria, and the second would be to work with Three Rivers Park District. If MCWD had a project proposal by the end of 2015, there would be a strong chance of being able to proceed in the spring. They do require a 50% match of funds. The MCWD would not need to go above and beyond its funding or actions with regards to AIS for a pilot, and this wouldn't be much of a financial risk. There could be a possibility of the pilot straddling several years which would allow for more comprehensive research as to the effectiveness of AIS prevention and monitoring.

Manager Olson and Committee gave support for Mr. Fieldseth to present this idea with the City of Victoria and see if he can't bring back a kind of cooperative agreement that both Boards would be able to see. Manger Shekleton voiced his concern and lack of support for this type of project unless it shows the effectiveness of inspections and if the project also works to document the types of AIS findings and citations. The Initiative Foundation, as part of the grant, requires an evaluation for effectiveness.

Additionally, Manager Calkins and Manager Blixt stressed that the District needs to have a larger AIS discussion and work with the DNR as to who has the authority and who is going to make a stand in enforcing and preventing the spread of AIS. Any program would need to address specific goals, and be explicit about any gap in the plan.

5.2 Year to Date Consulting Costs – Mandt

Mr. Mandt presented costs incurred through October and said costs were expected to stay on track through the remainder of the year.

Manager Blixt asked whether a detail or explanation might be provided for each line item so that the Board could understand. Unfortunately, the accounting system is not built to allow for detailed reports. Manager Shekleton referenced that breakdowns of specific costs could be found on the monthly check register. Similarly, the Board also already sees project-specific contracts. It was suggested that contractors provide a summary overview of their invoices by listing the work they completed.

Manager Olson asked the Committee if any Consultant listed might be better suited to a staff position. Board consensus was that the consultant list looked good. Mr. Mandt provided examples of how staff has continuously considered staff vs. private consulting such as IT services and property management.

5.3 Review of IT Consulting and Equipment Budget - Year to Date - Mandt

Mr. Mandt presented a spreadsheet of what was budgeted and what has been accomplished. The Veracity IT Consultant is not included (as it is a cost of General Operations), however projects show up on this document. The majority of the budget is contracted services or equipment. The largest cost this year was building the server

environment. The second largest cost was purchasing the Board iPads. Webhosting, web development, GIS hosting and contracted services are much smaller items on the budget and many are rollover items which are considered maintenance.

The proposed 2016 budget was cut in half from what was approved for 2015. Currently, only Permitting and Water Quality have databases. For the 2016 budget, it was previously proposed that there be a District-wide database that would encompass all departments, however this has been cut from the proposed 2016 budget.

In 2016, Staff will work with the Managed Service Provider to work on coming up with a business plan for records storage. The idea behind Laserfiche is that files could be imported, exported and then be automatically upgraded to any new formats as years go by. Similarly, eventually the MCWD could engage the public by providing historical data through a Laserfiche webportal. Manager White mentioned how she had been told by a member of the Minnesota Historical Society that they were encouraging people to keep paper archives because electronic media changes so rapidly.

5.4   WAI Contract Renewal* - Lochner

Mr. Lochner introduced Jen Kadenr, Freshwater Society Program Manager, as the District's new liaison to the Watershed Association Initiative. She came on board September 1st, 2015. Darren explained that this presentation precedes a request to renew the WAI contract in 2016 that will go before the Board in December.

There are 30 citizen groups the WAI works with across the district. Jen has met with a number of them already. She met with Gleason Lake Improvement Association this week as well as residents of the Lake William area who are interested in forming a lake association. Three others are also interested in forming a lake association.

Her goals for MCWD's WAI program in 2016 include having workshops on technology; increasing accessibility of the program templates for bylaws, applications, etc. and put them online; incorporate Master Water Stewards into lake associations; implement year-end surveys along with a year-end letter to connect Stewards, groups and workshops.

While Jen manages four programs at the Freshwater Society, including the "Healthy Lakes and Rivers Partnership", most of her time currently is focused on MCWD.

5.5 Scope of Service Process – Erdahl

Mr. Erdahl presented the Checklist for the RFQ Process which had been developed by staff. Staff does keep a running list of those people and businesses who present their services throughout the year, so that when there is a RFQ, the RFQ is not only presented to the public, but sent directly to these people who have asked to be on this list

The retainers for both legal and engineering are areas the District might want to be defined better in terms of the scope of the work they provide such as when they should attend meetings, writing meeting minutes, etc. The retainer covers meeting attendance and ends up being a discount.

The checklist does not have the Board listed as a step in the decision making process, yet the Board gets involved in the approval process when contracts are above $5,000. The rules are not explicit, however, as to whether the $5,000 was per bill, per month, or annually. Mr. Erdahl confirmed that what is approved in RBAs allows the administrator to initiate a contract, and there are some contracts which have been left up to the Administrator to bring to the Board or not (i.e.: photocopying costs). Clarification as to the delegation to the Board or the Administrator may be needed with regards to several of these contracts. State statute with regards to professional services is pretty lenient and is far more than the Administrator's authorization of up to $5,000.

The newspaper of record voted for in January is for official Public Notices and does not apply for RFQs. The League of Minnesota Cities and other free online postings are venues where many businesses look. With Board's feedback, the District will post legal and engineering posts to the State Register which comes at a cost. The Star Tribune also comes at a cost ($1000 for a week in the paper and 30 days online with the Star Tribune). The MCWD website is a consistent place for posting all RFQ's, and staff will continue to be market-specific for all other postings.

There is no statute that says the District has to solicit RFQ's every two years. According to statute, the decision making process is a private and not public information until the District is ready to establish a contract. Similarly, these discussions cannot happen in closed sessions.

Once people submit RFQ's, they do receive a message acknowledging receipt and that they would be contacted if being considered, and inviting the applicant to call if they have questions. All interested applicants should contact the District at any time and the District will keep these contacts within the pool from which to choose. The District does want to choose more local firms as they understand the area in which the District works. Mr. Erdahl did suggest that the RFQ section of the website should have a disclaimer saying that firms should contact the District directly to be put on the list.

11. **ADJOURNMENT**
The OPC meeting ended at 8:45 p.m.