

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

August 22, 2022

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District was called to order by President Sherry White at 7:03 p.m. on August 22, 2022.

MANAGERS PRESENT

Sherry White, William Olson, Jessica Loftus, Richard Miller, Eugene Maxwell and Stephen Sando.

MANAGERS ABSENT

Arun Hejmadi.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Abigail Ernst, Permitting Technician; Daniel Mock, Planner – Project Manager; Kailey Cermak, Hydrologist; Tiffany Schaufler, Project and Land Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

It was moved by Manager Maxwell, seconded by Manager Sando to approve the Agenda as distributed. Upon vote, the motion carried 6-0 (Manager Hejmadi absent).

MATTERS FROM THE FLOOR

None.

CONSENT AGENDA

It was moved by Manager Loftus, seconded by Manager Maxwell, to approve the items on the Consent Agenda consisting of approval of the August 11, 2022, Board meeting minutes, approval of the General Check Register, including check numbers 42001 through 42029 in the amount of \$156,655.44, electronic funds withdrawals of \$31,878.60, Managers Per Diems and Reimbursements of \$1,332.00, employee reimbursements of \$152.55, payroll electronic funds withdrawals and disbursements of 159,357.33 for a total of \$349,375.92; the Surety Check Register for check numbers

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2147 through 2158 in the amount of \$52,243.00; and the Wire Check Register in the amount of \$0.00;

Upon vote, the motion carried 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White reported that she has retired from service on the Board of Directors of the Minnesota Association of Watershed Districts.

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

PUBLIC HEARINGS & PRESENTATIONS

Budget and Levy Public Hearing

Mr. James Wisker appeared before the Board of Managers and reviewed the proposed 2023 budget and levy. He reviewed the process to develop the proposed budget and the key milestones of board engagement throughout this process. He reviewed outcomes from District projects achieved over the past year, and noted the proposed 2 percent (2%) increase in the annual levy for 2023. No one appeared to offer comments on the proposed budget and levy, and Mr. Wisker noted that no written comments have been received.

Upon a question from Manager Maxwell, Mr. Wisker confirmed that only grants that had been awarded and secured were included in the proposed budget. Manager Maxwell asked with the recent federal infrastructure bill would provide possible funding for the MCWD, and Mr. Wisker noted that the MCWD staff would be in ongoing discussions with city staff to explore potential collaboration concerning resilience and climate change. Manager Miller complimented on the high quality of the presentation and invited including information on water quality outcomes expected from the 325 Blake Road project.

There being no further discussion or comments, President White closed the public hearing on the 2023 budget and levy.

Storm Water Pollution Prevention Plan (SWPPP) Public Hearing

Ms. Abigail Ernst appeared before the Board of Managers and noted that The MCWD is regulated as a municipal separate storm sewer system (MS4) under the National Pollutant Discharge Elimination System (NPDES) Phase II rules because the District is the drainage authority for eight public drainage systems. The NPDES Phase II rules require

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that a public hearing be held annually to provide an opportunity for public input on the District's SWPPP. She noted that no written comments have been received to date on the Plan. No one appeared at the hearing to offer comments.

Manager Olson complimented Ms. Ernst on the thorough work reflected in the SWPPP. Upon a question from President White, Ms. Ernst noted that compliance issues are being addressed through the MCWD's rulemaking process. There being no further discussion or comments, President White closed the public hearing.

ACTION ITEMS

Resolution 22-052: Authorization to Execute Contract for Wassermann Lake Alum Treatment

Mr. Daniel Mock appeared before the Board of Managers to review the request for board action. He reviewed the background of projects in the Six Mile Creek Halsted Bay subwatershed, and plans for this second alum treatment for Wassermann Lake as the MCWD wraps up work under a Clean Water Fund grant from the Board of Water and Soil Resources. He noted the quotes received for the alum treatment and the staff recommendation to contract with SOLitude Lake Management. He stated that the total remaining BWSR grant funds available for the Wassermann Lake alum treatment are \$182,770. Staff is requesting the Board to establish a not to exceed budget so that the District Administrator can issue a change order for the remaining budget funds. Upon approval of the contract with SOLitude, staff would direct SOLitude, per the recommendation and guidance from Stantec, to apply the additional funds towards treatment in shallower zone of Wassermann, in an amount not to exceed the remaining balance of \$15,626. *It was moved by Manager Miller, seconded by Manager Olson to adopt Resolution 22-052 as follows:*

NOW, THEREFORE, BE IT RESOLVED, that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator, on the advice of counsel, to execute a contract with SOLitude Lake Management for \$167,144 for the second Wassermann Lake alum treatment, and authorizes the Administrator to execute change orders in his discretion in an amount not-to-exceed \$182,770.

Upon a question from Manager Maxwell, Ms. Kailey Cermak appeared before the Board of Managers and explained that given the few providers of alum treatments, it is not unusual to receive quotes from firms out of state. Upon a further question from Manager Maxwell, Mr. Mock reviewed the process of reaching out to landowners around the lake, and Ms. Cermak noted further that signs are posted and staff is on site during the treatment. Manager Miller asked whether post cards were sent to all lakeshore landowners, and Ms. Cermak stated that no post cards were sent, but an email was sent to all lakeshore owners through the lake association. Manager Olson asked whether activity

on the lake would be shut down during the alum treatment, and Ms. Cermak explained that it would not be shut down per se, but general caution would be advisable and again staff will be on site to answer any questions.

There being no further discussion, upon vote, the motion carried 6-0.

BOARD INQUIRIES, ISSUES, AND IDEAS

None. Manager Miller noted that Mr. Wisker would relate one of his recent suggestions.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Staff, led by Brian Beck, is working on the metrics of MCWD work and at the suggestion of Manager Miller, working on communicating those metrics in plain language to the public;
2. Water levels have continued to decrease with moderate drought conditions, and precipitation year to date is approximately 5 inches below normal. Lake Minnetonka is at 928.3, and the control structure was closed on July 21. There is nominal flow in Minnehaha Creek at Hiawatha at about 6 cubic foot per second.
3. Manager Sando and staff presented to the Edina City Council on the work on Arden Park over the past three years. Edina officials were very complimentary of this work. Mr. Wisker noted that staff is also working on collaboration for the Morningside Project. Manager Miller noted that the mayor of Edina was very complimentary of MCWD staff.
4. The District's capital improvement program is out for annual comments, and comments so far have been received from Edina and St. Louis Park. MCWD is working on finding opportunities to reduce the waste load allocation to Hiawatha.
5. There has been a lot of activity for MCWD human resources. New staff includes science writer Stacy Carlson.
6. Mr. Wisker noted that Tiffany Schaufler has decided to step down as Project and Land Manager in order to focus as a senior field technician. Ms. Schaufler came before the Board of Managers and shared her process of self-critical reflection on her strengths and challenges. She stated that she valued the process of sharing

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honest and clear feedback with Mr. Wisker to acknowledge her gaps and focus on her passion and place of highest value in the organization, which for her is returning to field work. She reflected on several key lessons she learned in this process:

- Being transparent, vulnerable, and authentic allowed me to have honest and productive conversations with James; where he was involved and a part of the solution;
- Being self-aware and self-identifying what is not going well saves a lot of time, emotions, and avoids problems, while gaining the trust of your colleagues;
- It is ok to try new things and fail. The organization will support you and have your back if you deliver value and live the culture;
- The organization needs individual contributors just as much as it needs managers; we need both to be successful. We need everyone at all levels rowing in the same direction and playing to their core strengths;
- And regardless of what my ego says, one is not better than the other; and I hope this can be an example for other colleagues at the District.
- Nothing is permanent. As I grow and the organization keeps growing, there is a commitment between me and James to continue doing what we have always done – to evaluate how things are going and identify new opportunities to grow into the future;
- I want to end by saying how grateful I am for James' patience, grace, and trust over these past months as they have allowed us to find the best possible outcome for me, the work, and the organization;
- And finally, I want to thank the Board of Managers for their leadership and their energy to foster the culture and strategy we have today. I'm grateful for and value the opportunity to sit before you tonight as an example of the culture you have supported.

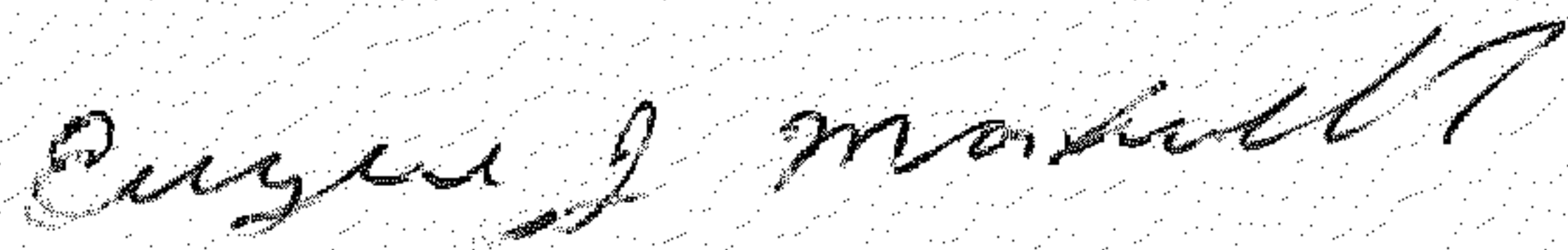
Manager Miller thanked Ms. Schaufler for her professional and honest process of reflection and noted that she is the soul of the organization. Expressing gratitude for Ms. Schaufler, Manager Olson noted the outstanding work achieved at Wassermann Park, and President White noted the beauty of the Six Mile Marsh Trail.

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Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:13 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Eugene J. Maxwell".

Eugene Maxwell, Secretary