

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

**December 1, 2022**

**CALL TO ORDER**

The regular meeting of the Minnehaha Creek Watershed District was called to order by President Sherry White at 7:00 p.m. on December 1, 2022.

**MANAGERS PRESENT**

Sherry White, Richard Miller, Arun Hejmadi, Eugene Maxwell, and Stephen Sando.

**MANAGERS ABSENT**

William Olson, Jessica Loftus.

**DISTRICT STAFF AND CONSULTANTS PRESENT**

James Wisker, Administrator; Samantha Maul, Engagement Coordinator; Kayla Westerlund Permitting Program Manager; Kailey Cermak, Hydrologist; Becky Christopher, Policy Planning Manager; Tiffany Schaufler, Senior Project Maintenance Coordinator; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

**MATTERS FROM THE FLOOR**

None.

**APPROVAL OF AGENDA**

*It was moved by Manager Miller, seconded by Manager Sando to approve the Agenda as distributed. Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).*

**CONSENT AGENDA**

*It was moved by Manager Maxwell, seconded by Manager Hejmadi, to approve the items on the Consent Agenda consisting of approval of the November 17, 2022, Board meeting minutes and adoption of the following resolutions:*

*Resolution 22-072: Recognition of Citizen Advisory Committee Member Bill Bushnell*

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek  
Watershed District Board of Managers: hereby formally acknowledges Bill***

*Bushnell's contribution to the organization and expresses its deep gratitude and thanks for his service; and*

**Resolution 22-073: Approval of the 2023 Board Committee and Board Meeting Schedule**

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the following 2023 meeting schedule. Unless otherwise posted Committee Meetings will start at 5:15 PM, and Board meetings will start at 7:00 PM. Executive Committee meetings are scheduled as needed and will be held prior to Board meetings.***

1/12/2023	Operations & Programs Committee Meeting Board Meeting	7/13/2023	Operations & Programs Committee Meeting Board Meeting
1/26/2023	Policy & Planning Committee Meeting Board Meeting	7/27/2023	Policy & Planning Committee Meeting Board Meeting
2/9/2023	Operations & Programs Committee Meeting Board Meeting	8/10/2023	Operations & Programs Committee Meeting Board Meeting
2/23/2023	Policy & Planning Committee Meeting Board Meeting	8/24/2023	Policy & Planning Committee Meeting Board Meeting
3/9/2023	Operations & Programs Committee Meeting Board Meeting	9/14/2023	Operations & Programs Committee Meeting Board Meeting
3/23/2023	Policy & Planning Committee Meeting Board Meeting	9/28/2023	Policy & Planning Committee Meeting Board Meeting
4/13/2023	Operations & Programs Committee Meeting Board Meeting	10/12/2023	Operations & Programs Committee Meeting Board Meeting
4/27/2023	Policy & Planning Committee Meeting Board Meeting	10/26/2023	Policy & Planning Committee Meeting Board Meeting
5/11/2023	Operations & Programs Committee Meeting Board Meeting	11/9/2023	Operations & Programs Committee Meeting Board Meeting
5/25/2023	Policy & Planning Committee Meeting Board Meeting	11/30/2023*	Policy & Planning Committee Meeting Board Meeting
6/8/2023	Operations & Programs Committee Meeting Board Meeting	12/14/2023	Operations & Programs Committee Meeting Board Meeting
6/22/2023	Policy & Planning Committee Meeting Board Meeting	12/28/2023	Policy & Planning Committee Meeting Board Meeting

\*last Thursday of the month rather than 4th Thursday

***Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).***

**BOARD, COMMITTEE AND TASK FORCE REPORTS**

President’s Report: President White reported that she and Mr. Wisker are continuing to meet with county commissioners, and most recently met with Hennepin County Commissioner LaTondresse.

Upcoming Meetings: President White noted the upcoming meeting schedule as noted in the Agenda.

**ACTION ITEMS**

Resolution 22-074: Citizens Advisory Committee Appointments for 2023

Ms. Samantha Maul appeared before the Board of Managers to review the request for board action. She reviewed the previous committee discussion of the CAC applications, and noted that discussion and feedback generated by the committee guided staff in developing the recommendations outlined in this request for Board action, summarized below:

- Reappoint all current members who are continuing the second year of their term in 2023;
- Appoint four interested incumbent members to a two-year term from 2023-2024; and
- Appoint four new candidates to a two-year term from 2023-2024.

In response to a question from President White, Ms. Maul reviewed the process of advertising the openings on the CAC and soliciting applications. ***It was moved by Manager Maxwell, seconded by Manager Hejmadi to adopt Resolution 22-074: 2023 Citizen Advisory Committee Appointments, as follows:***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby appoints the following individuals to the 2023 Citizen Advisory Committee:***

**Serving 2023**

***Cassy Ordway  
Drew McGovern  
Emily Balogh  
John Iverson  
Laurie Goldsmith  
Lisa Fowler***

**Serving 2023-2024**

***Marc Rosenberg  
Dan Flo  
Dave Oltmans  
Rich Nyquist  
Marcy Bean  
Robert Glisky  
Suzanne Jiwani  
Denise Tennen***

Manager Maxell suggested keeping other applicants informed about MCWD matters and encourage their application to the CAC in the future. *Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).*

*It was moved by Manager Miller, seconded by Manager Sando that staff send CAC meeting information to the two other applicants. Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).*

Resolution 22-075: Ordering Lamplighter Pond Water Quality Project and Approving Project Agreement with City of St. Louis Park

Ms. Kayla Westerlund appeared before the Board of Managers to review the request for board action. She noted that the St. Louis Park City Council approved the project agreement on November 21. In response to a question from Manager Miller, Ms. Westerlund noted that the expected annual maintenance cost for the project would be approximately \$15,000 annually.

*It was moved by Manager Hejmadi, seconded by Manager Maxwell to adopt Resolution 22-075: Ordering Lamplighter Pond Water Quality Project and Approving Project Agreement with City of St. Louis Park, as follows:*

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers orders the Lamplighter Pond Water Quality Project; and***

***BE IT FURTHER RESOLVED that the Board of Managers approves the project agreement and authorizes its execution by the Board President, with any further non-material changes and on advice of counsel.***

In response to a question from Manager Maxwell, Ms. Westerlund noted that the City had been receptive to the MCWD's recommendation on selection of the engineer. *Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).*

Resolution 22-076: Authorization to Award Contract for Stormwater Infrastructure Data Standardization

Ms. Kailey Cermak appeared before the Board of Managers to review the request for board action. She provided an overview of the project, the process for requesting proposals for stormwater infrastructure data standardization, and the recommendation to select Bolton & Menk for this work. *It was moved by Manager Miller, seconded by Manager Maxwell, to adopt Resolution 22-076: Authorization to Award Contract for Stormwater Infrastructure Data Standardization, as follows:*

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator, on advice of legal counsel, to execute a contract with Bolton & Menk for consultant services for stormwater infrastructure data standardization, in accordance with the developed scope of work as the Administrator may refine it, and in an amount not to exceed 115 percent of the amount set forth in the proposal.***

In response to a question from Manager Hejmadi, Mr. Wisker reviewed the next steps in the MCWD's climate action work and how this project would advance it. ***There being no further discussion, upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).***

Resolution 22-077: Conditional Approval of Edina Major Plan Amendment

Ms. Becky Christopher appeared before the Board of Managers to review the request for board action. She noted the previous committee discussion and staff's review with the City of Edina of two main areas of concern, specifically: 1) the plan proposes multiple capital improvements to reduce local flood risk, some of which include infrastructure changes that would increase downstream conveyance of stormwater; and 2) the City's policies allow a property owner to place fill within the floodplain to elevate structures to meet the required elevations, without requiring compensatory storage, provided it can be shown that there will not be an increase to the 100-year elevation of an affected watercourse. Ms. Christopher noted that City staff expressed a willingness to incorporate additional language to acknowledge and address the MCWD's concerns. City staff requested that the MCWD issue a conditional approval to allow their process to proceed while the additional language is finalized and incorporated.

***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution 22-077: Conditional Approval of Edina Major Plan Amendment, as follows:***

***NOW THEREFORE BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves Edina's local water management plan, as amended, conditioned on Edina's submittal of a final amended plan that the District Administrator has found to adequately incorporate the acknowledgements and commitments described above.***

Manager Miller noted historic flooding issues along the Creek in Edina and downstream and stated that it was important to recognize these issues. ***Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).***

### **BOARD INQUIRIES, ISSUES AND IDEAS**

None.

### **STAFF UPDATES**

#### Minnehaha Preserve Boardwalk Reconstruction

Ms. Tiffany Schaufler appeared before the Board of Managers to provide an update on boardwalk reconstruction. She noted that there has been a challenge in acquiring the necessary lumber for the project. She stated that staff is working diligently with the contractor and consultants to address this challenge and will keep the Board informed about any developments. The managers thanked Ms. Schaufler for her report.

#### Administrator's Report

Mr. Wisker reported on the following items:

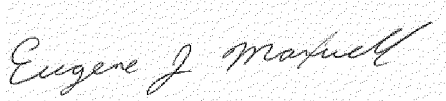
1. With recent snowfall, it appears that the opportunity to take advantage of drought conditions for LiDAR data gathering along the Creek will not be possible.
2. Staff will present to the Minnesota Association of Watershed Districts annual conference tomorrow on the Arden Park project. The Hennepin County Chloride Initiative is nominated for an award.
3. The executive director of the Lake Minnetonka Conservation District has announced her resignation effective January 30, 2023.
4. As President White noted, meetings with county commissioners continue, including a recent meeting with Hennepin County Commissioner LaTondresse. Mr. Joel Carlson will bring a post-election report to the next meeting.
5. Staff transition priorities for the coming months will be focused on on-boarding the new project maintenance and land management manager, then posting for the operations manager position, and then considering posting for the outreach manager. Meanwhile, the outreach staff are focused and productive in the delivery of the new MCWD web site.

### **Adjournment**

There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:10 p.m.

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
12-1-22

Respectfully submitted,

A handwritten signature in cursive script that reads "Eugene J. Maxwell". The signature is written in black ink on a light-colored, textured background.

Eugene Maxwell, Secretary