

FINAL

MINUTES OF THE REGULAR MEETING OF
THE MINNEHAHA CREEK WATERSHED DISTRICT
CITIZEN ADVISORY COMMITTEE

June 25, 2014

1. **Call to Order**

The regular meeting of the Minnehaha Creek Watershed District Citizens Advisory Committee was called to order at 6:30 p.m. in the Big Island Room at the Minnehaha Creek Watershed District offices.

2. **CAC MEMBERS PRESENT**

Tom Baltutis, Bill Bushnell, Sliv Carlson, Tom Casey, Jerry Ciardelli, Susan Diaz Rydstrand, Chris Dovolis, Nina Holiday-Lynch, Lee Keeley, Joe Lofgren, Richard Manser, Steve Mohn, Michael Osterholm, Peter Rechelbacher, Marc Rosenberg, Neil Weber

MANAGERS PRESENT

Jim Calkins, Pam Blixt, Bill Olson

OTHERS PRESENT

Richard Miller and Andrew Parker, Legal Counsel

3. **APPROVAL OF AGENDA**

Bushnell moved to approve the agenda as amended: move 8.1 after 6 and 8.2 down after 8.8, seconded by Rechelbacher. Motion carried, none opposed.

4. **APPROVAL OF MINUTES**

4.1 May 28, 2014

Carlson moved to approve the meeting minutes from May 28, 2014 as amended, seconded by Osterholm. Motion carried, none opposed.

The previous meeting's minutes amendments were as follows:

Page 1 – Correct spelling of Rechelbacher

Page 3 – Replace Rechelbacher was switched with Mr. Razumalski five references

Page 4, Item 7, second to last paragraph change David ??? to David Mandt

Page 5, Item 8.1, last paragraph – after AIS, add control/mitigation; remove last word “runoff” after groundwater.

Page 7, Item 8.6 – Change motion by Kelley, second by Carlson

Remove all double titles (e.g. Mr. Mr.)

Page 7, Item 9, Replace Night to Unite with Neighborhood Night out

Page 5, 4th to last paragraph – add “and parking spaces” after public ramps.

Recording Secretary Link and Acting District Administrator Spartz were introduced. Spartz discussed his background and the plan for searching for a new Administrator.

Osterholm welcomed Spartz to the position and thanked him for agreeing to take the temporary position.

5. **REPORT FROM STAFF**

Mamayek stated the Minnehaha Creek Cleanup has been rescheduled to July 27 because of public safety issues and concerns.

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Mamayek stated there is a celebration on Saturday, June 28 at the Park Nicollet Frauenshuh Cancer Center.

Mamayek highlighted topics which will be included in a workshop on the water on July 23. She indicated an RSVP is required and space is limited.

Eidem stated the MCWD has been selected to be the host site for a Green Share member which is entirely funded through the PCA. The member will be on site for eleven months.

6. **REPORT FROM CAC MEMBERS**

Casey reported on the highlights from a recent conference.

Mamayek reported on the recent lake level elevation which is record breaking. She stated the control structure now is the over/underpass at McGinty Road. The USGS gauge shows the Creek has leveled off and is holding its own. The CFS is about 550. She noted four more inches of rain are expected this weekend. She stated staff is working overtime to provide information to residents. She stated there is a lot of data gathering and information sharing going on right now. They have also contacted the cities in the area to assess the damage to infrastructure and neighborhoods. She discussed a study down of the Hiawatha area and Victoria to review challenges facing a fully developed community vs. a developing community.

Meehan discussed challenges facing communities and attempts at gathering information for the future.

Manser asked if there is any thought given to change how we are funding and redirect funds to address some of the current issues. Meehan stated resources are being directed to critical issues right now.

Osterholm discussed challenges facing hydrologists and what is considered unknown.

Meehan discussed the unique areas in the District and how surface and groundwater are reacting.

Rosenberg asked if White Bear Lake has experienced a change. Bushnell noted the lake is back up but not back to where they were.

Keeley stated the forecast is for amplified extremes in weather according to a recent speaker at a conference she attended.

Osterholm noted southwest Minnesota has had five, 100-year flood events in the last seven years.

Ciardelli asked if there are huge volumes of calls at the MCWD office. Mamayek stated staff has been provided with talking points and have indicated the number of calls is decreasing at this point.

Osterholm asked if there is any prediction what will be happening. Mamayek indicated that the Gray's Bay manager stated with every inch of rain, the Creek will grow by one foot.

Committee members discussed recent reports on rain, impacts on groundwater tables, and issues.

Bushnell suggested that there be information on road closures on the MCWD website. Mamayek indicated there is currently a link to the Hennepin County road closure information.

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8. **NEW BUSINESS**

8.1 Mound Wastewater Discharge (Meehan)

Meehan stated the City of Mound had problems with sewer overflows beginning on June 1. He indicated rain is a problem for sewers. He discussed problems the City is having with managing their system. Their dilemma is if they don't do anything with the bypass, sewer backups occur. He indicated there were thirty homes with backups. He discussed the recent discharge Mound made into Lake Minnetonka. There haven't been any lingering effects.

Bushnell asked if there is a reason they need to discharge into the lake and why they don't discharge onto the land. Meehan stated it is a sheer volume issue. In response to a question from Spartz, Meehan stated direct discharges from homes are being identified. Meehan stated Mound is using televising to find direct connections from homes.

Baltutis discussed his concerns about Mound and infiltration issues. Bushnell discussed how Minnetrista has lined pipes to keep water from leaking into pipes.

Rosenberg asked how homes with septic are doing. Bushnell indicated all the cities on Lake Minnetonka no longer have septic systems.

Miller discussed problems associated with storm water in sanitary sewers.

Carlson indicated the City of Woodland is all septic systems and annual inspections are mandatory. She indicated all new lots must be on two acres.

Committee members discussed challenges faced by communities with storm water discharge.

Bushnell suggested funding drain replacement in basements which will prevent sewers from flooding.

Osterholm stated if we keeping 7-9 inch rain events, there will be unprecedented problems. These events will totally change how we think about water issues.

Rechelbacher asked if lake monitoring is being done with heavy ag influences. Mamayek stated the water quality staff members are monitoring and will be issuing a report when this is all over.

Manser asked how the meander in St. Louis Park is holding up. Mamayek stated it is holding up well.

Committee members discussed rain issues in communities along the Creek, drought conditions in other parts of the U.S., erosion concerns, and landslides.

Bushnell asked if this group has any recommendations to staff on these issues. Osterholm stated now is the time to have these discussions and what it means for our communities. Part of it is education.

Casey stated citizens need to show up to help come up with solutions to these issues.

Carlson asked if there is a way staff could find ways to make a point that this is climate change and we need to become aware. Mamayek stated staff discussed today about teachable moments. We will be definitely shifting toward teaching residents about storm water adaptation.

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Committee members discussed climate change. Osterholm discussed how important it is to get the point out there that it is an important issue.

7. OLD BUSINESS

7.1 District Administrator

Miller was present to answer any questions about the previous District Administrator.

Keeley asked why the District Administrator was fired without cause.

Parker stated the law is restricted in this regard when dealing with personnel issues. He stated Evenson is an at-will employee at the pleasure of the Board. He stated the evaluation is done in a closed meeting, and it is illegal for him to discuss what happened in a closed session. He stated a broad summary was provided at the Board meeting following the closed session.

Keeley stated she understood that Evenson has released his personnel file to the CAC members. Parker stated he has not reviewed the file and doesn't know where the issue lies.

Casey asked if both parties agree if the decision to discuss the reason for termination could be discussed. Parker indicated it could.

Keeley stated there were concerns about how the situation was handled. Parker stated he couldn't speak to the manner in which it was handled.

Osterholm discussed his concerns about the issue and impacts on staff and how to guide the governance of this organization in the future.

Committee members discussed the expense of this dismissal, impact on taxpayers, and resulting impact on the direction of the District.

Bushnell asked how we need to function as an organization. Miller believed the CAC is doing an outstanding job.

Casey moved to request the Board of Managers and Eric Evenson work together to release all the documents relied upon to dismiss Evenson, seconded by Keeley.

Bushnell stated the purpose of the motion is to get transparency.

Osterholm stated he is very troubled by the Board and dysfunction. He agreed there is a fine line as it relates to what can be discussed. He stated there are answers that can be given.

Committee members discussed the motion.

Dovolis discussed the need for two-way communication. He didn't think this group could do their job when they don't know what is going on.

Committee members discussed Evenson's personnel file.
Bushnell called for the vote, and there was additional discussion.

Blixt believed Evenson wants to set the record straight and has released the information. She stated she would like to see the group to move forward as well.

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Olson discussed his concerns about the personnel issue as did Calkins.

Motion carried, Ciardelli and Baltutis opposed.

Bushnell left the meeting and Rechelbacher took over Chair responsibilities.

8. NEW BUSINESS

8.2 Moved to end of Item 8

8.3 Cost Share – Nokomis Neighbors for Clean Water Alleyway Project, Minneapolis – Action (Eidem)

Eidem stated \$81,308.82 has been approved to date from the Cost Share fund.

Eidem discussed the request from the Nokomis Neighbors for Clean Water Alleyway Project in Minneapolis. He stated the goal is to improve impaired water with a focus and target on alleyways. The alleyway will be recreated as more of a community space. He noted the location of the project. He indicated Metro Blooms created the idea and secured funding from Blue Cross Blue Shield to begin with. The south block was identified as the one that would get the most benefit.

Eidem reviewed the cost breakdown. He stated fifty percent of the project would be \$17,202.00. He recommended funding at that amount.

Carlson asked if there is a provision to inspect permeable pavers. Eidem stated the will be inspected. He stated there will be a funding agreement with Metro Blooms and individual agreements with each property owner.

Baltutis moved to recommend funding in the amount of \$17,202.00 for the Nokomis Neighbors for Clean Water Alleyway Project, seconded by Rechelbacher. Motion carried, none opposed.

8.4 Cost Share – Bethlehem Lutheran Church, Minneapolis – Action (Eidem)

Eidem reviewed the request from Bethlehem Lutheran Church for help with runoff in their parking lot. He reviewed the plan and identified the main drainage issue on the site. They are looking for help funding one rain garden project. Fifty percent would be \$2565.00.

Committee members discussed the request. He recommended funding not to exceed \$2565.00

Rechelbacher moved to recommend approval of funding in an amount not to exceed \$2565 for Bethlehem Lutheran Church, seconded by Carlson. Motion carried, none opposed.

8.5 Cost Share – St. Luke's Presbyterian Church, Minnetonka – Action (Eidem)

Eidem reviewed the request from St. Luke's Presbyterian Church in Minnetonka to resolve drainage issues on the site. The church is proposing to construct two columbariums east of the site at some point in the future. He reviewed the new plan and explained how runoff would be handled on the site. He reviewed the portion of the project he would recommend be constructed first. He stated an education and outreach plan is still being developed which will include planting days by the congregation.

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He discussed the total cost of the project for cost sharing at \$74,500. He recommended funding in the amount of \$17,437 for two of the projects now.

Carlson asked if the runoff would go into a lake. Eidem stated the runoff would go into the street and into the neighborhood.

Carlson moved to recommend approval of funding in the amount of \$17,437, seconded by Osterholm. Motion carried, none opposed.

8.6 Cost Share – Mary Jurgens, Residential Stormwater BMP, Excelsior – Action (Eidem)

Eidem reviewed the request from Mary Jurgens, 153 Maple Street, Excelsior for a residential storm water BMP. He reviewed the overall plan to construct a permeable paver system and rain garden on the site. He stated this would be a good demonstration project and would provide outreach/education opportunities. He stated fifty percent of the cost share would be \$5,000. This would need Board approval.

Carlson moved to recommend approval of funding in the amount of \$5,000 for Mary Jurgens Excelsior, seconded by Baltutis. Motion carried, none opposed.

8.7 Cost Share – Heather Beale, Residential Stormwater BMP, Edina – Action (Eidem)

Eidem reviewed the request from Heather Beale, 4236 Crocker Avenue, Edina. He discussed drainage issues on the site. He stated there aren't any MCWD volume reduction requirements for single family homes. He indicated the property owner is working on a short term solution to the problem they have now through the construction of a rain garden. He discussed the rain garden construction which will be primarily shrubbery. He recommended funding of \$2500.

Carlson moved to recommend approval of funding in the amount of \$2500 for Heather Beale, Excelsior, for a residential storm water BMP, seconded by Casey. Motion carried, none opposed.

8.8 Cost Share – Carol Keuchler, Residential Stormwater BMP, Minneapolis – Action (Eidem)

Eidem reviewed the request from Carol Keuchler, 4908 17th Avenue South, Minneapolis to construct a small rain garden. He reviewed the construction plans. Ninety percent of the runoff will be captured. He recommended funding in the amount of \$1613.00.

Osterholm moved to recommend approval of funding in the amount of \$1613 for Carol Keuchler, Minneapolis, seconded by Casey. Motion carried, none opposed.

8.2 MCWD Education and Communications Overview (Mamayek)
Continued to next meeting.

9. **SPECIAL ITEMS TO ADDRESS BY CAC/STAFF BEFORE NEXT MEETING**

10. **ADJOURNMENT**

Baltutis moved to adjourn the June 25, 2014 CAC meeting at 9:35 p.m., which was seconded by Carlson. Motion carried, none opposed.

xx moved to, seconded by xx. Motion carried, none opposed.