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

7 February 12, 2015
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 offices, 15320 Minnetonka
13 Boulevard, Minnetonka, Minnesota 55345.
14

15 **MANAGERS PRESENT**

16
17 Sherry Davis White, Brian Shekelton, Richard Miller, Jeffrey Casale, James Calkins, William
18 Olson.
19

20 **MANAGERS ABSENT**

21
22 Pamela Blixt.
23

24 **OTHERS PRESENT**

25
26 Lars Erdahl, District Administrator; David Mandt, District Operations and Support Services
27 Director; James Wisker, District Planning and Projects Director; Courtney Hall, District
28 Permitting Technician; Darren Lochner, District Education Program Manager; Kelly Dooley,
29 District Water Quality Manager; Yvette Christianson, District Water Quality Manager; Telly
30 Mamayek, District Communications and Education Director; Michael Hayman, District Planner-
31 Project Manager; Chris Meehan, District Consulting Engineer; Chuck Holtman, District Counsel.
32

33 **RECESS**

34
35 Manager White recessed the meeting pending a quorum. Managers Shekelton and Olson arrived
36 at 6:48 p.m. and the meeting was reconvened.
37

38 **APPROVAL OF AGENDA**

39
40 *It was moved by Manager Miller, seconded by Manager Calkins, to approve the agenda with*
41 *the addition to item 7.1 of reports on a recent meeting with City of Edina representatives by*
42 *Manager Miller; Minneapolis Park and Recreation Board (MPRB) public meetings*
43 *concerning golf course management and a meeting with City of Minnetrista representatives,*
44 *both by Manager Shekelton; and the Executive Committee meeting, by Manager White. Upon*
45 *vote, the motion carried 5-0.*
46

47 **MATTERS FROM THE FLOOR**

48
49 Gabe Jabbour reported on a meeting that he and Manager Olson attended in Las Vegas
50 concerning boat design to reduce transport of aquatic invasive species. The meeting was hosted
51 by the American Boat and Yacht Council (ABYC) and sponsored by the U.S. Fish and Wildlife
52 Service (USFWS), the Minnesota Department of Natural Resource (DNR) and others. The
53 District and Mr. Jabbour participated in organizing the meeting.

54
55 Manager Casale arrived at 6:50 p.m.

56
57 Mr. Jabbour reported his surprise at the openness of the discussion and the shared interest. He
58 said that the ABYC will prepare a technical paper, circulate it for comment and move toward
59 adopting standards. Some companies already indicated their plans to move forward with redesign
60 efforts. He believes that the ABYC will play a strong role in carrying the agenda forward but
61 said that the USFWS also must lead.

62
63 Manager Olson added that the meeting was very well attended by both AIS management people
64 and boat manufacturers. He emphasized that manufacturers see a very strong economic interest
65 in the effort. They recognize that those whose boats become AIS traps will find buyers going
66 elsewhere for boats that do not require as much time and effort to manage.

67
68
69 **INFORMATION ITEMS /CORRESPONDENCE**

70
71 Manager White noted referenced the information items listed on the agenda.

72
73 **CONSENT AGENDA**

74
75 *It was moved by Manager Miller, seconded by Manager Casale to approve the consent agenda*
76 *consisting of the January 29, 2015 minutes. Upon vote, the motion carried 6-0.*

77
78 **REGULAR AGENDA**

79
80 **Board, Committee and Task Force Reports**

81
82 Manager White presented the President's Report. She noted that she, Mr. Wisker and Renae
83 Clark met with Minnetrista Mayor Lisa Whalen, City Administrator Michael Barone and
84 Community Development District David Abel regarding the Mader wetland bank project and
85 other potential collaborations between the parties. Manager White reported that the City is
86 excited about the project and would like to serve as an example of the District's cooperative
87 approach with cities.

88
89 Manager White also reported on the Executive Committee meeting, where Manager Shekelton
90 briefed committee members regarding the AIS bill. A Senate hearing on the bill is next Tuesday.

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91 By unanimous consent, the Board added a discussion of the District's position on AIS legislation
92 as item 11.3.
93

94 Manager Olson reported that the Operations and Programs Committee reviewed Ms. Mamayek's
95 survey that would accompany initial public outreach on the District Watershed Management Plan
96 (WMP) revision. The Committee discussed hiring Irish Titan for web services, the issue of
97 sanitary/storm water separation and the District's microfiche work.
98

99 Manager Shekelton reported that Administrator Erdahl was introduced at the Citizens' Advisory
100 Committee meeting. The District's cost-share program was discussed. Officers were elected,
101 with Bill Bushnell reelected as Chair and Peter Rechelbecher elected as Vice Chair. The
102 committee brainstormed on 2015 topics and advised that it would like to know what the Board of
103 Managers would benefit from the CAC undertaking. In particular, the CAC would like to
104 contribute to AIS work. Mr. Lochner advised the Board that the District received about 70
105 applications from across the country for the education coordinator's position and is in the process
106 of a hiring decision.
107

108 Manager Shekelton reported that the MPRB has two public meetings regarding its golf courses,
109 which primarily brought out golfers and environmentalists. He perceived the discussions as very
110 productive. Participants asked that the MPRB avoid a quick fix in order to take the right actions
111 for the properties. The MPRB agrees, knowing that it can't come back to the District or the
112 Federal Emergency Management Agency a second time for funds. Manager Shekelton believes
113 that it will be possible to partner on a sound undertaking. The MPRB will return with draft
114 proposals. Manager Miller, who also attended the MPRB meetings, reported that golfers and
115 residents both understand and accept that flood issues will need to be addressed.
116

117 Manager Miller also noted that Administrator Erdahl, Mr. Wisker and he met with City of Edina
118 Mayor Jim Hovland. They reviewed the District's intended WMP approach and other issues
119 including management of the Meadowbrook golf course. The City will invite the District to
120 present at a City Council workshop. Mayor Hovland expressed the City's appreciation for the
121 District's involvement in the teardown issue the previous year.
122

123 Manager White noted the Upcoming Meeting and Event schedule listed on the agenda.
124

125 Public Hearing: Promenade of Wayzata Cost-Share Project
126

127 Manager White opened the public hearing.
128

129 Mr. Wisker presented the proposed project and introduced the District staff review of the
130 potential benefits and basis for cost-share participation. He affirmed that the public hearing was
131 noticed in accordance with law. He advised that staff will return at a later Board meeting with a
132 recommendation for board discussion and consideration.
133

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134 Mr. Wisker reviewed the history of the project, beginning with a 2007 presentation to the City of
135 Wayzata and the District by Presbyterian Homes. This led to a 2008 concept plan and
136 coordination that continued into 2009. Mr. Wisker then briefly reviewed a development plan that
137 the City approved in 2012. He then touched on the Board of Managers review during that same
138 year and its action in favor of providing cost-share funding to the project contingent on CAC
139 review and further development of cost-share terms.

140
141 Mr. Wisker reminded the Board of the staff presentation in November 2014. At that time, staff
142 noted that under District rules, the project would have been given credit only for 1.5 pounds of
143 phosphorous reduction. Staff has performed a broader assessment for reductions not necessarily
144 captured under the rule methodology and determine that a phosphorous reduction of about 12
145 pounds per year is supported. Mr. Wisker then reviewed staff's consideration of other benefits
146 including volume control, chloride management and educational benefits, resulting in an overall
147 benefit determination of just over \$300,000. Mr. Wisker also distributed to the Board members a
148 letter of support received from the City of Wayzata.

149
150 Mr. Jabbour stated to the Board his concern that District funding of projects of this sort is a
151 waste of time unless best practices are embraced by the host city. He suggested that any such city
152 be required to enter into an agreement with the District that would provide for broad changes in
153 water and shoreline management in order to host substantial District project expenditures.

154
155 Manager White determined that no other person wished to speak and closed the public hearing.

156
157 Responding to Manager Casale, Mr. Wisker described the legally required notice that was
158 provided. He noted also that the hearing notice and documents are on the District's website.
159 Manager Olson asked that they receive a copy of the capital project hearing notice when it is sent
160 out. Manager Calkins also suggested that the District revisit its notice practice, given that
161 reliance on newspapers is nearly obsolete.

162
163 ***It was moved by Manager Casale, seconded by Manager Calkins to allow until 4:30 p.m. on***
164 ***February 19 for written comments. Upon vote, the motion carried 6-0.***

165
166 District-Wide Signage Master Plan

167
168 Mr. Lochner and Ms. Mamayek reviewed development of the signage master plan. Ms.
169 Mamayek presented the brand manual update. She advises that staff will bring a resolution next
170 month for adoption of the brand manual.

171
172 ***It was moved by Manager Shekelton, seconded by Manager Casale to approve the master plan***
173 ***and sign template.***

174
175 Manager Calkins remarked that many watershed residents are not aware that Lake Minnetonka is
176 a part of the District. He observed that the District logo is very creek-centric and that this should
177 be considered in the future. Manager White noted that much of the District's signage is on land

178 owned by others, including municipalities with sign codes. Mr. Lochner replied that the District
179 has been in communication with its partners during the process and that it is prepared to accept
180 variations and adjustments as needed in specific cases. *Upon vote, the motion carried 6-0.*

181
182 Ecosystem Evaluation Program Update

183
184 Ms. Dooley and Ms. Christenson presented the status report of the District engineer, Wenck
185 Associates. Wenck is developing interim products that will feed into the WMP process initiation
186 to occur shortly.

187
188 Manager Olson asked what an “E-grade” will look like to an ordinary person. Ms. Dooley
189 replied that the form of the grades remains under development. Manager Miller asked if there is
190 concern about delivering a bad grade. Ms. Christenson replied that the focus presently is on
191 deciding the metrics to be used. The subsequent question will be how the District will report
192 grades.

193
194 Manager Calkins suggested to Manager Miller that the foundation of the program is a solid
195 metric that can be rather objectively applied and stand on its own. One purpose of a low grade is
196 to foster action. Manager Calkins also referenced the metric of “nutrient cycling” in the status
197 report and suggested the metric be called, instead, something such as “water chemistry.” He
198 noted this would help capture certain parameters such as dissolved oxygen. Manager Calkins
199 asked also why there is not a Secchi disk parameter for streams and wetlands. He also would like
200 to know the rationale for identifying chloride as a parameter for particular waterbody classes and
201 how AIS assessment fits into the approach.

202
203 Mader Family Trust Update

204
205 Mr. Wisker and Ms. Hall presented an update on efforts under the memorandum of
206 understanding (MOU). Mr. Wisker presented the effort as demonstrating how working
207 collaboratively can show both greater environmental and greater economic returns. He noted
208 letters of support from the City of Minnetrista and the Maders in the meeting packet. In this case,
209 the District is operating on the concept that integrating land use and water management creates
210 more value. This project shows the spirit of the balanced urban ecology approach in a suburban
211 setting. Ms. Hall added that the District has long sought an effective way of early involvement in
212 the permitting process. They then reviewed the approach taken and the concept plan that Wenck
213 has developed.

214
215 Manager Miller commended Ms. Hall, the Maders and the City for an informed and broader
216 perspective. Manager Calkins added that the work fits with the District’s goal-based approach
217 not to obstruct development but to align it with District goals. The managers strongly supported
218 continuing collaboration under the MOU.

219

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220 Managers Olson and Casale asked that staff be sure to apply a solid communications effort to
221 advance the concept. Mr. Wisker replied that care will be given to the Maders' privacy concerns
222 but that they will work together in that regard.

223
224 Jim Mader addressed the Board. He stated that Ms. Hall and Mr. Wisker have helped and
225 educated the family greatly and that trust has been the key to the relationship. He said the family
226 looks forward to continuing to work with the District.

227
228 AIS Legislation

229
230 Manager Shekelton noted the scheduled Tuesday Senate hearing on a bill to delete and replace
231 the language in the House bill. This bill was heard in the House policy committee and passed to
232 House finance. He noted that Craig Dawson, Michael Welch and the District lobbyist from
233 Fredrikson & Byron met with Senate counsel who is drafting legislation for the Senate sponsor.

234
235 Manager Shekelton reviewed the parameters of the existing law in play, including the civil
236 penalty, the testing fee, implementation dates and the focus of regulation on launching versus
237 transporting a boat. He asked whether the Board felt that a policymaker should appear at the
238 hearing on behalf of the District.

239
240 Responding to Manager Olson, Manager Shekelton reviewed the need for the training fee to
241 reimburse the vendor retained by the DNR. Manager Olson asked whether resort owners can do
242 the training, consistent with guest preferences that the owner provide "one-stop shopping" for
243 their visit. Manager Casale urged that these programs be fit into frameworks that already are
244 working. Manager White said that the District should have broader principles that it can rely on
245 to form public statements in situations such as the present when it doesn't know what the specific
246 language of the bill will be. Manager Calkins concurred with Manager White. He noted that the
247 letter sent to the House committee did not provide a background on why preventing AIS spread
248 is important for the State's citizens. He said it is important to deliver the message that the District
249 does not want to prevent access, it wants to protect the State's lakes so that those using the lakes
250 do not have a depreciated resource. He also noted the urgency in that each year of delay makes
251 the problem more serious.

252
253 Manager Casale asked whether John Himle should participate to help develop a message on short
254 notice. Manager Calkins added the importance of recognizing where changes to the existing law
255 are warranted or reasonable. He asked whether there is a basis to sit down with those in the resort
256 community to establish a consensus of goals and seek to work from there. Manager Shekelton
257 replied that Joel Carlson has given the District some information on those parties and that there is
258 some effort underway in that direction.

259
260 The Board directed that Administrator Erdahl and Mr. Dawson work with the District's
261 legislative representative to plan for and attend the Senate hearing. Managers Olson, Calkins and
262 White all stated that they would be available to testify if that would be helpful.

263

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264 Administrator's Report

265

266 Administrator Erdahl stated that staff and Jeff Spartz have been extremely helpful and
267 welcoming.

268

269 **ADJOURNMENT**

270

271 There being no further business, the regular meeting of the Board of Managers was adjourned at
272 9:25 p.m.

273

274 Respectfully Submitted,

275

276

277

278 Jeff Casale, Secretary

DRAFT