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

7
8 **November 13, 2014**
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10 **CALL TO ORDER**

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12 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called
13 to order by President Sherry White at 6:47 p.m. at the District offices, 15320 Minnetonka
14 Boulevard, Minnetonka, Minnesota 55345.
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16 **MANAGERS PRESENT**

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18 Sherry Davis White, James Calkins, Pam Blixt, Richard Miller, Jeffrey Casale, William Olson,
19 and Brian Shekleton.
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21 **MANAGERS ABSENT**

22
23 None.
24

25 **OTHERS PRESENT**

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27 Jeff Spartz, District Interim Administrator; James Wisker, District Director of Planning, Telly
28 Mamayek, District Communications Director; Darren Lochner, District Education Manager;
29 Mollie Thompson, District Education Assistant; Tiffany Schaufler, District Natural Recourse
30 Technician; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.
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32 **MATTERS FROM THE FLOOR**

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34 Ms. Telly Mamayek introduced Mollie Thompson, who is leaving the District staff to work at the
35 Children in Nature Network. Ms. Thompson appeared before the Board of Managers and
36 thanked the Board and staff for the opportunity to work with a talented and resilient team. The
37 managers thanked Ms. Thompson for her service.
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39 **APPROVAL OF AGENDA**

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41 President White noted that item 6.1, Resolution 14-089, would be deleted as it had been
42 approved at the October 23 Board meeting.
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44 *It was moved by Manager Shekleton, seconded by Manager Miller, to approve the agenda as*
45 *distributed, with this change. Upon vote, the motion carried, 7-0.*
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INFORMATION ITEMS/CORRESPONDENCE

Manager Shekleton asked that item 4.6, Update on 2014 Subwatershed Direct Pilot Program, be pulled for discussion.

CONSENT AGENDA

Manager Casale requested that item 5.1, approval of the October 23, 2014 board minutes, be pulled for discussion. *It was moved by Manager Miller, seconded by Manager Casale, to approve the remaining item on the consent agenda, the minutes of October 30, 2014. Upon vote, the motion carried, 7-0.*

REGULAR AGENDA

BOARD, COMMITTEE, AND TASK FORCE REPORTS

President's Report:

President White noted that there is no president's report.

Joint Committee Meeting Report:

President White noted that a joint meeting of the Operations and Programs Committee and Policy and Planning Committee on November 6 included a wrap up of the District building and plans for videotaping of District meetings; authorization to contract with Wenck Associates for the Ecosystem Evaluation Program; a review of plans for outreach to update the District's Comprehensive Plan; and an update on discussions with Minneapolis Park and Recreation Board (MPRB) concerning golf course planning.

President White noted that Mr. Joel Carlson would be reporting on the legislative preview later in the meeting.

CITIZEN'S ADVISORY COMMITTEE

Manager Blixt reported that she attended the meeting of the Citizen's Advisory Committee (CAC) on November 12. The CAC meeting included an update to the CAC bylaws, a review of the District budgeting process, review of Cynthia Krieg Grant recommendations, a presentation on status of district matters by James Wisker, an update on the status of various CAC issues with Jeff Spartz, and a resolution requesting mediation with the CAC and the Board of Managers.

91 Legislative Preview

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93 Mr. Joel Carlson appeared before the Board of Managers and reviewed the upcoming 2015
94 Legislative Session. He noted various changes in leadership, and said that the District focus
95 would include a land transfer in the Department of Natural Resources (DNR) land bill, continued
96 monitoring of aquatic invasive species issues, water appropriations process concerns, and other
97 items of interest to the Minnesota Association of Watershed Districts (MAWD). The managers
98 discussed a previous initiative to provide administrative penalty order authority to watershed
99 districts. The Board of Managers directed that legal counsel prepare a brief to the Board of
100 Managers about the current provisions for administrative penalty order authority with the Board
101 of Water and Soil Resources (BWSR), and the process to delegate this authority to watershed
102 districts, along with any issues of concern.

103
104 Minutes of October 23, 2014

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106 Manager Casale noted that he arrived prior to the presentation from Mr. Sparrow, and requested
107 that the sentence noting his time of arrival be inserted above the previous paragraph. ***It was***
108 ***moved by Manager Casale, seconded by Manager Shekleton, that the minutes of October 23,***
109 ***2014 be approved with this change. Upon vote, the motion carried, 7-0.***

110
111 Resolution 14-XXX, Authorization to Demolish Structures at 8251 State Highway 7, Minnetrista
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113 Ms. Laura Domyancich appeared before the Board of Managers and reviewed the request for
114 board action. She reviewed the need to remove dilapidated structures at this land conservation
115 site. She noted that two quotes for the demolition work had been received. ***Following discussion,***
116 ***it was moved by Manager Miller, seconded by Manager Calkins, to place Resolution 14-XXX,***
117 ***on the consent agenda for the November 20 meeting as follows:***

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119 ***Resolution 14-XXX, Authorization to Demolish Identified Structures at 8251 State Highway***
120 ***No. 7, Minnetrista***

121
122 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
123 ***District Board of Managers hereby awards the demolition contract to Dale's Contracting in***
124 ***the amount of \$12,500 and authorizes the Interim Administrator to execute a construction***
125 ***contract for the demolition and site restoration; and***

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127 ***BE IT FUTHER RESOLVED, that the Minnehaha Creek Watershed District Board of***
128 ***Managers authorize the Interim Administrator, on advice from District Counsel to take all***
129 ***actions required to accomplish demolition and removal of identified structures at 8251 State***
130 ***Hwy No. 7, Minnetrista, including, but not limited to, entering into agreement(s) and***
131 ***expenditure of funds with a total not-to-exceed amount of \$13,750.***

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133 ***Upon vote, the motion carried, 7-0.***
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Resolution 14-XXX, Watershed Association Initiative Contract Change and Renewal

Mr. Darren Lochner appeared before the Board of Managers and reviewed the request for board action. He also introduced Mr. Alex Gehrig from the Freshwater Society to review the assessment of the Watershed Association Initiative. The managers discussed the process for engaging more citizens in lake and creek associations and reviewed various strategies for improving this engagement. *Following discussion, it was moved by Manager Shekleton, seconded by Manager Olson, to advance Resolution 14-XXX, Watershed Association Initiative Contract Change and Renewal, to the consent agenda for the November 20 Board meeting as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to enter into a contract not to exceed \$31,500 with Freshwater Society to continue the Watershed Association Initiative;

BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to reimburse funds, not to exceed a total of \$5,000 to citizen groups according to the parameters set in the Watershed Association Initiative Mini Grant Program;

BE IT FINALLY RESOLVED that the District Administrator is authorized to sign necessary documents to carry out the Watershed Association Initiative, pending approval of form and execution by the District counsel.

Upon vote, the motion carried, 7-0.

Resolution 14-XXX Authorization to Terminate Contract with Barr Engineering for Interpretive Signage at Reach 20

Mr. Darren Lochner appeared before the Board of Managers and reviewed the request for board action. He explained that additional interpretive expertise is needed in order to complete signage for the education area at Reach 20. *Following discussion, it was moved by Manager Miller, seconded by Manager Casale, to recommend that Resolution 14-XXX, authorization to terminate contract with Barr Engineering for Interpretive Signage Project at Reach 20, be placed on the consent agenda for the November 20 meeting as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to terminate a contract for professional design services with Barr Engineering to develop interpretive signage for the Reach 20 education area.

Upon vote, the motion carried, 7-0.

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Resolution 14-XXX Authorization to Execute Contract with Dog Tooth Designs for Development of Interpretive Signage at Reach 20

Mr. Lochner explained that the staff recommended contracting with Dog Tooth Designs for the remainder of this interpretive signage project. *Following discussion, it was moved by Manager Miller, seconded by Manager Casale, to place Resolution 14-XXX, authorization to execute contract with Dog Tooth Designs for development of interpretive signage at Reach 20, on the consent agenda of the November 20 Board meeting as follows:*

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to execute a contract for professional design services with Dog Tooth Design for an amount not-to-exceed \$12,400 to develop interpretive signage for the Reach 20 education area.

Upon vote, the motion carried, 7-0.

BOARD DISCUSSION ITEMS

Update on 2014 Subwatershed Direct Mail Pilot Program

Manager Shekleton stated that he had requested discussion of this item following a conversation he had with a member of the CAC about the opportunities to reach out beyond lake shore owners to engage more citizens in watershed management. Ms. Telly Mamayek appeared before the Board of Managers and reviewed the process for developing this pilot project and the early results. The managers discussed the cost and benefits of this approach and alternative opportunities to survey and engage residents through subwatershed communications and education initiatives. Mr. Wisker noted that this subwatershed education effort will also align within specific project communication plans as well.

Overview of 2014 Flood Damage, Proposed Repairs, and the FEMA Process

Ms. Tiffany Schaufler appeared before the Board of Managers and reviewed the flood damage that occurred in spring and early summer of 2014 across the District, the process of inventorying and assessing this damage, and the process for seeking relief through the Federal Emergency Management Administration (FEMA). Ms. Schaufler identified seven different projects of restoration from flood damage totaling an approximately \$1.44 million on public property. Ms. Schaufler reviewed the process for submitting these plans to FEMA and the upcoming schedule for implementation upon FEMA approval.

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
11-13-2014

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Administrator's Report

Mr. Spartz distributed a memorandum outlining a recommendation for a mediation process with the Board of Managers. He requested that the managers review this information for discussion at a future meeting.

ADJOURNMENT

There being no further business, the meeting of the Minnehaha Creek Watershed District Board of Managers was adjourned at 8:55 p.m.

Respectfully submitted,

Jeffery Casale
Secretary

DRAFT