

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

4
5 **December 1, 2022**

6
7 **CALL TO ORDER**

8
9 The regular meeting of the Minnehaha Creek Watershed District was called to order by
10 President Sherry White at 7:00 p.m. on December 1, 2022.

11
12 **MANAGERS PRESENT**

13
14 Sherry White, Richard Miller, Arun Hejmadi, Eugene Maxwell, and Stephen Sando.

15
16 **MANAGERS ABSENT**

17
18 William Olson, Jessica Loftus.

19
20 **DISTRICT STAFF AND CONSULTANTS PRESENT**

21
22 James Wisker, Administrator; Samantha Maul, Engagement Coordinator; Kayla
23 Westerlund Permitting Program Manager; Kailey Cermak, Hydrologist; Becky
24 Christopher, Policy Planning Manager; Tiffany Schaufler, Senior Project Maintenance
25 Coordinator; Chris Meehan, District Consulting Engineer; and Louis Smith, District
26 Counsel.

27
28 **MATTERS FROM THE FLOOR**

29
30 None.

31
32 **APPROVAL OF AGENDA**

33
34 *It was moved by Manager Miller, seconded by Manager Sando to approve the Agenda*
35 *as distributed. Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).*

36
37 **CONSENT AGENDA**

38
39 *It was moved by Manager Maxwell, seconded by Manager Hejmadi, to approve the*
40 *items on the Consent Agenda consisting of approval of the November 17, 2022, Board*
41 *meeting minutes and adoption of the following resolutions:*

42
43 *Resolution 22-072: Recognition of Citizen Advisory Committee Member Bill Bushnell*

44
45 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
46 ***Watershed District Board of Managers: hereby formally acknowledges Bill***

47 *Bushnell's contribution to the organization and expresses its deep gratitude and*
 48 *thanks for his service; and*
 49

50 ***Resolution 22-073: Approval of the 2023 Board Committee and Board Meeting***
 51 ***Schedule***
 52

53 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
 54 ***Watershed District Board of Managers hereby approves the following 2023***
 55 ***meeting schedule. Unless otherwise posted Committee Meetings will start at***
 56 ***5:15 PM, and Board meetings will start at 7:00 PM. Executive Committee***
 57 ***meetings are scheduled as needed and will be held prior to Board meetings.***
 58
 59

| | | | |
|-----------|--|-------------|--|
| 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

60 ***Upon vote, the motion carried 5-0 (Managers Olson and Loftus absent).***
 61
 62
 63

64 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

65
66 President's Report: President White reported that she and Mr. Wisker are continuing to
67 meet with county commissioners, and most recently met with Hennepin County
68 Commissioner LaTondresse.

69
70 Upcoming Meetings: President White noted the upcoming meeting schedule as noted in
71 the Agenda.

72
73 **ACTION ITEMS**

74
75 Resolution 22-074: Citizens Advisory Committee Appointments for 2023

76
77 Ms. Samantha Maul appeared before the Board of Managers to review the request for
78 board action. She reviewed the previous committee discussion of the CAC applications,
79 and noted that discussion and feedback generated by the committee guided staff in
80 developing the recommendations outlined in this request for Board action, summarized
81 below:

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

87
88 In response to a question from President White, Ms. Maul reviewed the process of
89 advertising the openings on the CAC and soliciting applications. *It was moved by*
90 *Manager Maxwell, seconded by Manager Hejmadi to adopt Resolution 22-074:*
91 *2023 Citizen Advisory Committee Appointments, as follows:*

92
93 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
94 ***Watershed District Board of Managers hereby appoints the following***
95 ***individuals to the 2023 Citizen Advisory Committee:***

| | | |
|-----|--------------------------------|---------------------------------|
| 96 | | |
| 97 | <u>Serving 2023</u> | <u>Serving 2023-2024</u> |
| 98 | <i>Cassy Ordway</i> | <i>Marc Rosenberg</i> |
| 99 | <i>Drew McGovern</i> | <i>Dan Flo</i> |
| 100 | <i>Emily Balogh</i> | <i>Dave Oltmans</i> |
| 101 | <i>John Iverson</i> | <i>Rich Nyquist</i> |
| 102 | <i>Laurie Goldsmith</i> | <i>Marcy Bean</i> |
| 103 | <i>Lisa Fowler</i> | <i>Robert Glisky</i> |
| 104 | | <i>Suzanne Jiwani</i> |
| 105 | | <i>Denise Tennen</i> |
| 106 | | |

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

110
111 *It was moved by Manager Miller, seconded by Manager Sando that staff send CAC*
112 *meeting information to the two other applicants. Upon vote, the motion carried 5-0*
113 *(Managers Olson and Loftus absent).*

114
115 Resolution 22-075: Ordering Lamplighter Pond Water Quality Project and Approving
116 Project Agreement with City of St. Louis Park

117
118 Ms. Kayla Westerlund appeared before the Board of Managers to review the request for
119 board action. She noted that the St. Louis Park City Council approved the project
120 agreement on November 21. In response to a question from Manager Miller, Ms.
121 Westerlund noted that the expected annual maintenance cost for the project would be
122 approximately \$15,000 annually.

123
124 *It was moved by Manager Hejmadi, seconded by Manager Maxwell to adopt Resolution*
125 *22-075: Ordering Lamplighter Pond Water Quality Project and Approving Project*
126 *Agreement with City of St. Louis Park, as follows:*

127
128 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
129 ***Watershed District Board of Managers orders the Lamplighter Pond Water***
130 ***Quality Project; and***

131
132 ***BE IT FURTHER RESOLVED that the Board of Managers approves the***
133 ***project agreement and authorizes its execution by the Board President, with any***
134 ***further non-material changes and on advice of counsel.***

135
136 In response to a question from Manager Maxwell, Ms. Westerlund noted that the City had
137 been receptive to the MCWD's recommendation on selection of the engineer. *Upon vote,*
138 *the motion carried 5-0 (Managers Olson and Loftus absent).*

139
140 Resolution 22-076: Authorization to Award Contract for Stormwater Infrastructure Data
141 Standardization

142
143 Ms. Kailey Cermak appeared before the Board of Managers to review the request for
144 board action. She provided an overview of the project, the process for requesting
145 proposals for stormwater infrastructure data standardization, and the recommendation to
146 select Bolton & Menk for this work. *It was moved by Manager Miller, seconded by*
147 *Manager Maxwell, to adopt Resolution 22-076: Authorization to Award Contract for*
148 *Stormwater Infrastructure Data Standardization, as follows:*

149

150 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
151 ***Watershed District Board of Managers authorizes the District Administrator, on***
152 ***advice of legal counsel, to execute a contract with Bolton & Menk for***
153 ***consultant services for stormwater infrastructure data standardization, in***
154 ***accordance with the developed scope of work as the Administrator may refine it,***
155 ***and in an amount not to exceed 115 percent of the amount set forth in the***
156 ***proposal.***
157

158 In response to a question from Manager Hejmadi, Mr. Wisker reviewed the next steps in
159 the MCWD's climate action work and how this project would advance it. ***There being***
160 ***no further discussion, upon vote, the motion carried 5-0 (Managers Olson and Loftus***
161 ***absent).***
162

163 Resolution 22-077: Conditional Approval of Edina Major Plan Amendment
164

165 Ms. Becky Christopher appeared before the Board of Managers to review the request for
166 board action. She noted the previous committee discussion and staff's review with the
167 City of Edina of two main areas of concern, specifically: 1) the plan proposes multiple
168 capital improvements to reduce local flood risk, some of which include infrastructure
169 changes that would increase downstream conveyance of stormwater; and 2) the City's
170 policies allow a property owner to place fill within the floodplain to elevate structures to
171 meet the required elevations, without requiring compensatory storage, provided it can be
172 shown that there will not be an increase to the 100-year elevation of an affected
173 watercourse. Ms. Christopher noted that City staff expressed a willingness to incorporate
174 additional language to acknowledge and address the MCWD's concerns. City staff
175 requested that the MCWD issue a conditional approval to allow their process to proceed
176 while the additional language is finalized and incorporated.
177

178 ***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution***
179 ***22-077: Conditional Approval of Edina Major Plan Amendment, as follows:***
180

181 ***NOW THEREFORE BE IT RESOLVED that the Minnehaha Creek Watershed***
182 ***District Board of Managers hereby approves Edina's local water management***
183 ***plan, as amended, conditioned on Edina's submittal of a final amended***
184 ***plan that the District Administrator has found to adequately incorporate the***
185 ***acknowledgements and commitments described above.***
186

187 Manager Miller noted historic flooding issues along the Creek in Edina and downstream
188 and stated that it was important to recognize these issues. ***Upon vote, the motion carried***
189 ***5-0 (Managers Olson and Loftus absent).***
190
191
192

193 **BOARD INQUIRIES, ISSUES AND IDEAS**

194

195 None.

196

197 **STAFF UPDATES**

198

199 **Minnehaha Preserve Boardwalk Reconstruction**

200

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

206

207 **Administrator's Report**

208

209 Mr. Wisker reported on the following items:

210

211 1. With recent snowfall, it appears that the opportunity to take advantage of drought
212 conditions for LiDAR data gathering along the Creek will not be possible.

213

214 2. Staff will present to the Minnesota Association of Watershed Districts annual
215 conference tomorrow on the Arden Park project. The Hennepin County Chloride
216 Initiative is nominated for an award.

217

218 3. The executive director of the Lake Minnetonka Conservation District has
219 announced her resignation effective January 30, 2023.

220

221 4. As President White noted, meetings with county commissioners continue,
222 including a recent meeting with Hennepin County Commissioner LaTondresse.
223 Mr. Joel Carlson will bring a post-election report to the next meeting.

224

225 5. Staff transition priorities for the coming months will be focused on on-boarding
226 the new project maintenance and land management manager, then posting for the
227 operations manager position, and then considering posting for the outreach
228 manager. Meanwhile, the outreach staff are focused and productive in the
229 delivery of the new MCWD web site.

230

231 **Adjournment**

232

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

235

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

236 Respectfully submitted,
237
238
239
240 Eugene Maxwell, Secretary
241

DRAFT