

47 Hejmadi: Absent
48 Loftus: Aye
49 Sando: Aye
50 Miller: Absent
51 Olson: Aye
52 Maxwell: Aye
53 White: Aye

54

55 **CONSENT AGENDA**

56

57 *It was moved by Manager Olson, seconded by Manager Maxwell, to approve the*
58 *Consent Agenda consisting of approval of the July 22, 2021 Board minutes, and*
59 *Resolution 21-054: Authorization to Renew ElementsXS Annual License*
60 *and Maintenance Agreement as follows:*

61

62 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
63 ***Watershed District Board of Managers hereby authorizes the renewal of***
64 ***permitting software maintenance and licenses for an amount of \$10,000.00.***

65

66 *Upon roll call vote, the motion carried 6-0-1 as follows:*

67

68 Hejmadi: Aye
69 Loftus: Aye
70 Sando: Aye
71 Miller: Absent
72 Olson: Aye
73 Maxwell: Aye
74 White: Aye

75

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

77

78 President's Report: President White expressed her appreciation to staff for preparing a
79 productive Board retreat meeting on July 26. She reported that she attended a recent 325
80 Blake Road meeting that included a review of the design charette, initial review of the
81 preliminary development agreement, and discussion of next steps in the development
82 process.

83

84 Operations and Programs Committee Report: Manager Loftus reported that the
85 committee met earlier and received a briefing from Ms. Domyancich-Lee on planning for
86 office campus improvements, including discussions and concerns of neighboring property
87 owners and project options. More discussions will follow.

88

89 Upcoming Meeting and Event Schedule: President White directed the managers to the
90 meetings listed on the agenda, noting that the District is back to meeting remotely.

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BOARD DISCUSSION ITEMS

Six Mile Marsh Prairie Trail and Interpretation Design Briefing

Ms. Laura Domyancich-Lee appeared before the Board of Managers and provided a briefing on the design for the Six Mile Marsh Prairie Trail. She reviewed past design guidance from the Policy and Planning Committee. In response to manager questions, she highlighted the trail user experience, accessibility, security, and needs of various user groups. She noted plans for bid solicitation in September, with planned construction either late this fall or next spring. The managers thanked Ms. Domyancich-Lee for her presentation.

Minnehaha Preserve Boardwalk Update

Mr. Michael Hayman and Ms. Janna Jonely appeared before the Board of Managers and noted the presence of Mr. Tom Radio to brief the Board on the upcoming mediation session. Mr. Smith recommended that the Board of Managers move into closed session for the purpose of receiving confidential legal advice concerning litigation strategy in the upcoming mediation on the problems with the defects in the Minnehaha Preserve Boardwalk. ***It was moved by Manager Sando, seconded by Manager Maxwell to move the board meeting into closed session for this purpose. Upon roll call vote, the motion carried 6-0-1 as follows:***

- Hejmadi: Aye
- Loftus: Aye
- Sando: Aye
- Miller: Absent
- Olson: Aye
- Maxwell: Aye
- White: Aye

Whereupon the Board of Managers went into closed session.

The Board of Managers returned to open session.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
8-12-21

- 133 1. Lake Minnetonka is at 928.3, or 0.3 feet below the runout elevation. Minnehaha
134 Creek is flowing at 2 cubic feet per second. Precipitation in the metro area is 5
135 inches below normal, and 78% of the state is in severe drought condition.
136
- 137 2. Mr. Wisker expressed his appreciation to the Board for a productive retreat on
138 July 26.
139
- 140 3. Mr. Wisker send a letter to the City of Greenwood in response to the city's letter
141 expressing interest in MCWD funding for management of aquatic invasive
142 species in Lake Minnetonka; he noted a related article in the Lake Minnetonka
143 Association newsletter.
144
- 145 4. Mr. Wisker asked Mr. Smith to report on the Schmidt v. Orono, MCWD lawsuit.
146 Mr. Smith reported that the plaintiff had recently agreed voluntarily to dismiss the
147 MCWD from the lawsuit.
148

149 **Adjournment**

150
151 There being no further business, President White declared the meeting of the Board of
152 Managers adjourned at 9:01 p.m.
153

154 Respectfully submitted,
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156
157 Eugene Maxwell, Secretary
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