



47 **APPROVAL OF AGENDA**

48

49 *It was moved by Manager Rogness, seconded by Manager Hejmadi to approve the*  
50 *Agenda as distributed. Upon roll call vote, the motion carried 7-0 as follows:*

51

52 Hejmadi: Aye  
53 Loftus: Aye  
54 Rogness: Aye  
55 Miller: Absent  
56 Olson: Aye  
57 Maxwell: Aye  
58 White: Aye

59

60 **INFORMATION ITEMS/CORRESPONDENCE**

61

62 Introduction of New Staff

63

64 Brian Beck appeared before the Board of Managers and introduced Marissa Castro, new  
65 hired as a research and monitoring field technician. Ms. Castro described her education  
66 and experience, and interest in working at the District. The managers welcomed Ms.  
67 Castro to the District.

68

69 **CONSENT AGENDA**

70

71 *It was moved by Manager Olson, seconded by Manager Miller, to approve the Consent*  
72 *Agenda consisting of approval of the December 17, 2020 Board minutes, the General*  
73 *Checking Account consisting of checks 41421 through 41444 in the amount of*  
74 *\$194,542.61; electronic funds withdrawals in the amount of \$31,530.33; manager per*  
75 *diems and reimbursement direct deposits in the amount of \$5,787.23; employee*  
76 *reimbursements - direct deposits in the amount of \$915.11; and payroll direct deposits*  
77 *in the amount of \$163,444.26; for Total General Checking expenses of \$396,219.54;*  
78 *and no charges to the surety checking account or wire/electronic fund transfers; and*  
79 *the following resolutions:*

80

81 **Resolution 21-001: Approval of the 2021 Depository of District Funds**

82

83 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
84 *Watershed District Board of Managers hereby names*  
85 *Bremer Bank as the 2021 official depository of District Funds.*

86

87 **Resolution 21-002: Approval of the 2021 Official District Newspaper**

88

89 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
90 *Watershed District Board of Managers hereby names the*

91 *Star Tribune as the official newspaper of the District for 2021.*

92  
93 **Resolution 21-003: Approval of the 2021 District Fee Schedule**

94  
95 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
96 *Watershed District Board of Managers hereby approves the following 2021*  
97 *District fee schedule:*

98  
99 ***2021 District Fee Schedule***

100 <i>District professional staff*</i>	<i>\$ 65.51</i>
101 <i>District administrative staff*</i>	<i>\$ 46.69</i>
102 <i>Consulting Engineer/Technician</i>	<i>\$ Contracted Rate</i>
103 <i>District Counsel</i>	<i>\$ Contracted Rate</i>
104 <i>Permit Application Fee</i>	<i>\$ 10.00</i>
105 <i>B&amp;W Copy Costs (8½ x 11 page)</i>	<i>\$ 0.25 + actual staff time</i>
106 <i>Color Copy (8½ x 11 page)</i>	<i>\$ 1.00 + actual staff time</i>
107 <i>Electronic Records</i>	<i>\$ cost of production</i>

108  
109 *District expenses for postage, mailing labels, contracted services, and other*  
110 *miscellaneous services will be billed at cost.*

111  
112 *The “Application Fee” applies to all permits, including fast track permits.*

113  
114 *\*Blended/burdened professional rate.*

115  
116 **Resolution 21-006: Recognition of Carver County Commissioner Maluchnik’s Service**

117  
118 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
119 *Watershed District Board of Managers hereby expresses its deep gratitude and*  
120 *appreciation for the service of Commissioner Maluchnik, and wishes him the*  
121 *very best of happiness, health and wellbeing in all of his future pursuits.*

122  
123 **Resolution 21-007: Authorization to Execute Amended Agreements with the MN DNR**  
124 **and Wenck for Improved Floodplain Modeling and Mapping Updates**

125  
126 *NOW, THEREFORE, BE IT RESOLVED that the District Administrator is*  
127 *hereby authorized to execute the second amendment to the September 28, 2018*  
128 *DNR grant agreement, with any final changes on advice of counsel;*

129  
130 *NOW, THEREFORE BE IT ALSO RESOLVED that the District Administrator*  
131 *is authorized to execute an amended contract with Wenck to update the*  
132 *floodplain modeling and mapping for the Minnehaha Creek Watershed District*  
133 *for an amount not to exceed \$72,900.*

135 *Upon roll call vote, the motion carried, 7-0 as follows:*

136

137

138 Hejmadi: Aye

139 Loftus: Aye

140 Rogness: Aye

141 Miller: Aye

142 Olson: Aye

143 Maxwell: Aye

144 White: Aye

145

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

147

148 President's Report: President White noted that she and Manager Olson have had three  
149 meetings with county commissioners recently, and more meetings are to come soon.

150

151 Upcoming Meeting and Event Schedule: President White directed the managers to the  
152 meetings listed on the agenda; all of the meetings to be noticed and held via WebEx. She  
153 noted that Manager Loftus would be the Board liaison to the Citizens Advisory  
154 Committee meeting on January 20.

155

156 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

157

158 Permit 20-455: St. Stephen's Episcopal Church – 4439 W. 50<sup>th</sup> St., Edina

159

160 Mr. Tom Dietrich appeared before the Board of Managers and reviewed the permit  
161 report. He explained that the church has applied for a permit to replace an existing  
162 retaining wall at Minnehaha Creek. He explained that the requirements of the erosion  
163 control, floodplain alteration and shoreline and streambank stabilization rules are met.  
164 The existing stone retaining wall would be replaced by steel sheet pile. Members of the  
165 public requested a hearing on the permit application.

166

167 Upon a question from Manager Rogness, Mr. Dietrich explained that the site should have  
168 adequate space for a pile driver to install the sheet pile. Upon a question from Manager  
169 Maxwell, Mr. Dietrich noted that alternatives to sheet pile had been explored, but  
170 replacement in kind was determined by the applicant not to be practical in terms of cost.

171

172 Mr. Tom Rose, 5011 Wooddale Lane, appeared before the Board of Managers and noted  
173 the varied perspectives on the height of the retaining wall, concerns about the proposed  
174 wall's appearance, and response to creek flow.

175

176 Mr. Chris Kellick, 5013 Wooddale Lane, appeared before the Board of Managers and  
177 noted that he was disappointed with the aesthetics of the proposed retaining wall, and that  
178 he appreciated the District's attention to aesthetics with the Arden Park project.

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
1-14-21

179

180 Mr. Jim Korslund, 4606 Casco Avenue, appeared on behalf of St. Stephen's church,  
181 noting that he was a member of the church and a neighbor. He explained the need to  
182 replace the failing retaining wall, and reviewed the plans for a limestone cap on the  
183 sheetpile, as well as plantings to grow over the edge. Mr. Tom Weigel, 5184  
184 Abercrombie Drive, appeared on behalf of St. Stephen's church and affirmed Mr.  
185 Korslund's comments.

186

187 Upon a question from Manager Olson, Mr. Korslund noted that the church basement  
188 experienced minor flooding during the flood of 2014. Mr. Chris Meehan explained  
189 opportunities to enhance the aesthetics of a sheet pile retaining wall with laser etching  
190 and greenery.

191

192 ***It was moved by Manager Miller, seconded by Manager Hejmadi to approve the permit***  
193 ***application with the condition and stipulation recommended by staff.*** Manager  
194 Maxwell noted that resident concerns about potential graffiti tagging on the sheet pile  
195 should be addressed promptly under city ordinance. Upon a question from President  
196 White, Mr. Meehan explained that there should not be erosion and scouring at this  
197 location of the creek, given lower velocity. Upon request from Manager Hejmadi, Mr.  
198 Korslund reviewed the aesthetic measures with plantings in detail.

199

200 ***Upon roll call vote, the motion carried, 7-0 as follows:***

201

202 Hejmadi: Aye  
203 Loftus: Aye  
204 Rogness: Aye  
205 Miller: Aye  
206 Olson: Aye  
207 Maxwell: Aye  
208 White: Aye

209

210 Permit 20-625: West Auburn Carp Barrier, Victoria

211

212 Ms. Grace Barlow appeared before the Board of Managers to review the permit  
213 application, noting that this is for an MCWD installation of a carp barrier within the Six  
214 Mile Creek Subwatershed. She noted that the project meets the requirements of the  
215 erosion control, floodplain alteration, and shoreline and streambank stabilization rules,  
216 but does not meet one requirement of the waterbody crossings and structures rule, section  
217 3 - d concerning wildlife passage. Accordingly, the application seeks the granting of an  
218 exception. Ms. Barlow provided an overview of the project to address the invasive carp  
219 problem in the Six Mile Creek Halsted Bay Subwatershed, and explained the purpose to  
220 block carp and facilitate their removal, but the design of the barrier will allow smaller  
221 native fish species to pass. District staff will also regularly inspect the barrier and seek to  
222 minimize on other wildlife.

223

224 ***It was moved by Manager Miller, seconded by Manager Olson to grant the exception***  
225 ***under the variance and exception rule based on the analysis set forth in the permit***  
226 ***report.*** Upon a question from Manager Hejmadi, Ms. Anna Brown appeared before the  
227 Board of Managers and explained that staff will be able to raise the barrier manually  
228 during regular weekly inspections to allow native species passage.

229

230 ***Upon roll call vote, the motion to grant the exception as recommended by staff carried,***  
231 ***7-0 as follows:***

232

233 Hejmadi: Aye  
234 Loftus: Aye  
235 Rogness: Aye  
236 Miller: Aye  
237 Olson: Aye  
238 Maxwell: Aye  
239 White: Aye

240

241 ***It was moved by Manager Miller, seconded by Manager Hejmadi to approve the permit***  
242 ***with the conditions recommended by staff.*** Upon a question from Mr. Smith, Ms.  
243 Barlow explained that there is no existing navigation capacity at the site of the proposed  
244 carp barrier, a box culvert at the outlet of West Auburn Lake into Six Mile Creek, which  
245 Mr. Meehan affirmed. Upon a question from Manager Olson, Ms. Brown noted that the  
246 creek at this location has not been known to run dry, but has been observed at very low  
247 flow.

248

249 ***Upon roll call vote, the motion carried, 7-0 as follows:***

250

251 Hejmadi: Aye  
252 Loftus: Aye  
253 Rogness: Aye  
254 Miller: Aye  
255 Olson: Aye  
256 Maxwell: Aye  
257 White: Aye

258

259

260 **ACTION ITEMS**

261

262 **Resolution 21-004: Contract Award for West Auburn Carp Barrier**

263

264 Ms. Brown reviewed the request for board action. She reviewed the quotes obtained and  
265 the recommendation to award the contract to Blackstone with a ten percent contingency

266 for a total budget not to exceed \$37,500. *It was moved by Manager Miller, seconded by*  
267 *Manager Hejmadi to adopt Resolution 21-004 as follows:*

268  
269 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
270 ***Watershed District Board of Managers authorizes the District Administrator, on***  
271 ***advice of counsel, to execute a contract with Blackstone Contractors for***  
272 ***\$34,120.***

273  
274 ***BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District***  
275 ***Board of Managers establishes a not to exceed budget of \$37,500, and***  
276 ***authorizes the District Administrator to issue change orders up to that amount.***

277  
278 *Upon roll call vote, the motion carried, 7-0 as follows:*

279  
280 Hejmadi: Aye  
281 Loftus: Aye  
282 Rogness: Aye  
283 Miller: Aye  
284 Olson: Aye  
285 Maxwell: Aye  
286 White: Aye

287  
288 Resolution 21-005: Winter Commercial Seines in Six Mile Creek Halsted's Bay  
289 Subwatershed

290  
291 Mr. Tom Langer appeared before the board of managers to review the request for board  
292 action. He reviewed past efforts for carp removal at Parley and Zumbra Lakes, and the  
293 proposed contracts for removal this winter at these two lakes. *It was moved by Manager*  
294 *Miller, seconded by Manager Olson to adopt Resolution 21-005 as follows:*

295  
296 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
297 ***Watershed District Board of Managers authorizes the District Administrator, on***  
298 ***advice of counsel, to execute contracts with WSB & Associates to aid in the***  
299 ***removal of common carp in the Six Mile Creek-Halsted Bay Subwatershed***  
300 ***consistent with the Lessard-Sams Outdoor Heritage Council Grant***  
301 ***Accomplishment Plan in an amount not to exceed \$41,515.***

302  
303 Upon a question from Manager Miller, Mr. Langer reviewed overall carp removal  
304 success to date, about 15,000 carp removed, which is about 33% of the total removal  
305 goal. Upon a question from Manager Maxwell, Mr. Langer reviewed the site  
306 reconnaissance process to determine effective removal opportunities. Manager Hejmadi  
307 asked whether the original goals of the Lessard Sams Outdoor Heritage Commission  
308 grant will be met, and Mr. Langer reviewed the key metrics of bringing lakes in the  
309 Subwatershed below the target density of less than 100 pounds of carp per hectare.

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
1-14-21

310

311 ***There being no further discussion, upon roll call vote, the motion carried 7-0 as***  
312 ***follows:***

313

314 Hejmadi: Aye

315 Loftus: Aye

316 Rogness: Aye

317 Miller: Aye

318 Olson: Aye

319 Maxwell: Aye

320 White: Aye

321

322 Election of Board Officers and Appointment of Committee Assignments

323

324 President White invited nominations of board officers. ***It was moved by Manager***  
325 ***Maxwell, seconded by Manager Hejmadi to elect the same slate of officers as served in***  
326 ***2020: President, Sherry White; Vice President, William Olson; Secretary, Kurt***  
327 ***Rogness; and Treasurer, Jessica Loftus.***

328

329 ***Upon roll call vote, the motion carried, 7-0 as follows:***

330

331 Hejmadi: Aye

332 Loftus: Aye

333 Rogness: Aye

334 Miller: Aye

335 Olson: Aye

336 Maxwell: Aye

337 White: Aye

338

339 President White designated managers to continue with the same committee assignments  
340 from the previous year. ***It was moved by Manager Olson, seconded by Manager***  
341 ***Maxwell to confirm these appointments.***

342

343 ***Upon roll call vote, the motion carried, 7-0 as follows:***

344

345 Hejmadi: Aye

346 Loftus: Aye

347 Rogness: Aye

348 Miller: Aye

349 Olson: Aye

350 Maxwell: Aye

351 White: Aye

352

353



354 **STAFF UPDATES**

355

356 **Administrator's Report**

357

358 Mr. Wisker reported on the following items:

359

- 360 1. The process for soliciting letters of interest from developers in the 325 Blake  
361 Road site has begun, and the HDR consultant team facilitated a very impressive  
362 and exciting kickoff meeting; letters of interest are due January 29;
- 363 2. President White, Manager Olson and Mr. Wisker have held meetings with three  
364 Carver County Commissioners to brief them on District matters;
- 365 3. Staff are completing the professional development review process for 2020;
- 366 4. Mr. Wisker is working with Mr. Smith on a scope of services to conduct a  
367 strategic historical review and will be bringing a proposal to the Board of  
368 Managers at the next meeting on January 28;
- 369 5. KSTP has covered the recent aggregation of fish below the Gray's Bay control  
370 structure, which happens most winters, and concern among fishermen and women  
371 for winter kill;
- 372 6. Mr. Wisker will work with President White to prepare for his performance review  
373 at the end of January.

374

375 **Adjournment**

376

377 There being no further business, President White declared the meeting of the Board of  
378 Managers adjourned at 9:02 p.m.

379

380 Respectfully submitted,

381

382

383

384 Kurt Rogness, Secretary

385