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

November 19, 2020

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CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:00 p.m. on November 19, 2020. President White noted that this meeting was convened electronically through WebEx, pursuant to Minnesota Statutes 13D.021, due to the COVID-19 pandemic and her determination that it is not prudent for the Board of Managers, or any committee thereof, to meet in person, and it is not feasible to provide for any member of the Board, or of the public, to meet at the regular meeting location. For this reason, until this determination is withdrawn by the District's presiding officer, chief legal counsel or chief administrative officer, the meetings of the Board and its committees will be convened by telephone or other electronic means as the presiding officer determines appropriate. All such meetings will be noticed and conducted in accordance with §13D.021 and all other applicable terms of the Open Meeting Law. President White noted that, pursuant to §13D.021, all votes will be by roll call.

23 President White called the roll to note attendance:

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25 Hejmadi: Present
26 Loftus: Present
27 Rogness: Present
28 Miller: Present
29 Olson: Present
30 Maxwell: Present
31 White: Present.

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DISTRICT STAFF AND CONSULTANTS PRESENT

35 James Wisker, Administrator; Trevor Born, Outreach Manager; Janna Jonely, Project and Land
36 Management Technician; Chris Meehan, Consulting Engineer; Louis Smith, Counsel.

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MATTERS FROM THE FLOOR

40 None.

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APPROVAL OF AGENDA

44 *It was moved by Manager Maxwell, seconded by Manager Hejmadi to approve the agenda as*
45 *distributed. Upon vote, roll call vote, the motion carried 7-0 as follows:*
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47 Hejmadi: Aye
48 Loftus: Aye
49 Rogness: Aye
50 Miller: Aye
51 Olson: Aye
52 Maxwell: Aye
53 White: Aye

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55 **CONSENT AGENDA**

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57 *It was moved by Manager Miller, seconded by Manager Rogness, to approve the consent*
58 *agenda, consisting of approval of the November 5, 2020 board meeting minutes; the General*
59 *Checking Account consisting of checks 41347 through 41376 in the amount of \$408,128.45;*
60 *electronic funds withdrawals in the amount of \$28,938.38; manager per diems and*
61 *reimbursement direct deposits in the amount of \$4,561.16; employee reimbursements - direct*
62 *deposits in the amount of \$0; and payroll direct deposits in the amount of \$143,891.95; for*
63 *Total General Checking expenses of \$585,519.94; and the surety checking account consisting*
64 *of checks 41377 in the amount of \$13,390.00 and a bank account service charge of \$30.00;*
65 *electronic fund transfer of \$864,134.38 for Hennepin County debt service payments; and the*
66 *following resolutions:*

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68 **Resolution 20-085: Authorization to Release RFP for IT Managed Services**

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70 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
71 *Watershed District Board of Managers authorizes staff to solicit proposals for*
72 *IT managed services;*

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74 **Resolution 20-086: Approval of the Cooperative Agreement for the Church Lake Pond**
75 **Enhancement Project**

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77 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
78 *Watershed District Board of Managers authorizes the District Administrator, on*
79 *advice of counsel, to execute the project agreement for the Church Lake Pond*
80 *Enhancement Project.*

81

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

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84 Hejmadi: Aye
85 Loftus: Aye
86 Rogness: Aye
87 Miller: Aye
88 Olson: Aye
89 Maxwell: Aye
90 White: Aye

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REGULAR AGENDA

Board, Committee and Task Force Reports

President’s Report: President White reported that she and Manager Maxwell attended a very productive meeting of the liaisons for the 325 Blake Road redevelopment project. Manager Maxwell expressed his appreciation for good staff work, and said that he had the sense that it will be possible to move ahead with support for the feasibility determination for the next step in the process.

MAWD Delegates: President White noted that it was time to select delegates to the annual meeting of the Minnesota Association of Watershed Districts. *It was moved by Manager Miller, seconded by Manager Maxwell, that President White and Manager Olson be designated delegates and Manager Hejmadi as alternate. Upon roll call vote, the motion carried, 7-0 as follows:*

- Hejmadi: Aye
- Loftus: Aye
- Rogness: Aye
- Miller: Aye
- Olson: Aye
- Maxwell: Aye
- White: Aye

Upon inquiry from President White, the managers offered no discussion or guidance on the MAWD policy resolutions, leaving the voting to the judgment of the delegates.

Citizens Advisory Committee Report: President White reported that she attended the most recent CAC meeting, which included a very productive initial discussion of strategic issues and opportunities for the District.

Policy and Planning Committee Report: Manager Miller reported that the Policy and Planning Committee meeting had a productive discussion to scope long term strategic planning, and staff will continue to refine this scope based on the Committee discussion.

President White stated that the upcoming schedule of meetings is as noted in the agenda.

Public Hearings & Presentations

Public Comment on 2021 Budget

133 Mr. Wisker appeared before the Board of Managers and noted that although the Board
134 adopted its 2021 budget and levy as required by statute prior to September 15, the Truth
135 in Taxation law provides for an additional public comment opportunity this evening.

136
137 Greenwood City Council Member Tom Fletcher appeared before the Board of Managers
138 and noted correspondence from the City expressing Greenwood's request that the District
139 increase its spending on aquatic invasive species prevention efforts. Council Member
140 Fletcher stated that he hoped this opportunity was not a mere formality and that the Board
141 would seriously consider the City's request. The managers thanked Mr. Fletcher for his
142 comments.

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144 **Action Items**

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146 **Resolution 20-088: Acceptance of Phase I Website Content Strategy**

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148 Mr. Trevor Born appeared before the Board of Managers to review the request for board
149 action. He reviewed the strategic direction for the District's outreach program and key
150 principles for developing the content of the District's updated website. He referred to the
151 content plan, which defines the key content needed to achieve the goals of each section
152 and provides ground rules for design, copy writing and coding. Mr. Born noted that a
153 proposed resolution accepting this content plan will be provided at the next Board
154 meeting. The managers thanked Mr. Born for his presentation.

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156 **Resolution 20-089: Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk**

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158 Ms. Janna Jonely appeared before the Board of Managers to review the request for board
159 action. She reviewed the background of problems with the board walk in terms of
160 degraded decking materials, and the interim maintenance protocol adopted by the Board
161 to guide efficient, practical and economical decking replacements. Additional boards
162 require replacement, and a recent request for quotes from contractors were significantly
163 higher than expected. With impending winter months of snow and ice conditions, staff
164 considered the protocol and is now recommending seasonal closure of the boardwalk for
165 the winter months to address safety and liability considerations while long term solutions
166 are pursued.

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168 ***It was moved by Manager Rogness, seconded by Manager Hejmadi to adopt Resolution***
169 ***20-089: Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk as follows:***

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171 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
172 ***Watershed District Board of Managers authorizes the seasonal closure of the***
173 ***Minnehaha Preserve boardwalk system for the winter of 2020-21, with signage,***
174 ***to limit safety and liability concerns while continuing to explore long term***
175 ***solutions for the repair of the boardwalk facility.***

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177 Upon a question from Manager Miller, Ms. Jonely explained the quotes obtained from six
178 contractors, and Manager Maxwell noted increasing lumber prices. Upon a question
179 from Manager Maxwell, Ms. Jonely stated that the closure would be implemented as
180 soon as the necessary signs are obtained. Upon a question from Manager Olson, Mr.
181 Smith noted the role of signage and warning of hazards. Upon a question from Manager
182 Loftus, Ms. Jonely noted the freeze thaw cycle and the plans for staff to continue to
183 pursue quotes and options to address the decking problem.
184

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

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187 Hejmadi: Aye
188 Loftus: Aye
189 Rogness: Aye
190 Miller: Aye
191 Olson: Aye
192 Maxwell: Aye
193 White: Aye
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196 Administrator's Report

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198 Mr. Wisker reported on the following items:
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- 200 1. The Gray's Bay control structure will be closed within the next two weeks in
201 coordination with Minnetonka public works staff;
- 202 2. The Minneapolis Park and Recreation Board approved the Minnehaha Creek Mater Plan,
203 which will now be forwarded to the Metropolitan Council; staff will follow up on plan
204 implementation next year in coordination with MPRB;
- 205 3. The District received correspondence from the Minnesota Department of Natural
206 resources noting a potential settlement of a claim concerning PFAS (Per- and
207 polyfluoroalkyl substances) contamination in the watershed; DNR is inquiring about
208 eligible restoration projects, and staff will coordinate a response; and
- 209 4. The District is likely to change from its WebEx meeting application and will likely
210 migrate to use of Zoom or Microsoft Teams in the near future.

211
212 Adjournment

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214 There being no further business, the meeting of the Board of Managers adjourned at 7:51 p.m.
215

216 Respectfully submitted,
217

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220 Kurt Rogness, Secretary