

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

January 17, 2008

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order at 6:58 p.m. by President James Calkins at the District office, 18202 Minnetonka Boulevard, Deephaven, Minnesota.

MANAGERS PRESENT

James Calkins, Pamela Blixt, Richard Miller, Lee Keeley, Jeffrey Casale, Mike Klingelhutz, Brian Shekleton.

MANAGERS ABSENT

None.

OTHERS PRESENT

Eric Evenson, District Administrator; Renae Clark, District Projects Manager; James Wisker, District Permitting Technician; Mark Ten Eyck, District Land Conservation Program Manager; Michael Panzer, District Consulting Engineer; Louis Smith, District Counsel.

CITIZENS COMMENTS

None.

APPROVAL OF AGENDA

Mr. Evenson requested that an extension of the contract with Applied Ecological Services for restoration of the Johnson property be added as Item 10.4 on the agenda; and that a Technology Committee Report be added as Item 7.2 to the agenda. *It was moved by Manager Miller, seconded by Manager Casale to approve the agenda with these changes. Upon vote, the motion carried.*

CONSENT AGENDA

It was moved by Manager Miller, seconded by Manager Blixt to approve the Consent Agenda as distributed. Upon vote, the motion carried.

BOARD COMMITTEE REPORTS

Building Committee Report

Manager Miller reported that a proposal had been received for strategic real estate planning from CB Richard Ellis, and the Committee recommended selection of this firm with the understanding that the scope of services be amended to insure that the needs analysis includes lease options for the District. ***It was moved the Manager Miller, seconded by Manager Blixt to approve this action as recommended by the committee. Upon vote, the motion carried.***

Technology Committee Report

Manager Shekleton reported that the Committee has been reviewing the District's technology needs, and anticipates a report later this year on new equipment needs for the District.

BOARD ACTION ITEMS

Big Island Wetland Restoration Project

Mr. Evenson and Ms Clark referred to a Request for Board Action and Resolution 08-005 which would approve an amendment to the scope of the Big Island Wetland Restoration Project to allow for additional riprap installation. ***It was moved by Manager Casale, seconded by Manager Miller to approve the request and draft resolution as presented.***

The managers discussed the need to stabilize the cliffs and shoreline on Big Island, and the fact that the scope of the restoration project is beyond simply wetlands and so the project should be designated the "Big Island Restoration Project." The managers discussed the merits of the natural appearance of field stone and the angular stability of quarry granite, chronic erosion conditions at the site, options for vegetative bioengineering solutions at some parts of the shoreline, the status of the project scope in relation to the ordered project, and comparative cost considerations. ***Following discussion, Manager Casale withdrew his motion with the Board's unanimous consent. It was moved by Manager Casale, seconded by Manager Keeley to authorize the engineer to design a hybrid shoreline improvement at Big Island that would combine the structural stability of the query granite, and the aesthetic preference for field stone, and to direct the Administrator to facilitate a bidding process that would accommodate the engineer's recommendations for the best project to pursue these objectives.***

Manager Klingelhutz stated that he was uncomfortable proceeding in this manner until there was a comprehensive conservation and restoration plan for Big Island. Following

discussion, *upon vote, the motion carried by a vote of 6-1, with Manager Klingelhutz voting against the motion.*

It was moved by Manager Casale, seconded by Manager Shekleton to direct the Administrator to initiate a comprehensive conservation plan within the Minnehaha Creek Watershed District easement area over Big Island. Upon vote, the motion carried.

Rolling Hills Drive Property Restoration

Ms. Clark reviewed the Request for Board Action to award the construction contract and authorize execution of the option agreement, or to reject all bids, for wetland and upland restoration of the District's property at 301 Rolling Hills Drive in Minnetrista (Johnson property). *It was moved by Manager Klingelhutz, seconded by Manager Shekleton to approve the Action requested by staff and Resolution 08-007. Upon vote, the motion carried.*

Underdahl Conservation Easement in Painter Creek Subwatershed

Mr. Mark Ten Eyck reviewed the Request for Board Action and Resolution 08-006 to authorize the District to acquire approximately 7.5 acres in a conservation easement on the Underdahl property along Painter Creek in the City of Minnetrista. *It was moved by Manager Miller, seconded by Manager Shekleton, to approve the Action requested by staff and Resolution 08-006.* Manager Casale suggested that the District should require an abstract and title update as a condition to the transaction. Manager Shekleton asked whether the continued use of the trails on the property would be authorized under the conservation easement. Mr. Ten Eyck stated that all terrain vehicle (ATV) use would be compatible with the grass trails and restored prairie within the easement. Manager Casale asked whether the District could require extinguishing the allowance of ATV use within the conservation easement upon the Underdahl's sale of the parcel. Mr. Ten Eyck said that he could not promise that the Underdahls would agree to this condition, but would raise the issue with them. *Following discussion, upon vote, the motion carried.*

BOARD DISCUSSION ITEMS

Operations and Maintenance Report

Ms. Clark and Mr. Peter MacDonagh presented an annual report on Operations and Maintenance of District facilities.

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Permitting and Enforcement Report

Mr. James Wisker and Mr. Nathan Kale presented an annual report reviewing permitting and enforcement activity and the District's development of a database to facilitate this work.

Administrator's Report

Mr. Evenson reviewed his Administrator's Report. Manager Miller inquired whether legal counsel could evaluate liability issues connected to the old sanitary sewer discharges within the watershed. Mr. Evenson stated that he would direct counsel to do so.

ADJOURNMENT

There being no further business, the regular meeting of the Minnehaha Creek Watershed District Board of Managers was adjourned at 10:40 p.m.

Respectfully submitted,

Lee Keeley, Secretary