

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

June 7, 2007

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by Manager Richard Miller at 6:52 p.m. at the District offices, 18202 Minnetonka Boulevard, Deephaven, Minnesota.

MANAGERS PRESENT

Richard Miller, Lee Keeley, Jeffrey Casale, Brian Shekleton, Mike Klingelhutz.

MANAGERS ABSENT

James Calkins and Pamela Blixt.

OTHERS PRESENT:

Eric Evenson, District Administrator; Renae Clark, District Project Manager; Michael Panzer, District Consulting Engineer; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

Mr. Evenson requested that the Legislative Report from Mr. Joel Carlson be added to the agenda as Item 12.2. *It was moved by Manager Shekleton, seconded by Manager Klingelhutz to approve the agenda with this change. Upon vote, the motion carried.*

Audit Committee Report

Mr. Evenson introduced Mr. Mark Gibbs who presented the 2006 audit. Mr. Gibbs noted that the audit produced a clean opinion of the District's Financial Statement. He noted several findings concerning the District's budgeting and financial process, but offered his conclusion that the District practices are sound. The Managers thanked Mr. Gibbs for his report. The Managers directed the staff to prepare resolutions to accept the audit at an upcoming meeting.

Stubbs Bay Water Quality Improvement Project

Ms. Clark referred to the Request for Board Action and Resolution 07-039 authorizing the District Administrator to execute a contract with Wenck Associates not to exceed \$45,000 for services related to the design, construction oversight, and record drawings for the Swan Lake excavation project. ***It was moved by Manager Casale, seconded by Manager Shekleton to approve this Resolution. Upon vote, the motion carried.***

Ms. Clark then referred to the second part of the Stubbs Bay project, specifically the Classen Lake Creek Management project, and Resolution 07-040 authorizing the District Administrator to execute a contract with HDR Engineering not to exceed \$13,641 for services related to preliminary project investigation and design for Classen Creek. Manager Keeley arrived at this point in the meeting (7:16 p.m.). Manager Miller inquired whether there are any conservation easements needed in this area as part of the project. Mr. Evenson noted that this has not been discussed to date. Manager Miller suggested that the District remain open to such land conservation opportunities. ***It was moved by Manager Keeley, seconded by Manager Klingelhutz to approve Resolution 07-040 as presented. Upon vote, the motion carried.***

Mooney Lake Emergency Pumping Outlet

Mr. Clark presented a proposed Cooperative Agreement with the City of Plymouth and Resolution number 07-041 authorizing execution of this agreement on advice of District Counsel after the Board of Managers has ordered the project. ***Follow discussion, it was moved by Manager Keeley, seconded by Manager Casale to approve the Resolution as presented.*** Manager Klingelhutz stated that he was concerned with recent approvals for activities altering wetlands within the City of Plymouth that would seem to aggravate such flooding problems. ***Upon on vote, the motion carried by a vote of 4-1, with Manager Klingelhutz voting against the motion.***

Ms. Clark stated that there is no report to offer on the Waldera Property acquisition.

Rulemaking Task Force Update

Mr. James Wisker provided a summary of the meeting of May 24 of the Rulemaking Task Force. The Managers discussed the recommendations from the Task Force concerning erosion control, and also the beneficial role of trees and other vegetation in preventing erosion. The Managers thanked Mr. Wisker for his report.

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Legislative Report

Mr. Joel Carson appeared before the Board of Managers and reported on the 2007 Legislative Session as it concerned watershed districts and water resource protection. He noted that the Legislature granted administrative penalty order authority for the Board of Water and Soil Resources, as well as legislation to provide for greater accountability and oversight in watershed management. He noted that some discussions were initiated with the Metropolitan Council concerning the land conservation initiatives of the District, but no action was taken at the Legislature in 2007. The District was also involved in developing legislation for basin oversight of watershed management, and this also is an issue for a future legislative session.

The Managers thanked Mr. Carlson for his report.

ADJOURNMENT

There being no further business, the regular meeting of the Minnehaha Creek Watershed District Board of Managers was adjourned at 9:02 p.m.

Respectfully submitted,

Lee Keeley, Secretary