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

June 8, 2017

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CALL TO ORDER

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The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 6:49 p.m. on June 8, 2017, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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MANAGERS PRESENT

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Sherry White, Brian Shekleton, Richard Miller, William Olson, Kurt Rogness, William Becker and Jessica Loftus.

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MANAGERS ABSENT

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None.

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DISTRICT STAFF AND CONSULTANTS PRESENT

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Lars Erdahl, Administrator; James Wisker, Planning and Projects Director; Katherine Sylvia, Permitting Program Lead; Rachel Workin, Permitting Technician; Renae Clark, Planner-Project Manager; Telly Mamayek, Communications and Education Director; Louis Smith, Counsel.

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MATTERS FROM THE FLOOR

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Mr. David Oltmans appeared before the Board of Managers on behalf of the Friends of Diamond Lake. He presented a certificate of appreciation to the Board of Managers, thanking the District for its support of the Association and its work. The managers thanked Mr. Oltmans for his presentation.

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Mr. Jim Grotz from Edina appeared before the Board of Managers to express his concerns about the proposed Minnehaha Creek Restoration near Arden Park. He provided information about the flood way and FEMA insurance, the steep grade of creek banks, and concerned with the documented presents of endangered species in the area. Mr. Grotz expressed his concern but these factors could drive the cost of the project beyond the budget, and he requested that members of the Board of Managers and staff walk on the west side of the creek to view conditions first hand. The managers thanked Mr. Grotz for his presentation.

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APPROVAL OF THE AGENDA

It was moved by Manager Rogness, seconded by Manager Shekleton, to approve the agenda with the following changes: The minutes of May 25, 2017 be pulled from Consent and placed as Action Item 11.3 on the agenda; managers Miller and Olson requested that a concern expressed by Manager Shekleton about the personnel planning process at the earlier Policy and Planning Committee meeting be added as Item 12.2 to the agenda. Upon vote, the motion carried.

REGULAR AGENDA

Board, Committee, and Task Force Reports

President’s Report:

President White expressed her appreciation to the staff for an excellent tour of the watershed on June 1. She also noted that she attended a bird walk along with Manager Becker at Carver Park on June 3. She noted the upcoming meeting schedule noted on the agenda.

Policy and Planning Committee:

Manager Miller reported that the Committee received a preview of the draft Comprehensive Plan, which will be presented to the Board on June 22; he noted that the Committee also had a discussion of the 2018 budget development.

PUBLIC HEARINGS AND PRESENTATIONS

Public Hearing on the Annual Report to the Minnesota Pollution Control Agency

President White opened the public hearing. Ms. Rachel Workin appeared before the Board of Managers and described the draft annual report to the Pollution Control Agency. She explained that the District is obligated to prepare this report as municipal separate storm sewer system, based on the public draining systems for which it is responsible. Ms. Workin noted that there were no major changes from the 2016 report, and that no comments had been received. President White confirmed that there was no one present wishing to offer comments on this matter, and she closed the public hearing. *It was moved by Manager Miller, seconded by Manager Shekleton, to adopt Resolution 17-040, authorization to release the Annual Report to the Minnesota Pollution Control Agency. Upon vote, the motion carried 7-0.*

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92 Permits Requiring a Variance or Discussion

93

94 Permit 17-109: CenterPoint Gas Line Replacement (Oxford Street and Spruce Road,
95 Hopkins an Edina)

96

97 Ms. Rachel Workin and Ms. Renae Clark appeared before the Board of Managers. They
98 explained that this permit application also relates to the next action item on the agenda,
99 Resolution 17-041, approval of an easement allowing CenterPoint Energy to install,
100 operate and maintain a natural gas line on District property at 415 and 427 Blake Road
101 North. Ms. Workin stated that she would explain the permit application, and Ms. Clark
102 would present the proposed easement. Ms. Workin noted that this project had previously
103 been reviewed at the Policy and Planning Committee meeting on March 23rd. She noted
104 that the permit application involved the crossing of a waterbody as well as erosion
105 control.

106

107 Manager Miller inquired about the decision of CenterPoint to cross the creek at this
108 location, noting that the District had only recently acquired this site and demolished
109 buildings for the purpose of creating a park and water resource improvements. Ms.
110 Workin explained that a series of alternative sites had been considered and that one other
111 consideration was the bridge over the creek at Blake Road is going to be replaced in the
112 future. Ms. Workin also noted the alternatives considerations and constraints at this site
113 and that the applicant had submitted a plan that meets the intent of the District's rules and
114 addresses site constraints that are beyond their control; accordingly, the staff recommends
115 approval of a variance. She also reviewed the requirement for vegetation restoration at
116 this site.

117

118 Ms. Clark reviewed the proposed easement location in the area of temporary disturbance
119 as well as the permanent easement for ongoing potential access to the pipeline. She noted
120 that the District will restore the site pursuant to its vegetation restoration plans at the cost
121 of CenterPoint, and that no compensation had been requested from CenterPoint for this
122 easement, given that the conservation value will be preserved. **Following discussion, it**
123 **was moved by Manager Rogness, seconded by Manager Miller, to grant the variance**
124 **and approve Permit 17-109 based on the findings and conditions recommended by**
125 **staff.**

126

127 Upon request from Manager Miller, Mr. Mark Mason appeared before the Board of
128 Managers on behalf of CenterPoint to explain more detail about the alternatives analysis
129 and various considerations in locating the easement and the crossing of the creek. **There**
130 **being no further discussion, upon vote, the motion carried 7-0.**

131

132

133 *It was moved by Manager Becker, seconded by manager Miller to adopt Resolution 17-*
134 *041 as follows:*

135

136 ***NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of***
137 ***Managers hereby authorizes the District administrator to execute the***
138 ***proposed easement over MCWD properties located at PID 19-117- 21-***
139 ***11-0079 (415 Blake Road N., Hopkins) and PID 19-117-21-11-0081 (427***
140 ***Blake Road N. Hopkins), with further non-substantive changes and on***
141 ***advice of counsel.***

142

143 *Upon vote, the motion carried 7-0.*

144

145 Manager Olson asked how the gas pipeline would be monumental on the property. Ms.
146 Clark noted that the monuments will follow specific regulatory requirements, and Mr.
147 Mason agreed but noted that the precise locations are yet to be determined.

148

149 Ms. Workin noted that she will be leaving her employment with the District to become an
150 Environmental Planner with the City of Fridley. She thanked the Board of Managers for
151 the opportunity to work with the District. Ms. Katherina Sylvia appeared before the
152 Board of Managers on behalf of the Regulatory Department to thank Ms. Workin for
153 service.

154

155 Resolution 17-042: Watershed Heroes Restructuring

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157 Ms. Telly Mamayek appeared before the Board of Managers and reviewed the request for
158 board action. She traced the history of the Watershed Heroes Awards and noted several
159 factors which the staff believed commended some changes to the awards program. She
160 outlined a new approach in which the major awards event would occur every five years,
161 with other awards granted during the interim in various community settings as
162 appropriate. *Following discussion, it was moved by Manager Miller, seconded by*
163 *Manager Olson, to adopt Resolution 17-042 as follows:*

164

165 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
166 ***Watershed District Board of Managers hereby approves the***
167 ***restructuring of the Watershed Heroes Awards that includes hosting a***
168 ***formal ceremony once every five years starting in 2017, distributing***
169 ***awards to worthy recipients during the intervening years with***
170 ***presentations in the community or at MCWD Board of Managers***
171 ***meetings and issues awards in the following categories: Partnership,***
172 ***Innovation, Excellence, Sound Science, Service, Youth Naturalist,***
173 ***Cynthia Krieg Lifetime Stewardship.***

174

175 ***BE IT FUTHER RESOLVED that the District Administrator is***
176 ***authorized to direct staff to proceed with the restructured Watershed***
177 ***Heroes awards, the first of which will be presented at the Sunset***
178 ***Celebration at St. Mary's Greek Orthodox Church in Minneapolis, MN***
179 ***on November 2, 2017.***
180

181 Manager Loftus stated that she felt that the community settings could be the most
182 appropriate place to recognize the work of award recipients. ***Upon vote, the motion***
183 ***carried, 7-0.***
184

185 Approval of Minutes of May 25, 2017
186

187 ***It was moved by Manager Miller, seconded by Manager Becker, to approve the minutes***
188 ***of May 25, 2017 as distributed. Manager Becker requested that the minutes be revised***
189 ***on page 4 at line 152-153 as follows:***
190

191 Miller, Manager Becker stated that he voted against the motion on the principle of ~~his~~
192 ~~having been not paying for property when the MCWD was not involved in~~ ~~on~~ the
193 negotiations with TRPD the seller. ***It was moved by Manager Becker, seconded by***
194 ***Manager Miller to amend the minutes as requested by Manager Becker. Upon vote, the***
195 ***motion on the amendment carried, 7-0. Upon vote the motion to approve the minutes as***
196 ***amended carried, 7-0.***
197

198 Minnesota Association of Watershed Districts Special Meeting
199

200 President White noted the upcoming special meeting of the Minnesota Association of
201 Watershed Districts later this month. She noted additional information had been received
202 about the proposed budget and dues structure and invited Board discussion in order to
203 inform the delegates. President White noted that one of the alternatives under
204 consideration would increase the dues to metro watershed districts to the amount of
205 \$12,500. Manager Miller stated that he felt this was too much of an increase, and that the
206 proposed organization plan was not cost-effective, due to much duplication between an
207 administrator and a lobbyist. Manager Loftus noted that the proposal would double the
208 budget expenses, but triple the contribution from the District. Manager Shekleton stated
209 that he agreed with these concerns. President White stated that she felt that the
210 organization was important in the interest of watershed districts and there is a strong
211 power of association. Manager Olson stated that he felt it would be important to try to get
212 more value for the money invested in the organization. Manager Loftus stated that she
213 was strongly against tripling the contribution. President White thanked the managers for
214 this input to the delegates.
215

216

217 Human Resources Strategic Planning

218

219 Manager Shekleton stated that he had raised this issue earlier in the evening at the Policy
220 and Planning Committee meeting, but felt that it is important to see action on merging the
221 functions of the Research and Monitoring Department within the Planning and Projects
222 department. He stated that the Board had previously discussed this direction, and felt that
223 it was now important that this issue be addressed clearly in preparation for the upcoming
224 budget.

225

226 *It was moved by Manager Shekleton, seconded by Manager Miller to direct that the*
227 *Research and Monitoring Department be merged into the Planning and Projects*
228 *Department for the purpose of planning the 2018 budget, assumptions, and cost*
229 *savings.*

230

231 Manager Shekleton stated that he would rather not have this issue directed by the Board,
232 but he was concerned that it needed to be addressed soon. Manager Olson stated that he
233 had recalled this issue being discussed in a past workshop. Manager Shekleton stated that
234 the key focus is on breaking silos and aligning the resource and monitoring activities to
235 fit with planning and projects. Mr. Erdahl stated that he agreed that a functional focus on
236 diagnostics for projects is well connected, but that there are other activities in the
237 research and monitoring department that are less connected, such as ongoing anchor
238 monitoring, and the e-grade program. Manager Miller stated that he felt that it was
239 important to focus more on mission, rather than department organization. Mr. Erdahl
240 stated that his intention with his remarks was to focus on the various functions within the
241 organization.

242

243 President White stated that she was not comfortable moving forward with this measure
244 today, but rather would like to see further work on reorganization of the structure. She
245 stated that focusing on new priorities cannot happen without addressing these issues, but
246 that it may be appropriate to wait for the consultant's report in order for these issues to be
247 addressed more fully. *It was moved by Manager Becker, seconded by Manager Miller to*
248 *table the motion. Upon vote, the motion carried 7-0.*

249

250 Mr. Erdahl stated that he is waiting on a report from the consultant, but that an earlier
251 draft had been inadequate and he had provided further direction. He stated that it was
252 important to incorporate these steps into the upcoming budget process, and he hoped that
253 the consultant's report would enable the Board of Managers to see the whole picture.
254 Manager Miller stated that the strategic direction from the Board has been expressed
255 earlier this year, and he is very concerned that we should not miss the opportunity to
256 make the necessary changes in order to keep the District moving in strategic alignment.

257

258

259 Manager Becker stated that he felt the upcoming budget process was an important setting
260 in which to make these changes. He stated that he will ultimately support the proposed
261 motion, but felt that Mr. Erdahl and the consultant should bring forward
262 recommendations in order for these steps to occur with the smoothest possible
263 implementation. Manager Loftus stated that she felt that the Administrator should bring
264 these recommendations later this month, and that the Board should provide a firm
265 deadline.

266

267 *After further discussion, it was moved by Manager Shekleton, seconded by Manager*
268 *Miller, to remove the motion from the table and bring it back to the Board for*
269 *consideration. Upon vote, the motion carried, 7-0.*

270

271 *It was moved by Manager Shekleton, seconded by Manager Miller that the Research*
272 *and Monitoring Department be merged into the Planning and Projects Department for*
273 *purposes of the 2018 budget process, and that the Administrator provide*
274 *recommendations for implementing this directive at the June 22 meeting of the Board*
275 *of Managers.*

276

277 Manager Loftus stated that she is reluctant to direct a particular staffing organization
278 outcome, but would be comfortable if it was included as an option along with other
279 possible alternatives. She further stated that if there is no report forthcoming from the
280 consultant, then it would be important for the Administrator nevertheless to bring
281 implementation concepts to the managers. Managers Shekleton and Miller expressed
282 their support for these measures. *It was moved by Manager Loftus, seconded by*
283 *Manager Miller to amend the motion so as to provide as follows: direct that at the June*
284 *22 Board meeting, the Administrator bring conclusions and recommendations for the*
285 *Human Resources Strategic Plan; if there is no report from the consultant, at least*
286 *implementation concepts and recommendations from the Administrator, which shall*
287 *include as one option that the Research and Monitoring Department be merged into*
288 *the Planning and Projects Department for preparing the 2018 budget. Upon vote,*
289 *amendment was adopted, 6-1, with President White voting against the motion. Upon*
290 *vote, the motion as amended carried 6-1, with President White voting against the*
291 *motion.*

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293 STAFF UPDATES

294

295 Administrator's Report

296

297 Mr. Erdahl reported on the following items:

298

- 299 1. The June 1 tour of the watershed was a great success, and Mr. Erdahl thanked the
300 staff, including Tiffany Schaufler for hard work in preparing the tour;

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- 301 2. Mr. Erdahl thanked James Wisker, Telly Mamayek, and Manager Miller for hard
302 work on community discussions about the Arden Park project; and
303 3. A new map and guide to Lake Minnetonka is ready for distribution.
304

305 **ADJOURNMENT**
306

307 There being no further business, the regular meeting of the Minnehaha Creek Watershed
308 District Board of Managers was adjourned at 8:22 p.m.
309

310 Respectfully submitted,
311

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314 Kurt Rogness, Secretary
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DRAFT