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

January 23, 2020

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:08 p.m. on January 23, 2020, at the District offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Richard Miller, Kurt Rogness, Jessica Loftus, Eugene Maxwell and Arun Hejmadi.

MANAGERS ABSENT

None.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Kailey Cermak, Research and Monitoring Coordinator; Tom Dietrich, Permitting Program Manager; Tiffany Schaufler, Project and Land Manager; Chris Meehan, Consulting Engineer; Louis Smith, Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Rogness, seconded by Manager Hejmadi to approve the agenda as distributed. Upon vote, the motion carried, 7-0.

CORRESPONDENCE

President White noted correspondence from the Minnesota Board of Soil and Water Resources congratulating Ms. Becky Christopher on her nomination for watershed district employee of the
year. President White also acknowledged a letter from former Citizens Advisory Committee member Sliv Carlson expressing gratitude for her eight years of service on the CAC.

CONSENT AGENDA

It was moved by Manager Loftus, seconded by Manager Maxwell, to approve the consent agenda, consisting of approval of the January 9, 2020 board meeting minutes, and approval of the Check Register consisting of checks 41001 through 41038 for a total of $308,513.32; payroll direct deposits totaling $147,833.04; electronic fund withdrawals—general checking totaling $41,299.70; for total expenses of $497,646.06; surety checks 1600 through 1603 and 159 in the amount of $16,843.26; and wire transfers of $147,077.50 for City of Richfield obligation, and $2,939,866.10 for final transfer of general fund balance to Bremer Bank.

Upon vote, the motion carried, 7-0.

REGULAR AGENDA

Board, Committee and Task Force Reports

President’s Report: President White reported that she, Mr. Wisker, and the committee chairs have reviewed agendas and work plans for 2020. She noted that Managers Hejmadi and Olson would report on the recent meeting of the Metropolitan Chapter of the Minnesota Association of Watershed Districts. President White noted that she and Mr. Wisker recently met with Hennepin County Commissioner Fernando and they reviewed Grays Bay dam operations. President White noted the value of board member involvement in the planning of the upcoming summer tour of the Minnesota Association of Watershed Districts which will be hosted by the District. She requested that the Board confirm her nomination of Managers Maxwell, Rogness and herself as board liaisons to the summer tour planning. It was moved by Manager Olson, seconded by Manager Miller to confirm these appointments. Upon vote, the motion carried, 7-0.

Policy and Planning Committee Report: Manager Miller reported that the Policy and Planning Committee meeting focused on a review of the outreach strategy to implement the District’s strategic direction. He expressed his appreciation for the advice and contributions to this effort from the Citizens Advisory Committee. Manager Miller noted that the Committee did not complete its agenda and requested that it be continued at an appropriate break in the board meeting.

Citizens Advisory Committee Report: Manager Olson reported that the CAC has two new members, and the recent meeting focused on providing input and advice on the strategic communications plan. He noted also that the CAC discussed that there are now 105 Master Water Stewards, which represents important expertise and a resource to the District. The CAC expressed concurrence on the need for strategic discipline in implementing the strategic communications and outreach plan.
Metro MAWD: Manager Hejmadi reported on the recent meeting of the Metropolitan
Chapter of the Minnesota Association of Watershed Districts. The meeting included
presentations by the Minnesota Pollution Control Agency on watershed partnerships; and
from the Board of Soil and Water Resources on clean water funding allocation. Emily
Javens reviewed the MAWD legislative agenda, and there were additional state agency
updates and a report from the Association of Watershed Administrators.

President White noted the upcoming schedule of meetings as presented in the agenda.

**Action Items**

**Resolution 20-007: Approval to Purchase Real-time Sensor Network Equipment**

Ms. Kailey Cermak appeared before the Board of Managers to review the request for
board action. She reviewed the District’s development of its monitoring capacity since
the 2014 flood. She traced the formation of the Grays Bay Dam agency partnership, and
related partnerships with the National Weather Service, Hennepin County, and the U. S.
Geological Survey. She explained the value of creating a flow sensor network, and the
increased accuracy in having continuous data, as compared to merely sampling of
discrete events. In response to a question from Manager Maxwell, Ms. Cermak
confirmed that the District can add to the capacity of this network in the future. Upon a
question from Manager Hejmadi, Ms. Cermak explained the efficiencies gained in the
field for staff. *It was moved by Manager Miller, seconded by Manager Olson, to adopt
Resolution 20-007: Approval to Purchase Real-time Sensor Network Equipment as
follows:*

`NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed
District Board of Managers: approves the purchase of the real-time sensor network
equipment from In-situ Inc., OTT Hydromet, and Tech Sales Co. in a total amount not
to exceed $115,000.`

Upon a question from Manager Miller, Mr. Meehan reviewed how a more complex data
set from the remote sensing network would impact analysis of Grays Bay Dam
operations. Mr. Wisker explained that the sensors will not change dam operations, which
are based on a ten-year permitting process, but rather will assist in maximizing storage
and resilience through real time measurement and prediction capability within the current
operating permit. Manager Olson stated that he was impressed with this complex process
that reflected the value of good communication with partners, and he felt that the
proposal reflected a conservative expenditure to build a very robust and valuable system.

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

**Resolution 20-006: Approval of Purchase of Permitting Software**
Mr. Tom Dietrich appeared before the Board of Managers to review the request for board action. He traced the development of the District’s information technology plan from the District’s strategic vision, and the GIS foundational platform for these developments. He noted the effort to build a system that supported the permitting program’s focus on early coordination and forging of partnerships. He reviewed the District’s needs for permitting software and criteria for evaluating and selecting vendors. It was moved by Manager Miller, seconded by Manager Olson, to adopt Resolution 20-006: Approval of Purchase of Permitting Software as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the purchase of software and maintenance agreements with ElementsXS by Novotx for a permitting system for an amount not to exceed $58,500.

BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District Board of Manager hereby approves the purchase of software and maintenance agreements for Bluebeam, electronic plan review software for an amount not to exceed $2,900.

Following further discussion, Mr. Smith recommended amending the resolution to read as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the purchase of, and authorizes the Administrator, with advice of counsel, to execute, software and maintenance agreements with ElementsXS by Novotx for a permitting system for an amount not to exceed $58,500.

BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District Board of Manager hereby approves the purchase of, and authorizes the Administrator, with advice of counsel, to execute, software and maintenance agreements for Bluebeam, electronic plan review software for an amount not to exceed $2,900.

It was moved by Manager Miller, seconded by Manager Olson, to amend the Resolution as recommended by Mr. Smith. Upon vote, the motion carried, 7-0. Upon vote, the motion to adopt the Resolution as amended carried, 7-0.

Board of Managers Committee Assignments

President White proposed the same committee assignments as 2019, as follows:

Policy and Planning Committee: Miller (Chair), Rogness, Maxwell;
Operations and Programs Committee: Loftus (Chair), Hejmadi, Olson.
It was moved by Manager Maxwell, seconded by Manager Rogness, to confirm these committee assignments. Upon vote, the motion carried, 7-0.

Recess to Continued Policy and Planning Committee Meeting

At this point in the meeting (8:13 p.m.), President White recessed the meeting of the Board of Managers to continue the meeting of the Policy and Planning Committee.

Minnehaha Creek Subwatershed Update

Ms. Tiffany Schaufler provided an update on subwatershed conditions and offered a preview of the District’s upcoming work on climate resilience.

Legislative Update

Mr. Joel Carlson provided a preview of the upcoming legislative session and reviewed the grant application and consideration process of the Legislative Citizens Commission on Minnesota Resources.

Continued Meeting of Board of Managers

President White resumed the meeting of the Board of Managers at 9:13 p.m. She suggested turning to the Administrator’s Report prior to the performance evaluation.

Administrator’s Report

Mr. Wisker reported on the following items:

1. The District received a clean water grant of $295,000 from the Board of Soil and Water Resources for the Wasserman alum treatment project;

2. Counsel has reported that Minnesota Ice did not file its action concerning ice storage issues at 325 Blake Road, and the matter is deemed dismissed with prejudice.

Closed Session: Administrator’s Annual Performance Evaluation

It was moved by Manager Loftus, seconded by Manager Maxwell, that the Board of Managers go into closed session for the purpose of evaluating the performance of the Administrator. Upon vote, the motion carried, 7-0.

Whereupon, the Board of Managers went into closed session at 9:18 p.m.

The Board of Managers returned to open session at 10:42 p.m.
Adjournment

There being no further business, the meeting of the Board of Managers adjourned at 10:42 p.m.

Respectfully submitted,

Kurt Rogness, Secretary