



47  
48 Hejmadi: Aye  
49 Loftus: Absent  
50 Sando: Aye  
51 Miller: Aye  
52 Olson: Absent  
53 Maxwell: Aye  
54 White: Aye

55  
56 **CONSENT AGENDA**

57  
58 *It was moved by Manager Miller, seconded by Manager Sando, to approve the Consent*  
59 *Agenda consisting of approval of the October 7, 2021 Board minutes; the General*  
60 *Checking Account consisting of checks 41690 through 41721 in the amount of*  
61 *\$411,981.01; electronic funds withdrawals in the amount of \$36,772.66; manager per*  
62 *diems and reimbursement direct deposits in the amount of \$2,000.00; employee*  
63 *reimbursements - direct deposits in the amount of \$205.55; and payroll direct deposits*  
64 *in the amount of \$139,124.88; for Total General Checking expenses of \$590,084.10;*  
65 *the surety checking account bank service charge totaling \$30.00, and checks 2100*  
66 *through 2122 for a total of \$115,050.00; and electronic fund transfer of \$52,461.58 to*  
67 *Bremer Bank for Office Building refinance; and adoption of the following resolutions:*

68  
69 *Resolution 21-066: Authorization to Release Request for Proposals for Engineering*  
70 *Services:*

71  
72 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
73 *Watershed District Board of Managers authorizes staff to*  
74 *post the Request for Proposals for Engineering Services Consultant and to*  
75 *forward the requests to firms in the metro area;*

76  
77 *Resolution 21-067: Authorization to Release Request for Proposals for Government*  
78 *Relations Services*

79  
80 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
81 *Watershed District Board of Managers authorizes staff to post the Request for*  
82 *Proposals for Government Relations Consultant and to forward the requests to*  
83 *firms in the metro area; and*

84  
85 *Resolution 21-068: Ratifying Assent to Land Registration for 34500 France Avenue,*  
86 *Edina*

87  
88 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
89 *Watershed District Board of Managers affirm that at all relevant times, the*

90 *District Administrator has had authority to sign the indicated assent to*  
91 *registration, and the Board hereby ratifies Administrator Wisker's signature*  
92 *placed on February 20, 2020.*  
93

94 *Upon roll call vote, the motion carried 6-0 as follows:*

95  
96 Hejmadi: Aye  
97 Loftus: Absent  
98 Sando: Aye  
99 Miller: Aye  
100 Olson: Aye  
101 Maxwell: Aye  
102 White: Aye  
103  
104

105 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

106  
107 Policy and Planning Committee: Manager Miller reported that the committee received an  
108 update and discussed the scoping and budgeting process for the second phase of design  
109 for the 325 Blake Road Restoration and Redevelopment project. He noted that the  
110 committee was supportive of the Developed Schematic Design option.  
111

112 Metro Chapter of the Minnesota Association of Watershed Districts: Manager Hejmadi  
113 reported that Managers White, Olson and Hejmadi attended the recent Metro MAWD  
114 meeting. Emily Javens presented on the updated BWSR policy in allocating watershed-  
115 based funding, noting that not all of MAWD's recommendations had been accepted by  
116 BWSR. The MAWD annual conference will be virtual this year, and will include  
117 informative programs about assessing the content of stormwater contaminants and  
118 downscaling climate data.  
119

120 Upcoming Meeting and Event Schedule: President White directed the managers to the  
121 meetings listed on the agenda.  
122

123 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

124  
125 Permit 21-445: Park Lane Sanitary Sewer Replacement, Minneapolis  
126

127 Mr. Cole Thompson appeared before the Board of Managers to review the permit  
128 application, noting that the City of Minneapolis requested a variance from the 3 foot  
129 minimum clearance requirement of the Waterbody Crossings & Structures rule. He  
130 explained that the project is to replace an existing sewer pipe under the bed of the  
131 Kenilworth Channel, and the city is requesting a variance because the existing pipe is  
132 located 8 inches below the bed of the channel. The applicant proposes to place 8 inches

133 of course aggregate at this location. Mr. Thompson reviewed the variance criteria, the  
134 site conditions, and alternatives, noting that staff finds there is adequate technical basis  
135 and justification to grant the variance as detailed in the permit report.

136  
137 ***Following discussion, it was moved by Manager Maxwell, seconded by Manager***  
138 ***Hejmadi to grant the variance based on the findings and recommendations in the***  
139 ***permit report.*** Manager Olson asked about the likelihood that the channel would be dry  
140 and the aggregate exposed. Mr. Thompson noted that with the current severe drought  
141 conditions this year, the channel still has standing water. Upon a question from Manager  
142 Maxwell, Mr. Thompson noted that the work is contemplated to occur soon and be  
143 completed before the end of November.

144  
145 ***Upon roll call vote, the motion to approve the variance carried 6-0 as follows:***

146  
147 Hejmadi: Aye  
148 Loftus: Absent  
149 Sando: Aye  
150 Miller: Aye  
151 Olson: Aye  
152 Maxwell: Aye  
153 White: Aye

154  
155 ***It was moved by Manager Miller, seconded by Manager Hejmadi to approve the permit***  
156 ***with the conditions recommended by staff. Upon roll call vote, the motion carried 6-0***  
157 ***as follows:***

158  
159 Hejmadi: Aye  
160 Loftus: Absent  
161 Sando: Aye  
162 Miller: Aye  
163 Olson: Aye  
164 Maxwell: Aye  
165 White: Aye

166  
167 **PUBLIC HEARINGS & PRESENTATIONS**

168  
169 **Public Hearing for the Maple Creek Pond Improvement Project**

170  
171 Ms. Kate Moran appeared before the Board of Managers and reviewed the proposed  
172 project, which comes from the MCWD's support for opportunity-based stormwater  
173 management projects in its Capital Improvement Plan. The City of Plymouth identified  
174 this project as an opportunity to reduce stormwater volume and nutrient loads to Gleason  
175 Lake.

176  
177 President White opened the public hearing. No one appeared to present comments on the  
178 proposed project, and President White closed the public hearing.

179  
180 **ACTION ITEMS**

181  
182 **Resolution 21-069: Ordering of the Maple Creek Pond Improvement Project**

183  
184 Ms. Moran noted that the MCWD and City of Plymouth are still discussing the terms of a  
185 cooperative agreement for the project. One of the issues concerns performance  
186 monitoring and reporting; here the City has no baseline data to compare performance, and  
187 relies on a model to estimate the benefits of the project. Manager Miller noted that he felt  
188 there should be a purpose for our process and he would not want to impose undue  
189 burdens on the City. Mr. Wisker explained that each project is unique; where the  
190 technology is tried and proven, that may be different than a project which is trying  
191 unproven technology. Mr. Smith noted the MCWD's experience with the Taft Legion  
192 project as the rationale for considering the performance monitoring requirement.

193  
194 *Following discussion, it was moved by Manager Sando, seconded by Manager Miller to*  
195 *adopt Resolution 21-069: Ordering of Maple Creek Pond Improvement Project as*  
196 *follows:*

197  
198 ***NOW, THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes***  
199 ***§103B.251 and the WMP, the Minnehaha Creek Watershed District Board of***  
200 ***Managers hereby orders the Maple Creek Pond Improvement Project; and***

201  
202 ***BE IT FURTHER RESOLVED that District funding will be established***  
203 ***through a funding agreement that District and City staff will prepare and***  
204 ***present to the Board and to the City Council for approval.***

205  
206 ***Upon roll call vote, the motion carried 6-0 as follows:***

207  
208 Hejmadi: Aye  
209 Loftus: Absent  
210 Sando: Aye  
211 Miller: Aye  
212 Olson: Aye  
213 Maxwell: Aye  
214 White: Aye

215  
216  
217

218 Resolution 21-070: Authorization to Purchase and Implement Hybrid Meeting  
219 Technology

220  
221 Mr. Alex Steele appeared before the Board of Managers to review the request for board  
222 action. He reviewed the plan for a phased approach to upgrading District meeting spaces,  
223 starting with three conference rooms. *Following discussion, it was moved by Manager*  
224 *Olson, seconded by Manager Maxwell to adopt the following resolution:*

225  
226 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
227 ***Watershed District Board of Managers hereby authorizes the purchase and***  
228 ***installation of hardware to support hybrid meetings in 3 conference rooms at a***  
229 ***cost of \$19,465.87.***

230  
231 Upon a question from Manager Maxwell, Mr. Steele explained that this action would not  
232 require ongoing maintenance. Manager Miller inquired about plans for hybrid  
233 arrangements for Board meetings. Mr. Steele noted that the equipment required would be  
234 more expensive. Mr. Wisker had been thinking that hybrid accommodations for staff  
235 were a more immediate need, and that Board meetings would be a binary choice, either  
236 entirely in-person or remote. Manager Miller stated that he felt in-person meetings were  
237 more productive for policy makers. Mr. Wisker suggested that he and President White  
238 plan a future discussion of this issue for a committee meeting. *Upon roll call vote, the*  
239 *motion carried 6-0 as follows:*

240  
241 Hejmadi: Aye  
242 Loftus: Absent for vote.  
243 Sando: Aye  
244 Miller: Aye  
245 Olson: Aye  
246 Maxwell: Aye  
247 White: Aye

248  
249  
250 **BOARD DISCUSSION ITEMS**

251  
252 **Stakeholder Engagement Plan for Permitting Alignment and Responsive Program**

253  
254 Ms. Becky Christopher appeared before the Board of Managers and presented the  
255 stakeholder engagement plan for the permitting alignment and responsive programs.  
256 Upon a question from Manager Hejmadi, Ms. Christopher noted that the approach will  
257 vary by the type of project. The managers thanked Ms. Christopher for her presentation.

258  
259 **STAFF UPDATES**

260

261 Administrator's Report

262

263 Mr. Wisker reported on the following items:

264

265 1. Drought conditions have moderated somewhat, but precipitation is still six  
266 inches below normal for the year. The Grays Bay dam has been closed since  
267 mid-July and Lake Minnetonka is at 928.14. Minnehaha Creek is flowing at 6  
268 cubic feet per second at Hiawatha;

269

270 2. Managers Maxwell and Hejmadi are completing their current terms on  
271 March 8, 2022, and Hennepin County will be initiating the application process  
272 soon;

273

274 3. Staff will be engaging with local officials on the release of the white paper  
275 concerning Lake Nokomis;

276

277 4. Mr. Wisker will continue discussions with President White on the format for  
278 Board meetings given the pandemic;

279

280 5. Staff and the Edina city engineer have meet with residents near 54<sup>th</sup> Street and  
281 explained that use of MCWD resources to mitigate water conditions for single  
282 family homes is not typical; the MCWD has provided an engineering analysis,  
283 the City is intending provide some solutions design work, and then residents  
284 will have options to pursue.

285

286

287 Adjournment

288

289 There being no further business, President White declared the meeting of the Board of  
290 Managers adjourned at 8:55 p.m.

291

292 Respectfully submitted,

293

294

295

296 Eugene Maxwell, Secretary