

**MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF MANAGERS  
OF THE  
NINE MILE CREEK WATERSHED DISTRICT**

**WEDNESDAY, APRIL 15, 2015**

**Call to Order**

Chair Kloiber called the meeting of the Board of Managers of the Nine Mile Creek Watershed District to order at 7:00 p.m., Wednesday, April 15, 2015, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Twele, Lynch, Kloiber, and Segreto

Managers Absent: Peterson

Advisors Present: Kevin Bigalke, Louis Smith, Robert Obermeyer, and Erica Sneigowski

**Agenda**

The agenda was approved as presented.

**Reading and Approval of Minutes**

The Chair called for review of the minutes of the Regular Meeting of March 18, 2015. It was noted on page three, under Other, it should state, "~~He stated that because Rice Creek Watershed District is being represented by his firm and explained that while the partnering Districts will be updated throughout the process, if the Nine Mile Creek Watershed District desires additional answers, outside of the scope he could answer, he would have to direct the District to outside counsel~~ Rice Creek Watershed District's goal is to pursue a transfer that will serve the interest of all of the partners but if the Nine Mile Creek Watershed District determines at some point that it's need differ it would be appropriate to seek other counsel."

Manager Segreto moved, seconded by Manager Twele, to approve the minutes with the noted corrections. Upon a vote, the motion carried.

**Correspondence**

- MAWD Summer Tour

**Citizens Advisory Committee/Education & Outreach Report**

**A. Cost Share Grant Funding Approval**

Education and Outreach Coordinator Sneigowski stated that staff and the Citizens Advisory Committee (CAC) reviewed the cost share grant applications received in order to provide a recommendation. She stated that the CAC recommends that a property should only receive one grant per grant cycle. She briefly reviewed the residential applications received and the recommendations on whether the requests should be funded. She noted that some applications did not include the necessary amount of detail and therefore staff would recommend contacting the applicant to advise that they may reapply the next year with the additional information. She reviewed the commercial applications received and the recommendations on whether the requests should be funded. She reported that the total amount of cost share funding recommended for approval is \$115,398.25.

Manager Twele commented that really great discussion occurred at the CAC meeting the previous week.

Chair Kloiber stated that the District does see repeat applicants and questioned where the District policy lies in terms of reapplications.

Education and Outreach Coordinator Sniegowski stated that in regard to residential applicants there are only two repeat applicants recommended for approval. She stated that in regard to the larger requests those are mainly generated from municipalities or larger organizations or businesses within the District so there are often repeat applicants.

Administrator Bigalke stated that staff did discuss repeat applicants and whether applicants should be limited to a number of grants awarded over a period of years. He agreed that the policy should be discussed in the future to further determine an appropriate limit on grants received.

Manager Lynch questioned the total balance available for this item and whether staff would accept additional applications after the deadline if there were additional funds available.

Education and Outreach Coordinator Sneigowski stated that the program has \$150,000 available and noted that in the past the District has accepted additional applications on a rolling basis while funds were available.

Manager Lynch moved, seconded by Manager Twele, to approve the recommended cost share grant applications. Upon a vote, the motion carried.

## **B. Floor Map**

Education and Outreach Coordinator Sneigowski displayed a digital draft version of the floor map that will be installed on the floor in the lobby. She advised that the area within the District would be colored while the area outside the boundary would be in grayscale. She provided a picture that zoomed in to show the level of detail that will be provided on the map. She noted that a test panel will be printed before the full map is printed.

Manager Lynch questioned the type of material that would be used and whether people would be able to walk on the map.

Administrator Bigalke noted that a sample of the material is in the lobby and advised that once the map is installed the second sealcoat on the floor will be completed to further seal in the map. He stated that people will then be able to walk over the map.

Education and Outreach Coordinator Sneigowski reported that the installation should occur in June.

### **C. Education/Outreach Specialist Position**

Education and Outreach Coordinator Sneigowski reported that about 40 applications have been received and the posting for the position will close the following week.

Administrator Bigalke stated that the timeline is to review applications by the end of April and to conduct interviews in early to mid-May. Bigalke stated it was his hope to have an offer made by May 20, 2015 Board of Managers meeting. He stated that he and Education/Outreach Coordinator Sneigowski would serve on the interview panel along with someone from a partner organization and hopefully one of the managers.

### **D. Master Water Stewards Program**

Education and Outreach Coordinator Sneigowski stated that at the last Board meeting the Board approved \$5,000 towards the creation of the online training for the Master Water Stewards Program. She described the process an individual would go through to become a Master Water Steward, which would include classes, completion of a project, and volunteer hours. She stated that the timeline has changed and the program is proposed to begin in October, which would mean that the District would need to recruit a cohort. She explained that the District could work with Riley Purgatory Bluff Creek Watershed to share the cohort and approximately 16 people from within the two Districts could work to become Master Water Stewards. She stated that if the District decides to move forward the funding would be needed in 2015 rather than 2016. She stated that if the District partners with the other District there would be a cost of \$2,500 per steward, with the District funding seven to eight stewards. She stated that the program is asking for a commitment of three years if the District chooses to participate in order to further the use of the stewards. She reviewed some of the other watersheds that are going to participate. She confirmed that the District would have input in the type of projects and volunteerism that stewards complete. She stated that it is exciting to see the types of assistance that these stewards are providing.

Manager Lynch questioned if the District would have trouble finding seven or eight people that would be interested in the project.

Education and Outreach Coordinator Sneigowski stated that she shared that concern but noted that the Fresh Water Society would assist in recruitment efforts.

Chair Kloiber questioned what would occur if 20 applications were received.

Education and Outreach Coordinator Sneigowski stated that the Board could decide whether to accept applications on a rolling basis, first come first serve, or whether to set a deadline and choose the best applicants. She confirmed that interested applicants would submit an application and would also interview with staff.

Manager Segreto stated that she has experience with the Master Naturalist program and commented that group met in person and believed that the proposed cost would be a bit high for simply internet based learning.

Education and Outreach Coordinator Sneigowski commented that a host site would be chosen and the group would meet on a weekly basis to conduct that learning together. She advised that additional trainers and/or experts would be attending some of the sessions and work would also be completed in the field.

Administrator Bigalke noted that the District had approved \$5,000 for the Freshwater Society to develop the online program in 2016 and now the Fresh Water Society is requesting to move forward in 2015. He stated that staff will prepare a proposal of the total cost requested and options for funding over the course of 2015 and 2016.

Chair Kloiber confirmed that staff estimated a cost of between \$17,500 and \$20,000 for the training itself, if seven to eight people are selected. He questioned if there is a cost in years two and three to maintain that cohort.

Education and Outreach Coordinator Sneigowski stated that there is not a lot of cost associated with maintaining the cohort over years two and three as you would simply be tracking volunteerism. She stated that there would be continued funding in years two and three for additional cohorts of stewards. She stated that the request is being brought forth to the other Watershed that the District could partner with at their meeting later this week and that information will be brought to the next meeting as well.

#### **E. Open House Date Discussion**

Administrator Bigalke referenced the open house that had originally been planned for June. He stated that staff would like to see that construction not only be complete but that the Master Water Stewards information would be in place as well as the installation of the floor map. He stated that staff is suggesting having a smaller completion of construction event with the neighborhood, barbequing and thanking them for their cooperation during construction. He stated that the larger open house reception could then be held in the fall.

The Board concurred with Administrator Bigalke's recommendation.

#### **Hearing and Discussion of Matters of General Public Interest**

There were none.

## Consent Agenda

- A. **Permit #2015-19: Building Addition for Hayden Murphy Equipment – 9301 East Bloomington Freeway; Grading and land alteration permit: Bloomington**
- B. **Permit #2015-30: Home Reconstruction – 6224 Parkwood Road; Grading and land alteration permit: Edina**
- C. **Permit #2013-07: Infiniti of Bloomington Permit Extension**
- D. **Permit #2014-38: Infiniti of Bloomington Accessory Parking Permit Extension**
- E. **Wetland Conservation Act Permit Review Extension for Three Rivers Park District Regional Trail, Edina**

Manager Lynch moved, seconded by Manager Segreto, to approve the Consent Agenda. Upon a vote, the motion carried.

## Hearing of Permit Applications

- A. **Permit #2015-31: Central Park Parking Lots Reconstruction and Trail Construction – 101 16<sup>th</sup> Avenue South; Grading and land alteration permit: Hopkins**

Engineer Obermeyer presented the permit request and proposed plans. He states that the City of Hopkins has requested a variance from the water quality requirements, specifically the requirement regarding phosphorus removal. He stated that staff recommends that the Board consider the variance request as this water flows into the storm sewer and then into the Creek, which means that there is no downstream option for water treatment. He also recommended approval of the permit. He stated that this situation is due to the underlying conditions of the site, which prohibits the construction of a facility that would complete the necessary aspects and is not the fault of the applicant.

Administrator Bigalke stated that even though the full phosphorus removal will not be achieved there will still be a benefit and reduction of phosphorus occurring on the site that is not being achieved today. He described the scope of the project and noted that the applicant could complete a simple mill and overlay without adding any additional water quality aspects with administrative approval while this option does provide water quality benefit.

Manager Segreto asked for additional information regarding the dump status and what would occur if debris is found during excavation.

Mike Waltman, Bolton and Menk, Inc., stated that the City has completed a study in the 1990s to determine the locations of previous dumpsites in the City. He confirmed that borings were completed during the construction of the neighboring public works facility and the park. He stated that if debris is found during excavation the City would follow the necessary process for removal and disposal.

Engineer Obermeyer confirmed that there will be a net improvement for water quality provided through this project.

Chair Kloiber referenced the memorialization of the park area to be used for drainage and expressed possible concern if leaching is discovered in the future.

Administrator Bigalke noted that the memorialization of that area also ensures that the City cannot build hardcover on that space without coming back to the District for approval.

Engineer Obermeyer reviewed how the variance criteria are met as determined by the City of Hopkins and staff.

Manager Lynch moved, seconded by Manager Twele, to grant the variance request based upon the finding of fact that this is a unique situation not caused by the applicant, the project will not have an adverse effect, and there is no feasible alternative. Upon a vote of 3-1 (Segreto voted nay), the motion carried.

Manager Lynch moved, seconded by Manager Twele, to approve the permit. Upon a vote of 3-1 (Segreto voted nay), the motion carried.

#### **B. West 70<sup>th</sup> Street Extension – City of Eden Prairie Presentation**

Administrator Bigalke stated that the City of Eden Prairie will be submitting an application at the next meeting and they do have staff present tonight to provide the Board with background information prior to their review of the application.

Randy Newton, City of Eden Prairie, reviewed the proposed project location and the design process the City has gone through thus far. He noted that there were four stakeholder meetings at which input was obtained in regard to key design features for the roadway. He confirmed that this roadway will be the extension to the light rail station. He stated that the project would be completed in phases and identified phase one, which will be constructed this year, while phase two would be constructed in two concurrent projects, which would be completed by the opening of the light rail station. He reviewed the proposed schedule for phases one and two, noting that phase two would depend on the schedule of the LRT project. He highlighted the wetlands within the project area as well as the wetlands that may require variances from the wetland buffer requirement.

Administrator Bigalke referenced the installation of the tree trenches and confirmed the basins will be interconnected to provide a benefit.

Bob Leba, SRF, provided additional information as to the amount of treatment and/or volume control that will be provided through the tree trenches. He noted that additional details will be known as the design is refined.

Chair Kloiber thanked the City of Eden Prairie for their presentation tonight.

## **Treasurer's Report**

The Treasurer submitted the report. Manager Twele asked for clarification on certain items included on the report.

Engineer Obermeyer stated that there is a pay request from Veit in the amount of \$7,837.50 and recommended approval of the pay request.

Manager Lynch moved, seconded by Manager Segreto, to approve the pay request to Veit in the amount of \$7,837.50 and to approve the Treasurer's Report and pay the bills. Upon a vote, the motion carried.

## **Unfinished Business**

### **A. Watershed District Office Update**

Administrator Bigalke stated that the cistern is in place and is beginning to be connected.

Engineer Obermeyer stated that staff has requested an updated schedule from Veit and believed that construction for the parking lot and plantings should begin once road restrictions are lifted.

## **New Business**

### **A. 2014 Financial Audit Approval**

Administrator Bigalke stated that the 2014 Financial Audit was included in the Board packet and reported that the District had a clean audit with no significant findings. He stated that it was identified that the District does not have an out of state travel policy and the recommendation is that staff create an out of state travel policy during 2015. He stated that he will work with Smith Partners in the coming months to create that policy. He stated that there was additional information shown because the District converted to a singular fund and the audit had to show that the funds had been zeroed in order to transfer those funds into the implementation fund. He recommended that the Board accept the 2014 Financial Audit.

Manager Twele moved, seconded by Manager Lynch, to accept the 2014 Financial Audit. Upon a vote, the motion carried.

### **B. 2014 Annual Report**

Administrator Bigalke stated that the District is required to have an annual report each year that must be completed by April 30<sup>th</sup>. He stated that a draft version is included in the Board packet and asked that Managers review the report and provide him with any feedback in order to

incorporate those comments before the deadline. He noted that he may add some photographs of the District office site throughout the construction process.

### **Engineer's Report**

- A. Bush Lake Outlet Project: Status Report**
- B. Eden Prairie Lakes Water Quality Improvement Project: Status Report**
- C. Hopkins Creek Stabilization Project: Status Report**
- D. Southeast Anderson Lake Water Quality Improvement Project: Status Report**
- E. Normandale Lake Water Quality Improvement Project: Status Report**
- F. Atlas 14: Status Report**
- G. Lower Valley – Bloomington: Status Report**
- H. Status of Construction Projects**

Engineer Obermeyer updated the Board on the above listed projects and the recent storm activity. He referenced the Edina Creek Stabilization project which the Board discussed earlier this week, and requested approval to submit the permit application to the regulatory agencies.

Manager Lynch moved, seconded by Manager Twele, to approve the submission of the permit application for the Eden Creek Stabilization project to the regulatory agencies. Upon a vote, the motion carried.

Engineer Obermeyer referenced Change Order #2 from Veit and noted that this item includes work that staff directed the contractor to complete the work last fall but advised that there was a total cost of \$22,500 for completion of those items. He asked that the Board consider approval of the change order.

Manager Segreto moved, seconded by Manager Lynch, to approve Change Order #2 to Veit in the amount of \$22,500. Upon a vote, the motion carried.

### **Attorney's Report**

Attorney Smith advised that his written report provided an update on the Blue Thumb program, which he discussed at the last meeting.

### **Administrator's Report**

Administrator Bigalke stated that there will be a special meeting request for a permit regarding a single family home. He stated that typically, there is a \$750 special meeting fee and the request is based on the availability of the Board. He stated that he has received the application and believed that the soils information would be received later this week. He estimated that the special meeting could occur as early as the first week in May, depending upon the availability of the Board. He noted that once he receives the necessary information he can verify available dates with the Board.



**Managers' Report**

The Chair called for reports. Manager Lynch stated that the upcoming MAWD summer tour in June sounds appealing.

Administrator Bigalke summarized the schedule of events for the tour.

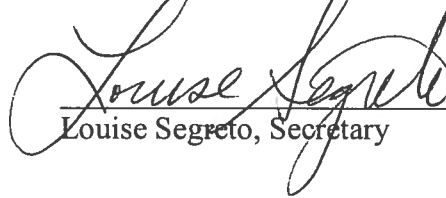
**Task Summary Report & Manager's Calendar**

The Managers reviewed and updated the task report.

**Adjournment**

It was moved by Manager Segreto, seconded by Manager Twele, to adjourn the meeting at 8:42 p.m. Upon a vote, the motion carried.

Respectfully submitted,



Louise Segreto, Secretary

ATTACHMENTS:  
Treasurer's Report

