

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

**WEDNESDAY, DECEMBER 16, 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, December 16, 2015, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Twele, Lynch, Kloiber, and Peterson

Managers Absent: Segreto.

Advisors Present: Kevin Bigalke, Louis Smith, Robert Obermeyer, Erica Sniegowski, and Gael Zembal

**Agenda**

Administrator Bigalke requested the addition of four wetland delineations under Item Nine. Manager Lynch moved, seconded by Manager Twele, to approve the agenda as amended. Upon a vote, the motion carried.

**Reading and Approval of Minutes**

The Chair called for review of the minutes of the Regular Meeting of November 18, 2015. It was noted on page five, under the MAWD Annual Meeting Delegates and Resolutions, it should state, "...meeting the ~~membership~~ Board..." On page four, under the Hearing of Permit Applications, it should state, "...this would be a supplemental..." On page nine, under Discussion of the Water Management Plan, it should state, "...Water ~~Manager~~ Management Plan..."

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

**Correspondence**

- Barr Engineering 2016 Calendar

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

The Chair called for the report of the Citizens Advisory Committee.

**A. Website Content Review and Development RFP**

Education and Outreach Manager Sniegowski reported that the kickoff meeting was held today and noted that the next big benchmark would be January 5<sup>th</sup> when the wire frame layout would be presented for the website. She stated that the final approval for the layout would be January 11<sup>th</sup> and asked Managers to provide any input prior to that time. She stated that an approval was missed regarding the website approval at the November meeting specifically regarding copywriting, with an estimated cost of \$2,200 and asked that the Board authorize that cost.

Administrator Bigalke provided additional details on the scope of work.

Manager Lynch moved, seconded by Manager Twele, to approve copywriting services in the amount of \$2,200. Upon a vote, the motion carried.

**B. Cost-Share Grant Criteria**

Education and Outreach Manager Sniegowski stated that she would like to propose a change to the cost-share criteria to allow for the reimbursement of native cultivars for water quality improvement projects specifically but the reimbursement would not apply towards habitat restoration projects. She stated that the District could use a list supplied from Barr Engineering, which would identify eligible native cultivars.

Administrator Bigalke provided additional details on the opinion of staff in regard to native cultivars and the use in certain projects.

Chair Kloiber stated that it would make sense to him and therefore he does not have any issues with the proposed change.

Manager Twele stated that perhaps the District could follow the example of another District that suggested a 25 percent cap on the use of cultivars.

Education and Outreach Manager Sniegowski stated that would make the accounting difficult and could deter some applicants as the spreadsheet would become more difficult.

Manager Lynch stated that perhaps the District could go as proposed from staff for the first year and changes could be made after that if desired, such as instituting caps on the use of cultivars.

Education and Outreach Manager Sniegowski stated that the hope is that more townhomes and businesses would be interested in completing water quality improvement projects through the cost-share program as those types of plants are more desirable for them.

Administrator Bigalke noted that staff would like to have the criteria for publishing in January and therefore would like approval tonight if the Board agrees with that inclusion.

Manager Lynch moved, seconded by Manager Peterson, to approve the allowance of reimbursement of native cultivars, from an allowed list that will be provided from Barr Engineering, for use in water quality improvement projects through the cost-share program. Upon a vote, the motion carried.

**Public Comment Forum on District’s 2016 Budget and Levy**

Administrator Bigalke stated that in 2014 the legislature passed a law requiring a secondary public comment opportunity on the proposed budget and levy for the next year, even though the budget and levy have already been adopted.

Chair Kloiber asked for any public comments.

There were none.

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

There were none.

**Consent Agenda**

- A. **Permit #2015-130: Building Addition and Parking Lot Reconfiguration – Lupient Chevrolet, 1601 Southtown Drive; Grading and land alteration permit: Bloomington**
- B. **Permit #2015-129: Addition to the Existing Single-Family Home at 8325 Wyoming Avenue; Grading and land alteration permit: Bloomington**

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

**Hearing of Permit Applications**

- A. **Permit #2015-128: The Moline – 100 8<sup>th</sup> Avenue South; Grading and land alteration permit: Hopkins**

Engineer Obermeyer presented the permit request and proposed plans. He recommended approval of the permit subject to general conditions including surety in the amount of \$39,700, submission of a maintenance agreement and as-built drawings.

Chair Kloiber asked and received confirmation that a written letter was included from the City of Hopkins.

Manager Twele moved, seconded by Manager Peterson, to approve the permit. Upon a vote, the motion carried.

## **B. Review of Wetland Delineation Reports**

Engineer Obermeyer stated that four wetland reports were included in the Board packet and provided a brief review. He stated that the information has been submitted to the TEP for review and recommended acceptance.

Manager Lynch moved, seconded by Manager Peterson, to accept the delineation report for 11190 West 62<sup>nd</sup> Street. Upon a vote, the motion carried.

Manager Peterson moved, seconded by Manager Twele, to accept the wetland delineation reports for Cherokee Trail West. Upon a vote, the motion carried.

Manager Lynch moved, seconded by Manager Twele, to accept the wetland delineation reports 6775 Shady Oak Road. Upon a vote, the motion carried.

Manager Twele moved, seconded by Manager Lynch, to accept the wetland delineation report for 5807 Oak Lane. Upon a vote, the motion carried.

## **Treasurer's Report**

The Treasurer submitted the report. Manager Twele provided further clarification on specific items included on the report.

Manager Twele moved, seconded by Manager Peterson, to approve the Treasurer's Report and pay the bills. Upon a vote, the motion carried.

## **Unfinished Business**

### **A. Edina Stream Bank Stabilization Project Update**

Administrator Bigalke stated that a meeting was held the previous week where the Board adopted a Resolution ordering the project. He noted that some minor changes are required for the Resolution and presented the amended Resolution to be signed by Manager Lynch as the Acting Secretary. He stated that staff will continue to work on the project and noted that once the agreement is received from the City of Edina, he will provide the document to Chair Kloiber for his signature.

### **B. Office Networking Update**

Administrator Bigalke stated that staff is still working on the final contract language and once the contract is finalized, the equipment can be installed.

**C. Discovery Point Entrance Sign**

Administrator Bigalke stated that over the next several weeks staff will review a number of different design scenarios to present to the Board in January in order for an informed decision to be made by the Board.

Chair Kloiber stated that if a rock was found that was wider at the base and more slender at the top the need for engineering would be less and therefore would reduce the cost.

Administrator Bigalke stated that staff will prepare a list of options for the Board to select from.

**D. Atlas 14 – Discussion on Adoption as District’s Flood Profile**

Administrator Bigalke stated that this has been discussed for some time and permit applicants have been using the Atlas 14 numbers. He confirmed direction from the Board to send a letter to the member cities stating that the Atlas 14 model has been developed and shared with the member cities and to notify them that it is the intent of the District to adopt those numbers at the January meeting. He noted that member cities with questions or concerns could contact staff prior to that meeting.

**New Business**

**A. Watershed Management Plan Development Process**

Administrator Bigalke stated that he would like to schedule a kickoff meeting in January prior to the regular January meeting. He stated that he would meet with Engineer Obermeyer and Attorney Smith in order to layout a timeline and then would contact Managers to determine an official date in early to mid-January.

**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. Edina Stream Bank Stabilization Project: Status Report**
- G. Atlas 14: Status Report**
- H. Lower Valley – Bloomington: Status Report**
- I. Status of Construction Projects**

Engineer Obermeyer had nothing further to report.

**Attorney’s Report**

Attorney Smith had nothing further to report.

**Administrator's Report**

**A. MAWD Annual Meeting**

Administrator Bigalke stated that there was good discussion regarding strategic planning ideas for MAWD at the Administrator's meeting.

**B. Vacation Payout**

Administrator Bigalke provided information on his current vacation day status and asked for a payout of ten days prior to the close of the year, to be paid out on his next paycheck.

Manager Twele moved, seconded by Manager Lynch, to approve the payout of ten vacation days for Administrator Bigalke to be paid out on his next paycheck. Upon a vote, the motion carried.

**Managers' Report**

The Chair called for reports.

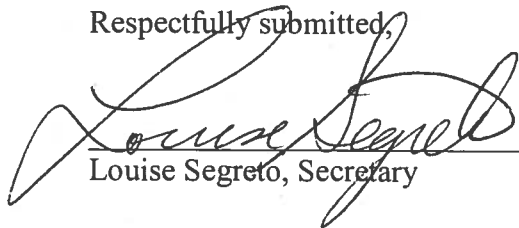
**Task Summary Report & Manager's Calendar**

The Managers reviewed and updated the task report.

**Adjournment**

It was moved by Manager Peterson, seconded by Manager Lynch, to adjourn the meeting at 7:54 p.m. Upon a vote, the motion carried.

Respectfully submitted,



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Louise Segreto, Secretary

ATTACHMENTS:  
Treasurer's Report