

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

WEDNESDAY, FEBRUARY 17, 2016

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, February 17, 2016, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Lynch, Kloiber, Segreto and Peterson

Managers Absent: Twele.

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

Agenda

Administrator Bigalke requested the addition of two items under New Business titled Discussion for a Workshop to Hear a Presentation for the MnDOT TH 169 Bridge Reconstruction Project between Edina and Hopkins and another titled Consideration of Additional Office Furniture. Manager Peterson moved, seconded by Manager Segreto, 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 Budget Hearing Meeting of December 10, 2015.

Administrator Bigalke noted that Attorney Smith has a number of changes and therefore recommended tabling the approval of the minutes until those changes can be incorporated at the March 10th workshop.

Manager Lynch moved, seconded by Manager Peterson to table the December 10, 2015 Budget Hearing minutes until the March 10, 2016 meeting. Upon a vote, the motion carried.

The Chair called for review of the minutes of the Regular Meeting of January 20, 2016. Manager Segreto moved, seconded by Manager Lynch, to approve the minutes as presented. Upon a vote, the motion carried.

The Chair called for review of the minutes of the Special Meeting of January 7, 2016.

Attorney Smith noted on page seven, it should state, “~~Administrator Bigalke performed~~ Upon a roll call vote the Managers voted as follows:” On page two, it should state, “~~Chairperson~~ President, Manager Lynch as Vice Chairperson President...”

Engineer Obermeyer page five, under Permit #16-02, it should state, “...he noted that the existing onsite pond...”

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

Correspondence

- MAWD Legislative Reception and Breakfast on March 30th and 31st

Citizens Advisory Committee/Education & Outreach Report

The Chair called for the report of the Citizens Advisory Committee. Education and Outreach Program Manager Sniegowski reported on the activity that occurred at the last meeting of the CAC.

A. Watershed Planning Survey

Education and Outreach Program Manager Sniegowski stated that one strategy for the survey is to have the survey available at the table events the District will be participating in. She noted that reusable lunch bags were ordered and will be given as a “prize” for those that complete the survey. She displayed the draft questions that were created with the assistance of the Board and CAC and asked for input.

The Board provided brief feedback.

Manager Segreto moved, seconded by Manager Lynch, to approve the survey with the minor changes noted. Upon a vote, the motion carried.

B. Website Update

Education and Outreach Program Manager Sniegowski stated that progress continues to move forward on the visual aspects and noted that she would soon have more to share. She noted that submissions are now being accepted for the annual calendar contest.

C. Congregational Planning Cost-Share Grants

Education and Outreach Program Manager Sniegowski stated that for the past two years the District has worked with the Alliance for Sustainability for faith-based outreach. She stated that staff would like to tweak that strategy, noting that while a few cost-share grants applications were received as a result of the partnership there were not as many applications as staff had

anticipated. She stated that the main aspect staff has heard that has stopped the faith-based organizations from applying is planning. She stated that the proposal would make grants available for site master planning, which in the end would hopefully bring in applications for the cost-share grants. She stated that staff would like to see the planning grants 100 percent funded and therefore would include education aspects, which would include sharing the site plan with the congregation, inclusion of a newsletter article to the members of the organization, and hosting of one workshop for the organization's members. She stated that staff would like the District to administer the contract with the consultant that will work with the congregations. She noted that this will ensure consistency in the planning. She advised that Barr Engineering is developing a proposal for those consulting services. She recommended placing \$13,000 into the grant fund. She noted that a maximum amount per application of \$3,250 was specified but noted that staff is still unsure on that amount and therefore does not want to include a maximum amount at this time.

Administrator Bigalke stated that the original intent had been to solicit three to five applicants per year but after speaking with Barr Engineering the decision had been to solicit one to three applicants per year. He explained that the applicant would not receive the funds, but would instead be accepted into the program where they would work with a representative from Barr Engineering to develop a master site plan. He explained that this will allow the District to guide and shape the plan. He noted that the maximum amount would be dictated by the cost estimate Barr Engineering provides which would include two to three consultation meetings with the applicant and to develop the master site plan. He stated that cost will then dictate the number of applicants the District can work with annually. He stated that the program will provide assistance to non-traditional constituents who have large landmasses with large amounts of impervious surface. He explained that the planning would allow the organization to have the assistance in planning and would also allow the organization to create future planning to fund the capital improvements.

Education and Outreach Program Manager Sniegowski explained that this process will also help to determine the projects that will provide the highest level of benefit.

Manager Segreto asked if there was any concern regarding the separate between church and State.

Chair Kloiber stated that he had a similar thought. He acknowledged that faith based organizations have large landmasses with large parking lots and that is why they are a good target. He suggested instead that non-profit be used rather than faith based organizations.

Education and Outreach Program Manager Sniegowski stated that Ramsey Washington Metro Watershed District already has a successful program working with faith-based organizations in attempt to bring those properties into their cost share program.

Chair Kloiber stated that does not dissuade his concerns.

Attorney Smith stated that this has come up in a number of organizations, whether it is appropriate for local government to fund an improvement on the land of a religious institution.

He stated that from a legal standpoint, as long as what is being funded advances the purpose of the District, there would not be a conflict. He identified some things that should be focused on such as large land mass and a site that could be viewed and provide an educational aspect.

Chair Kloiber stated that his concern is that there are other sites that are not commercial or private, such as a VFW or elementary school, which would not be included in this program.

Administrator Bigalke provided background information on the work the District has done with the Alliance for Sustainability to target faith-based organizations and this would be the next step to further those relationships. He stated that he would be more inclined to look at a VFW or Legion that may have a significant land holding but would not have the resources to generate a plan. He explained that in most instances those organizations have staff and would have the consulting resources to develop those plans.

Education and Outreach Program Manager Sniegowski stated that faith based organizations often rely on volunteers and that is why they fall short in planning. She noted that the organizations also have a captive audience and could host educational workshops.

Administrator Bigalke stated that staff is attempting to target specific areas where improvements could be made and funds are lacking.

Chair Kloiber stated that conceptually he supports the idea of targeting organizations with large sites and relatively low resources. He stated that perhaps this not be titled as a grant and should instead be called a planning program.

Administrator Bigalke agreed that the program could be tweaked to become a community or civic organization planning program that includes criteria for landholding and resources.

Education and Outreach Program Manager Sniegowski stated that the intent had been for this to be a small program focusing on faith based organizations and was concerned that this would open up the scale of the program. She was concerned that this program funding 100 percent of the planning for community organizations would open the floodgates, rather than keeping the pool small with faith based organizations.

Manager Segreto stated that the District does not have to accept all applicants.

Administrator Bigalke confirmed the consensus of the Managers in support of the program with some amendments.

Hearing and Discussion of Matters of General Public Interest

There were none.

Consent Agenda

- A. **Permit #2016-04: Chief's Towing, 9604-9608 Humboldt Avenue; Grading and land alteration permit: Bloomington**
- B. **Permit Modification #2015-84: Hyland Hills Ski Jump Improvements: Bloomington**
- C. **Permit #2016-06: Home Reconstruction – 5713 View Lane; Grading and land alteration permit: Edina**
- D. **Permit #2016-09: 6775 Shady Oak Road Building Expansion; Grading and land alteration permit: Eden Prairie**
- E. **Permit #2016-10: Washburn Elementary School Mechanical Room Construction – 8401 Xerxes Avenue; Grading and land alteration permit: Bloomington**
- F. **Permit Modification #2016-14: 2016 Hopkins Street and Utility Improvements; Grading and land alteration permit: Hopkins**

Engineer Obermeyer provided additional information on Item B, noting that the existing building will remain in place and advised of the improvements that will be constructed. He referenced Item D and advised that the item did receive approval from the City of Eden Prairie City Council the previous night.

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

Hearing of Permit Applications

- A. **Permit #2016-05: Edina High School Building Addition – 6754 Valley View Road; Grading and land alteration permit: Edina**

Engineer Obermeyer noted that this item received approval from the Edina Planning Commission the previous week and is being considered by the Edina City Council tonight, therefore any approval from the District should be made contingent upon receipt of City approval. He presented the permit request and proposed plans.

Manager Segreto referenced the school and trail and asked if there would be a connection provided.

Engineer Obermeyer stated that he did not see a direct connection, noting that there is 75 feet of elevation difference.

Engineer Obermeyer further explained the proposed plans. He recommended approval of the permit subject to general conditions including submission of a maintenance declaration for the wetland buffer and stormwater management, as-built drawings upon completion of the project, additional conditions specific to the buffer and vegetation, and contingent upon approval from the City of Edina.

Manager Lynch moved, seconded by Manager Peterson, to approve the permit contingent upon approval from the City of Edina City Council. Upon a vote, the motion carried.

B. Permit #2016-07: BP Renovation and Retail Addition – SE Quadrant T.H. 62 and Shady Oak Road; Grading and land alteration permit: Eden Prairie

Administrator Bigalke reported that this item should be continued to the March meeting as additional information is needed and approval from the City of Eden Prairie is also needed.

Manager Lynch moved, seconded by Manager Segreto, to continue the permit. Upon a vote, the motion carried.

C. Permit #2016-08: Tracy Avenue – Valley View Road and Valley Lane Intersection Reconstruction; Grading and land alteration permit: Edina

Engineer Obermeyer explained the permit and proposed plans. He explained that the project would fall under the diminimus exemption and therefore mitigation of the wetland areas is not necessary and would also be exempt from the District's wetland buffer requirements. He recommended approval of the permit.

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

Manager Peterson moved, seconded by Manager Lynch, to accept the diminimus exemption for the permit. Upon a vote, the motion carried.

D. Wetland Conservation Act: Carmel Park Pipe Replacement: Eden Prairie

Engineer Obermeyer stated that the previous summer the City of Eden Prairie undertook the repair of a culvert at Carmel Park. He stated that this met the utility aspect of the Wetland Conservation Act and therefore he recommended approval of the exemption.

Administrator Bigalke noted that this was an emergency repair and therefore this is an after the fact request.

Manager Segreto moved, seconded by Manager Peterson, to accept the WCA exemption. Upon a vote, the motion carried.

Treasurer's Report

The Treasurer submitted the report. Administrator Bigalke provided a brief overview of the report.

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

Unfinished Business

A. Discovery Point Entrance Sign

Administrator Bigalke stated that he has been working with Barr Engineering to develop sign layouts and designs based on the discussion at the last meeting. He noted that additional information will be presented to the Board in March.

B. Watershed Management Plan Updated

Administrator Bigalke provided an overview of the upcoming schedule noting that there is a Technical Advisory Committee (TAC) meeting set for the following week with the agency and city comment period set for March 8th and the Board Workshop on March 10th.

New Business

A. 2016 Work Plan

Administrator Bigalke provided a brief overview of the work plans created by himself and Education and Outreach Program Manager Sniegowski and Education and Outreach Specialist Zembal.

Chair Kloiber referenced the hiring of an additional staff person and noted that would free up additional staff time for other work.

Manager Segreto moved, seconded by Manager Lynch, to approve the 2016 Work Plan. Upon a vote, the motion carried.

B. Discussion for a Workshop to Hear a Presentation for the MnDOT on the TH 169 Bridge Reconstruction Project between Edina and Hopkins

Administrator Bigalke stated that for some of the larger projects, staff has had the applicant present background information prior to the submittal of the permit application. He noted that this is one of those large projects, which has the potential to close north and southbound TH 169 for upwards of one year. He estimated that the presentation would be 45 minutes to one hour and could be piggybacked with a presentation from the Southwest LRT. He noted that the Southwest LRT presentation could be delayed, as their construction timetable is a little further down the road. He stated that he would send out an email to coordinate a date for a March workshop.

C. Consideration of Additional Office Furniture

Administrator Bigalke stated that when the original furniture was purchased the number of tables was scaled back. He stated that he would like to look for additional options for tables and chairs prior to the workshops occurring for the Master Water Stewards program. He asked the Board to authorize a purchase of up to \$5,000 for additional tables and chairs for the Boardroom.

Manager Segreto moved, seconded by Manager Peterson, to authorize an expenditure of up to \$5,000 to purchase additional tables and chairs for the Boardroom. Upon a vote, the motion carried.

Engineer’s Report

- A. Bush Lake Outlet Project: Status Report**
- B. Eden Prairie Lakes Water Quality Improvement Project: Status Report**
- C. Edina Streambank 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 Streambank project, noting that the plans and specifications have been completed and a set of 90 percent plans were submitted to the City of Edina for review. He advised that comments were received stating that the City would like to have a copy of the easements once in place, the city would like to see the finalized plans, and the city would like to have 48 hours of notice to work occurring in the park.

Administrator Bigalke provided an update on the process to obtain easements.

Attorney’s Report

Attorney Smith had nothing further to report.

Administrator’s Report

Administrator Bigalke had nothing further to report.

Managers’ Report

The Chair called for reports.

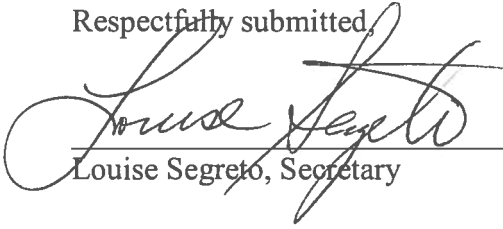
Task Summary Report & Manager’s Calendar

The Managers reviewed and updated the task report.

Adjournment

It was moved by Manager Lynch, seconded by Manager Peterson, to adjourn the meeting at 8:36 p.m. Upon a vote, the motion carried.

Respectfully submitted,



Louise Segreto, Secretary

ATTACHMENTS:
Treasurer's Report

