

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

WEDNESDAY, FEBRUARY 15, 2017

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 15, 2017, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Twele, Kloiber, and Peterson

Managers Absent: Lynch and Segreto (term expired)

Advisors Present: Louis Smith, Janna Kieffer, Bob Obermeyer, and Erica Sniegowski

Agenda

Administrator Anhorn requested to add three items to the agenda: the first under Permits, Permit #2016-93 request for extension; and the second under New Business to discuss the permit extension process; and the third under New Business, to Special Meeting Request from MAWD.

Manager Peterson 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 January 18, 2017. Manger Peterson noted on page three, the first paragraph, the second sentence, should state wetland "buffer" boundary determination not simply wetland boundary determination. Attorney Smith noted on the top of page three, it should state, "~~...maintain same slate~~ defer selection of..." On page six, under the monthly premium item, it should state, "...motion include the action payment amount, noting payment on the monthly Treasurer's Report." On page seven, under the boundary changes, it should state, "~~Consensus of the~~ The members present was that it made sense to have the boundaries as hydrologically correct as possible and questioned why they were not accurately drawn in the first place noted hydrology and other considerations and asked Engineer Obermeyer to explain the nature of the changes. He explained that hydrology changes over time because of changes in development and road conditions." Manager Peterson noted that she has submitted typos to staff as well.

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

The Chair called for review of the minutes of the Special Meeting of February 2, 2017.

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

Correspondence

- Voluntary Salt Applicator Certification Process introduced to the Legislature

Attorney Smith noted that this is the same bill that was introduced during the last legislative session and provided a brief overview.

Hearing and Discussion of Matters of General Public Interest

There were none.

Consent Agenda

- A. **Permit #2016-142: International Spanish Language Academy Parking Lot and Playground Additions – 5959 Shady Oak Road and land alteration permit: Minnetonka**
- B. **Permit #2017-07: Seagate Building: A Switchgear Replacement/ Reconstruction – 7801 Computer Avenue; Grading and land alteration permit: Bloomington**

Engineer Obermeyer provided additional details on Permit #2017-07, noting that the flood elevation is not applicable in this situation.

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

Hearing of Permit Applications

- A. **Permit #2017-05: Home Reconstruction – 5508 Knoll Drive; Grading and land alteration permit: Edina**

Engineer Obermeyer presented the permit request and proposed plans. He stated that because of the site and basin that would be required the applicant is not able to meet the full amount required for runoff treatment under a 100-year event. He explained that the applicant would be able to provide one half inch of treatment onsite and therefore would pay \$2,800 into the District's stormwater facilities fund for the other one half inch of untreated runoff. He recommended approval of the permit contingent upon the general conditions, financial assurance in the amount of \$50,700, maintenance declaration for the pond and buffer, and payment of \$2,800 into the District's stormwater facilities fund.

Chair Kloiber received confirmation that a variance would not be required.

Manager Peterson asked if the steep slope would cause a problem.

Engineer Obermeyer stated that the basin is providing some treatment that was not being provided before. He noted that the buffer would also act as treatment for the site.

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

B. Permit #2016-93: Permit Extension Request

Administrator Anhorn stated that this permit was approved in July of 2016 and the applicant has simply requested additional time.

Engineer Obermeyer provided additional details on the crossing.

Chair Kloiber asked how long the extension would be good for.

Administrator Anhorn stated that the applicant did not request a certain time amount and noted that he intended to grant the full 12 months if approved by the Board.

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

Treasurer's Report

The Treasurer submitted the report. Manager Twele provided clarification on certain items included in the report and a recent meeting with the accountants for the District.

Chair Kloiber thanked Manager Twele for her devotion to the Treasurer's position.

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

Education & Outreach Program Report

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

A. General Updates

Education and Outreach Coordinator Sniegowski provided an update on aquatic invasive species grants that have been submitted since the last meeting.

B. Discovery Point Restoration Update

Education and Outreach Coordinator Sniegowski provided some photographs on progress that has been made on the Discovery Point restoration. She explained how the buckthorn removal was conducted. She stated that for the most part there has been positive reactions to the site restoration. She noted that some neighbors were concerned with the tree removal and that this led to some good conversations with those neighbors as to the ultimate plan for the site. She stated that after the buckthorn removal, additional screening will be needed for the parking area. She stated that staff has met with the city of Eden Prairie to discuss screening that would need to occur, noting that the decision will be delayed until leaf-out occurs. She noted that the planting costs will exceed the original 10 percent allotted and stated that staff would like allowance to go up to 20 percent to cover the additional plantings.

Administrator Anhorn explained that the original engineer's estimate was \$75,000 and the quote received was \$44,488, with an additional ten percent of \$4,450. He confirmed that even with the additional ten percent, the total cost would still be under the original engineer's estimate and would allow the District to address the additional screening concerns.

Manager Peterson moved, seconded by Manager Twele, to authorize staff to increase the funding for the Discovery Point restoration project by up to \$10,000 for additional plantings. Upon a vote, the motion carried.

Administrator Anhorn stated that staff would like to hold an evening meeting to discuss the restoration project, noting that the first outreach was conducted with just the neighborhood meeting group and view shed. He explained that they would like to expand that to gain input and expand the outreach.

C. Outdoor Seating and Landscaping Project

Education and Outreach Coordinator Sniegowski noted that the concept sketch and plans, as well as cost, for the outdoor seating and landscaping was included in the Board packet and provided details. She provided information on the maximum seating that would be available and the volunteer planting project that would be planned as a part of the project. She noted that the proposed cost for the project does fall within the estimated range originally given. She reviewed the proposed cost noting that the seating elements would have a cost of approximately \$21,465 while the landscaping elements would have an estimated cost of \$11,000, with a total project cost of \$34,937.

Manager Peterson referenced the plantings and asked if there would be room for seating in that area as well.

Education and Outreach Coordinator Sniegowski stated that certain plantings would not be intended for standing and seating while getting established; there would be other areas where additional seating could be provided.

Chair Kloiber stated that in terms of scope and cost this would fit within the original intent of the project.

Manager Twele moved, seconded by Manager Peterson, to authorize staff to submit a request for quotes, to execute a contract with the contractor providing the lowest cost plus a ten percent contingency, as long as the cost is no more than ten percent over the engineer's estimate. Upon a vote, the motion carried.

D. Clean Water MN Support Request

Education and Outreach Coordinator Sniegowski stated that the District has been a supporter of Clean Water MN, noting that the previous year the District provided support in the amount of \$4,000. She stated that the organization is working to create a metro-wide stormwater adoption program. She recommended a sponsorship in the amount of \$4,000.

Manager Peterson moved, seconded by Manager Twele, to approve a sponsorship in the amount of \$4,000 to Clean Water MN. Upon a vote, the motion carried.

E. Trail Map

Education and Outreach Coordinator Sniegowski stated that the District has been out of trail maps for about one year, noting that the most recent update was done in 2007. She stated that she has a primary scope of work from Barr Engineering to update the map portion of the trail map. She noted that there is an additional optional scope of work to create an interactive web map that users could access from their computer or mobile phone. She stated that she would like to proceed with the primary scope of work and will obtain a comparative quote from the website provider for the web map. She noted that the trail map has been a great vehicle for outreach.

Chair Kloiber asked, and received confirmation, that this would only cover the map portion of the project and would not include design and print. He asked the total cost with design and print.

Education and Outreach Coordinator Sniegowski estimated \$1,000 to \$1,500 for design costs and was unsure on the print cost as that would vary based on the number printed.

Manager Peterson asked if print copies are becoming outdated and if more focus should be given on the interactive web map.

Education and Outreach Coordinator Sniegowski stated that people do still utilize the printed map version and believed that the focus in the future would be geared more towards online elements. She stated that she would obtain estimates for printing as well and bring that information back to the Board.

Chair Kloiber noted that in the future it would be nice to partner with neighboring watersheds to extend the trails into the neighboring boundaries.

Manager Peterson moved, seconded by Manager Twele, to authorize an expenditure of up to \$5,000 for Barr Engineering to update the District Trail Map. Upon a vote, the motion carried.

Unfinished Business

A. Watershed Management Plan Updated

Administrator Anhorn stated that this item does not require any action, other than determining whether the March 2nd workshop is required. He stated that this does include the revisions as discussed at the last Board workshop.

Engineer Kieffer highlighted elements that are new, such as the executive summary, and sections where the revisions have been included.

It was the consensus of the Board to keep the March 2nd workshop.

New Business

A. 2017 Work Plans

Administrator Anhorn stated that this is an informational item and explained that staff sat down to have discussions on what they plan to accomplish in the next year, outside of the core items. He highlighted some of the new items included on the work plans.

Chair Kloiber asked if staff has a strategy for how to prioritize these items.

Administrator Anhorn stated that staff has had discussions with the prioritization of the next transitional phase and how delegation of these items can occur.

Manager Peterson asked which duties Education and Outreach Specialist Zembal is handling.

Education and Outreach Coordinator Sniegowski explained the areas in which Education and Outreach Specialist Zembal is able to assist and the additional duties she is going to begin to delegate to her.

B. Discuss Permit Extension Process

Chair Kloiber stated that if there is nothing changed through the project he would be fine with an extension or minor modifications being granted administratively. He confirmed the consensus of the Board to direct staff to work with Smith Partners to develop an administrative process that could be used for permit extension and minor modification requests. Upon a vote, the motion carried.

C. Special Meeting Request from MAWD

Administrator Anhorn noted that he has received a notification from MAWD that they would like to hold a special meeting at the Summer Tour to discuss amending of their by-laws.

He noted that in order to hold the special meeting, MAWD requires that at least 15 watersheds request the special meeting.

Manager Twele moved, seconded by Manager Peterson, to direct Administrator Anhorn to request MAWD to hold a special meeting on June 22, 2017. 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 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. Lower Valley: Status Report**
- G. Pentagon Park Storm Water Management**
- H. Lake Cornelia**
- I. Discovery Point Phase I Restoration**
- J. Stream Riffle Maintenance – North Fork Upstream of Tracy Avenue: Edina**
- K. Status of Construction Projects**

Engineer Obermeyer updated the Board on the above listed projects.

Administrator Anhorn stated that he hopes to have the necessary easements signed before the March meeting for the Edina Streambank project. He hoped to bring the permit request forward to the Board at the March meeting. He stated that they held the first meeting for the Pentagon Park group and provided a brief summary to those in attendance the meeting from the different municipalities and organizations.

Engineer Kieffer stated that it was a good meeting to identify alternatives and noted that the next meeting will include some ideas to improve the flood elevation and help redevelopment.

Chair Kloiber asked for an estimate of when the Board would be able to review some options.

Engineer Kieffer stated that it took a long time to get the necessary agreements in place but noted that the momentum continues to move forward now in attempt to remain with the timing for the Fred Richard’s master planning. She estimated that the Board would be able to review something this summer.

Administrator Anhorn noted that the next meeting would still be only stakeholders while the meeting following that would include the Hillcrest developers.

Attorney's Report

Attorney Smith referenced the recent salt conference that Education and Outreach Coordinator Sniegowski attended. He stated that the District had contributed to the development of a model ordinance for cities and counties. He stated that the model ordinance was presented at the conference and was well received.

Administrator's Report

Administrator Anhorn reviewed some of the information included in his written report including discussion on past and potential future Hennepin County Water Governance Legislation. The proposed legislation introduced by Hennepin County Commissioner Jeff Johnson.

Managers' Report

The Chair called for reports.

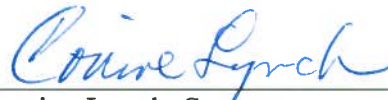
Task Summary Report & Manager's Calendar

The Managers reviewed and updated the task report. It was noted that the next workshop meeting will be held on March 2nd.

Adjournment

It was moved by Manager Peterson, seconded by Manager Twele, to adjourn the meeting at 8:28 p.m. Upon a vote, the motion carried.

Respectfully submitted,



Corrine Lynch, Secretary

ATTACHMENTS:
Treasurer's Report