

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

**THURSDAY, MARCH 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., Thursday, March 15, 2017, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Twele, Lynch, Kloiber, Sheely and Peterson

Managers Absent:

Advisors Present: Randy Anhorn, Michael Welch, Janna Kieffer, Bob Obermeyer and Erica Sniegowski

**Agenda**

Administrator Anhorn requested to move the Education and Outreach Report to follow Unfinished Business. He requested to add an item, Discuss Need to Purchase New Stormdrain Markers, as Item D, under the Education and Outreach Report. He noted that the decision to elect a slate of officers was tabled at the January meeting until a new Board member had been appointed and requested to add that action as Item B, under Unfinished Business.

Engineer Obermeyer requested to move Permit #2017-09 (Baker Road Mini Storage) from the Consent Agenda to be considered as Item E, under Hearing of Permit Requests.

The agenda was approved 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 February 15, 2017. Attorney Smith noted on page eight, the top paragraph, second sentence, it should state, "...District ~~supported the idea of developing~~ had contributed to the development of a..." Administrator Anhorn noted on page six, under Discuss Permit Extension Process, it should state, "...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." On page eight, under the Administrator's Report, it should state, "...information included in his written report including ~~discussed~~ discussion on past and

potential future Hennepin County Water Governance legislation the proposed legislation introduced by Hennepin County Commissioner Jeff Johnson.”

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

### Correspondence

- MAWD Updates received via email

### 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; Grading and land alteration permit: Minnetonka**
- B. ~~Permit #2017-09: Baker Road Mini-Storage Building Addition – N.W. Quadrant of C.S.A.H. 62 and Baker Road; Grading and land alteration permit: Minnetonka~~
- C. **Permit #2017-12: Home Reconstruction – 6224 Parkwood Road; Grading and land alteration permit: Edina**
- D. **Permit #2017-16: Home Reconstruction – 6612 Indian Hills Road; Grading and land alteration permit: Edina**
- E. **Permit #2017-19: Christ Presbyterian Church Building Addition – 6901 Normandale Road; Grading and land alteration permit: Edina**
- F. **Permit #2017-20: Gilbert Mechanical Site Improvements – 5251 West 74<sup>th</sup> Street; Grading and land alteration permit: Edina**

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

### Hearing of Permit Applications

- A. **Permit #2017-10: Peace Lutheran Church Building Addition and Parking Lot Reconstruction – 8600 Bush Lake Road; Grading and land alteration permit: Bloomington**

Engineer Obermeyer presented the permit request and proposed plans. He noted that the city of Bloomington is the LGU and had issued a no loss determination. He noted that even though buffers are not required under that ruling, buffer will still be provided. He recommended approval of the permit contingent upon the general conditions, and financial assurance in the amount of \$36,300.

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

**B. Permit #2017-17: 8<sup>th</sup> Avenue Artery Improvements – from Excelsior Boulevard to Main Street; Grading and land alteration permit: Hopkins**

Engineer Obermeyer presented the permit request and proposed plans. He noted that the permit could be issued contingent on the condition that the City of Hopkins would need to come back to the District for approval of the bank.

Manager Peterson asked who would be able to purchase the available credits.

Engineer Obermeyer stated that the bank would be used for City of Hopkins projects.

Administrator Anhorn stated that as the District rules were currently written, the banked volume retention credits could be used District-wide. He further noted, however, that additional language could be added regarding the sequencing of where credits could be used.

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

**C. Permit #2017-18: Construction of a Westbound Ramp to I-494 at East Bush Lake Road; Grading and land alteration permit: Bloomington**

Engineer Obermeyer presented the permit request and proposed plans. He recommended approval of the permit. He noted that MnDOT is the LGU for the project and has determined that the wetlands in this project area are classified as incidental and therefore the buffer requirements do not apply.

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

**D. Wetland Conservation Act Notice of Decision – No Loss for Temporary Impacts and Utility Exemption for Permanent Impacts; Westbrooke Way Storm Sewer Replacement: Hopkins**

Engineer Obermeyer presented the permit request and proposed plans. He stated that the project is a no loss determination because utility work qualifies as a no loss exemption.

Manager Peterson moved, seconded by Manager Twele, to accept the Notice of Decision. Upon a vote, the motion carried.

**E. Permit #2017-09: Baker Road Mini-Storage Building Addition – N.W. Quadrant of C.S.A.H. 62 and Baker Road; Grading and land alteration permit: Minnetonka**

Engineer Obermeyer presented the permit request and proposed plans. He recommended approval of the permit contingent upon the general conditions and financial assurance.

Manager Lynch moved, seconded by Manager Peterson, to approve the permit. 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.

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. Watershed Management Plan Update**

Engineer Kieffer thanked everyone for the comments they provided since the last workshop. She reviewed some of the revised language that was drafted based on the comments received from the Managers. She reviewed three options for covers for the plan.

The Managers provided input on their cover choices.

Administrator Anhorn noted that the cover can be further tweaked during the comment period. He noted that an attached resolution was included in the packet which the Managers could adopt which would authorize staff to put the plan out for the 60-day review period. He reviewed the proposed timeline should the resolution authorizing the distribution of the plan for review comment be adopted tonight.

Manager Lynch moved, seconded by Manager Peterson, to read aloud Resolution No. 17-02. Upon a vote, the motion carried.

Manager Peterson moved, seconded by Manager Lynch, to adopt Resolution No. 17-02 Authorizing Distribution of Draft Watershed Management Plan Update for Review and Comment.

Administrator Anhorn conducted a roll call vote:

Kloiber	aye
Lynch	aye
Peterson	aye

Sheely        aye  
Twele        aye

The motion carried.

**B. Election of Officers**

Chair Kloiber noted that the Board decided to wait until the vacancy was filled to appoint officers and confirmed that the Board was ready to appoint officers.

Manager Lynch moved, seconded by Manager Twele, to re-elect the existing slate of officers for 2017. 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 Program Manager Sniegowski stated that there will be a volunteer training on April 11<sup>th</sup> at 6:30 p.m., noting that volunteer descriptions have been drafted. She stated that the planning grant pilot started last year and since that time, two planning grants have come through. She noted that one of the churches that went through the program has started buckthorn removal on their own, will be applying for a cost-share, and will have a Master Water Steward complete a capstone project on their property.

**B. Discovery Point Restoration Update**

Education and Outreach Program Manager Sniegowski stated that a neighborhood meeting was held tonight on the project. She stated that two neighbors are Master Water Stewards and will be doing some buckthorn removal on Eden Prairie land, in partnership with the District.

**C. Outdoor Seating and Landscaping Project Update**

Education and Outreach Program Manager Sniegowski stated that the request for quotes are due the following day. She stated that one quote has been received and two other companies visited the site today, so she expected additional quotes to come in.

**D. Discuss the Need to Purchase New Stormdrain Markers**

Education and Outreach Program Manager Sniegowski stated that there has been a lot of interest in the stormdrain marking lately. She noted that new markers are needed and will be printed with the new logo and District colors. She provided a draft mockup. She stated that she would like to order 500, which would have a total of \$1,372.89. She noted that when the volunteers are sent out, staff asks that they also clear the debris out of the stormdrain as well.

Manager Lynch moved, seconded by Manager Peterson, to authorize the purchase of stormdrain markers with a cost not to exceed \$1,500. Upon a vote, the motion carried.

**New Business**

**A. Delegate Authorization of Permit Extension to Administrator**

Administrator Anhorn noted that the Board previously discussed delegating the authority for permit extension approval and minor changes to the Administrator. He stated that staff drafted a resolution that would delegate those authorities to the Administrator.

It was noted that the language would be updated to state monthly update, rather than regular update.

Attorney Smith stated that the discussion included minor non-material changes but noted that does not appear to be included in the resolution.

Administrator Anhorn noted that there was another draft resolution prepared which included that language.

Manager Lynch moved, seconded by Manager Sheely, to read aloud Resolution o. 17-01. Upon a vote, the motion carried.

Manager Lynch moved, seconded by Manager Twele, to adopt the revised Resolution No. 17-01 Delegating Certain Permit Approval Authority to the Administrator.

Administrator Anhorn conducted a roll call vote:

Kloiber	aye
Lynch	aye
Peterson	aye
Sheely	aye
Twele	aye

The motion carried.

**B. Stormwater Volume Retention Credit Banking**

Administrator Anhorn noted that a memorandum was included in the packet which identifies a draft of the program and applicable forms. He provided additional details on how the program would run including potential draft language on the sequencing of where the banked volume retention credits could be used. He noted that the presented material was purely informational at this time.

## **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. Bush Lake Shoreline Vegetation Management**
- L. Status of Construction Projects**

Engineer Obermeyer updated the Board on the above listed projects.

Administrator Anhorn provided an update on the Edina Creek Stabilization project, noting that the goal is to begin work in June.

## **Attorney's Report**

Attorney Smith had nothing further to report.

## **Administrator's Report**

Administrator Anhorn noted that there was some storm damage during the two days of strong winds recently. He stated that staff asked for an estimate from the arborist, noting that the cost would be approximately \$600, which is under the \$1,000 threshold.

Education and Outreach Program Manager Sniegowski provided additional details on a pine tree that the City of Eden Prairie asked to be removed. She stated that the total estimate including the pine removal and removal of the trees damaged in the recent wind storms was \$645.

Administrator Anhorn discussed a possible workshop for the Board. It was the consensus of the Board to hold the workshop at 5:30 p.m. on April 6<sup>th</sup>.

Administrator Anhorn noted that as part of his hiring it was determined to hold a six-month performance review, and advised that timeframe is soon approaching.

Chair Kloiber stated that each of the Managers could complete a review form to send to a designated Manager to compile, which would then be reviewed at the April 19, 2017 Board meeting.

Manager Peterson stated that she would be willing to accept the Manager forms to compile the results.

**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 Twele, seconded by Manager Sheely, to adjourn the meeting at 9:03 p.m. Upon a vote, the motion carried.

Respectfully submitted,



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Corrine Lynch, Secretary

ATTACHMENTS:  
Treasurer's Report