

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

WEDNESDAY, OCTOBER 17, 2018

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, October 17, 2018, at the Nine Mile Creek Watershed District Office, 12800 Gerard Drive, Eden Prairie, MN 55346.

Managers Present: Twele, Kloiber, Sheely and Peterson

Managers Absent: Hunker

Advisors Present: Randy Anhorn, Louis Smith, Jana Kieffer, and Erica Sniegowski

Agenda

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

Reading and Approval of Minutes

The Chair called for review of the minutes of the Regular Meeting of September 19, 2018. The Managers provided copies of their minor changes to staff.

Manager Peterson moved, seconded by Manager Sheely, to approve the regular meeting minutes of September 19, 2018 subject to minor corrections. Upon a vote, the motion carried.

The Chair called for review of the minutes of the Special Meeting of October 3, 2018. The Managers provided copies of their minor grammatical changes to staff.

Manager Sheely moved, seconded by Manager Peterson, to approve the special meeting minutes of October 3, 2018 subject to minor corrections. Upon a vote, the motion carried.

Public Open Forum

Jeff Strate, 15021 Summerhill Hill Drive, Eden Prairie, stated that he was a good friend of the previous property owner who donated her land to the Watershed District. He stated that Barbara Kaerwer would be extremely happy with how the District is using the property. He

stated that he grew up in Edina on Lake Cornelia and provided additional background information on himself and his experience. He stated that he recently sent concerns to staff regarding a current city project in Lone Lake Park in Minnetonka and noted that staff responded immediately and answered his questions satisfactorily. He stated that unfortunately, such a quick and thorough response to citizen questions is not typical in today's world, and he has been very impressed with his interactions with District staff.

Consent Agenda

- A. Administratively Approved Permits**
- B. Permit Inspection Report**

Manager Peterson stated that she noticed some mention of numerous active projects experiencing washouts because of the heavy precipitation on the permit inspection report.

Administrator Anhorn stated that staff responded to a few calls on erosion issues on a couple the single-family home permits, and were out the next day to inspect the sites and attempt to provide additional erosion control measures in order to address the problems.

Chair Kloiber commented on the length of the permit inspection report noting that perhaps that could be scaled down a bit in the future to more of an overview of general summary, or just highlight problem areas.

Administrator Anhorn stated that in coordination with the eventual hire of a permit coordinator, staff will be looking to provide additional changes to the way that information is provided to the Board.

Manager Sheely noted that a lot of applicants were hit hard with the 3.5-inch rain event and perhaps that kind of detail could be provided at the top of the report to put the details into better context.

Chair Kloiber noted that there was nothing on the consent agenda that needed the board to take action on, that the items were purely informational.

Hearing of Permit Applications

- A. Permit #2018-111: Toro Site Fire Lane Improvements – 8111 Lyndale Avenue South: Bloomington**

Engineer Kieffer presented the permit application and proposed plans, which will provide additional drainage improvements along the fire lane on the Toro site in Bloomington. She stated that there will be no new impervious surface added, there will not be an increase in the site's imperviousness. She stated that there have been several permits in front of the District for this applicant and therefore the common scheme of development has been reviewed. She stated that 2,426 square feet would be disturbed through this project, noting that since 2008, 33 percent of the site has been disturbed and therefore stormwater improvement would only be required for

the disturbed area of the current project in front of the board. She stated that the applicant is requesting to meet the rules through extra volume retention capacity constructed and unused through previous projects. She provided the cubic feet available as of the last permit in 2016 and noted that the requirement would be met. She noted that as-built drawings and performance monitoring of the BMPs would be required to show that the project was built to the design standard the that the needed volume retention is available.

Administrator Anhorn stated that the as-builts have been provided with the performance monitoring information as well as the as-built drawings that are reviewed by Engineer Obermeyer. He stated that the official determination of available credit will be provided at the next meeting as it appears the total available may be higher than originally believed. He stated that either way there is sufficient volume to cover this request. He said that once the total amount available is determined, he would have the applicant initiate a stormwater volume retention credit bank application request in order to formalize the amount available.

Engineer Kieffer stated that staff recommends approval subject to surety in the amount of \$10,000 and proof that the infiltration basin is working in order to receive the credit.

Manager Peterson moved, seconded by Manager Sheely, to approve the permit, subject to the noted conditions. Upon a vote, the motion carried.

Change Orders

A. Normandale Lake Improvement Project

Program and Project Manager Sniegowski stated that change order one was administratively approved and was provided for informational purposes. She provided details on the items included in the change order.

Administrator Anhorn asked about the additional silt fence on the eastern side of the county road to funnel the turtles return to the lake in the spring.

Engineer Kieffer stated that turtle fence has been installed on the east side of Highway 100, which was not included in the contract as discussions had not yet occurred with Hennepin County. She stated that there will likely be a change order in the future for that item.

B. Discovery Point Landscape Restoration Project – Phase II

Program and Project Manager Sniegowski provided details on change order one, which was administratively approved. She presented the details of change order two which includes a second herbicide spray, additional sedimentation biologists to stabilize the site to prevent erosion, additional shrub protection fencing, and hardwood mulch. She stated that the total for the change order is \$5,145.25 and provided a summary of the cost thus far compared to the budgeted amount for the year, noting that the District is still under the budgeted amount and Engineer's estimate.

Manager Sheely asked if the calculations are correct for the spraying, as the area is the same for the first and second spraying, but the price appears to be different.

Program and Project Manager Sniegowski apologized that the report was not clear but noted that it is the same price for the first and second sprayings.

Manager Sheely moved, seconded by Manager Peterson, to approve change order two for Discovery Point Landscape Restoration Project – Phase II in the amount of \$5,145.25. 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.

Engineer Kieffer recommended approval of the pay requests from Sunram Construction and Rachel Contracting.

Manager Peterson moved, seconded by Manager Sheely, to approve the pay request to Rachel Contracting in the amount of \$47,473.88. Upon a vote, the motion carried.

Manager Sheely moved, seconded by Manager Twele, to approve the pay request to Sunram Construction in the amount of \$159,377.85. Upon a vote, the motion carried.

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

Staff Reports

A. Education and Outreach Program Report

Program and Project Manager Sniegowski stated that the written report was included in the Board packet. She advised of an invitation that was provided for the December 12th State of the Waters event, which is also a calendar release event that will be held at the Hopkins Center for the Arts.

Chair Kloiber stated that he sat in on Education and Outreach Coordinator Zembal's presentation at the water resource conference today and she did a great job.

B. Program and Project Manager Report

Program and Project Manager Sniegowski stated that the work on Phase II for Discovery Point is wrapped up and noted that there will be a volunteer planting in the spring. She provided an update on the Normandale Lake project, noting that water levels continue to drop. She stated that staff met with a consultant to discuss carp management in the lake and noted that the plan is complete that activity in the spring.

C. Administrator's Report

Administrator Anhorn stated that two additional city local water management plans for the District's review have been received from Minnetonka and Hopkins, which will be included on the next agendas. He stated that the District Intern's last day was last Saturday. He provided an update on the District streambank project.

Unfinished Business

A. Open Manager Position Update

Administrator Anhorn stated that one person has been interviewed for the position and it looks like the County Board will take action at their next meeting on October 25, 2018, which means that this is Manager Twele's last meeting.

B. Permitting Coordinator Position Update

Administrator Anhorn stated that there were approximately 70 applicants for the position, noting that not all applicants were qualified. He stated that seven applicants will be interviewed the next week.

C. MAWD Annual Meeting

Administrator Anhorn stated that the agenda for the meeting was mailed to the Managers. He stated that delegates will need to be appointed to the meeting, which will occur at the November meeting. He noted that Chair Kloiber and Managers Hunker and Sheely will be attending the conference. He stated that he obtained reservations for Managers at the Hampton Inn and noted that he will continue to look to see if a closer hotel could be obtained.

New Business

A. NMCWD 60th Anniversary

Administrator Anhorn stated that staff is looking for assistance, perhaps two Managers that could meet with staff to discuss plans for the District's 60th anniversary. He stated that staff is looking at doing a web-based story map.

Chair Kloiber mentioned that story map may not be ADA compliant.

Program and Project Manager Sniegowski provided additional details on the elements that can be included in story map. She stated that a proposal has been included from Barr Engineering to develop a project using story map or through another web application. She reviewed the scope of work from Barr Engineering, noting that the majority will be staff time to go through the information, interview people and determine the information that will be used to create the story. She noted that there is an optional piece for Barr Engineering to host the eventual storyboard on their server. She noted that the Board can either provide direction to

move forward or can review the information in further detail for discussion at the next meeting. She stated that the total cost of \$28,000 would include the optional hosting. She noted that an important part of the process will be obtaining the oral history from people that have been involved with the District.

Chair Kloiber suggested that the Board discuss that at the November meeting. He noted that perhaps pieces of the 50th anniversary book should be reviewed to determine if it should be included.

Administrator Anhorn stated that staff can research the topic of ADA compliance before the November meeting as well.

Manager Sheely noted a 50th anniversary event that she attended for another watershed which featured meeting for city staff and officials, which she believed would be helpful in continuing to build upon those relationships.

Chair Kloiber asked the timing for the events.

Program and Project Manager Sniegowski replied that she would like to do some spring and summer events and then tying into a fall tour and appreciation event.

Engineer's Report

Engineer Kieffer had nothing further to report.

Attorney's Report

Attorney Smith had nothing further to report.

Managers' Report

Manager Sheely advised of a recent event that she attended. She stated that she also attended a Master Water Steward event and noted that it was fun to see such a big group.

Adjournment

It was moved by Manager Sheely, seconded by Manager Peterson, to adjourn the meeting at 8:10 p.m. Upon a vote, the motion carried.

Respectfully submitted,



Grace Sheely, Secretary

ATTACHMENTS: Treasurer's Report