

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

WEDNESDAY, SEPTEMBER 15, 2021

I. Call to Order of the Regular Board Meeting

President Cutshall called the Regular Meeting of the Board of Managers of the Nine Mile Creek Watershed District to order at 7:00 p.m., Wednesday, September 15, 2021. The meeting was conducted by web-based video conference, pursuant to Minnesota Statutes section 13D.021, after the chair determined that because of the COVID-19 pandemic, it was not prudent for the board of managers, or any committee thereof, to meet in person.

Managers Present: Grace Butler, Bob Cutshall, Erin Hunker, Peggy Kvam, and Larry Olson

Advisors Present: Janna Kieffer and Bob Obermeyer (Barr Engineering), and Michael Welch (Smith Partners)

Staff Present: Randy Anhorn, Lauren Foley, Erica Sniegowski, and Gael Zembal

II. Approval of Regular Meeting Agenda

Manager Kvam moved, seconded by Manager Olson to approve the meeting agenda as presented. On a roll call vote, the motion was approved 4-0 (Manager Butler absent).

III. Reading and Approval of Minutes

a. Draft Minutes of the August 5, 2021, Board Workshop

Manager Olson moved, seconded by Manager Hunker to approve the minutes of the District's August 5, 2021, Board Workshop. On a roll call vote, the motion was approved 4-0 (Manager Butler absent).

b. Draft Minutes of the August 18, 2021, Regular Board Meeting

Manager Hunker moved, seconded by Manager Kvam to approve the minutes of the District's August 18, 2021, Regular Board Meeting. On a roll call vote, the motion was approved 4-0 (Manager Butler absent).

IV. Public Open Forum

No items were raised in the public open forum.

[Manager Butler joined the meeting, 7:05 p.m.]

V. Consent Agenda

- a. Administratively Approved Permits**
- b. Permit Inspection Report**
- c. Staff Reports**
 - i. Permit and Water Resources Coordinator**
 - ii. Education and Outreach Coordinator**
 - iii. Program and Projects Manager**
 - iv. Engineer's Report**

The Board accepted the Consent Agenda by unanimous consensus.

VI. Hearing of Permit Applications

a. 2021-116 Braemar Cart Path and Bridge Improvement, Edina

Engineer Obermeyer and Administrator Anhorn displayed proposed project plans, and Engineer Obermeyer explained this project involves trail construction and pedestrian bridge construction at Braemar Golf Course. He provided a brief history of the need for and location of these proposed improvements. Engineer Obermeyer said the new seven-foot wide path would include 1,400 lineal feet of new bituminous path, which would connect existing path. He provided information about the pedestrian bridge at the 16th hole and described the flood and bridge elevations, noting that because the low element of the bridge would be less than 2 feet above the 100-year flood elevation of the relevant wetland, Edina is requesting a variance from the 2-foot freeboard requirement in NMCWD Rule 2.0.

Manager Butler asked Engineer Obermeyer to add to the report the location of the 1,400 lineal feet of new trail. Engineer Obermeyer said he could include a map. Attorney Welch stated that under NMCWD's regulatory definitions, the bridge is a "structure." The managers agreed they were comfortable with the definition.

Manager Butler moved, seconded by Manager Olson to approve the requested variance from compliance with subsection 2.3.1 and Permit 2021-116 Braemar Cart Path and Bridge Improvement. On a roll call vote, the motion was approved 5-0.

VII. Treasurer's Report

Manager Olson went through the invoices and cash disbursements listed in the report. Administrator Anhorn commented he will be working with Treasurer Olson on proposed amendments to the District's 2021 budget to bring to the Board in October.

Manager Butler moved, seconded by Manager Olson to accept the Treasurer's Report and approve paying the bills. On a roll call vote, the motion was approved 5-0.

VIII. Administrator's Report

Administrator Anhorn reported he submitted the District's 2022 budget and levy to the Hennepin County auditor.

He said the District will be at the September 21st Edina City Council meeting to talk about the Lynmar Basin Stormwater Retrofit project and conceptual design.

Administrator Anhorn reported there is a Holiday, Wing, Rose Lake use-attainability analysis community stakeholder meeting on the evening of September 29th at the Minnetonka Community Center

The managers set 6:00 p.m. start for the October 7 workshop.

Administrator Anhorn displayed a chart of the Rosland Park BMP project construction schedule.

IX. Unfinished Business

a. Lynmar Basin Stormwater BMP Retrofit Project

i. Lynmar Park Basin Stormwater BMP Final Concept Plan

Engineer Kieffer updated the managers on development of the Lynmar Basin stormwater retrofit concept plan. She provided a project overview, explaining that the objectives are to develop a project concept design and identify whether this is a viable project that has neighborhood support and community buy-in. Engineer Kieffer provided project background, reminding the group that the proposed project is tributary to

Lake Edina, which is impaired for excess nutrients. Ms. Kieffer noted that approximately 35% of the phosphorus load is from watershed runoff.

Engineer Kieffer reviewed the public engagement process that has taken place, including April 10 and July 13 community meetings. She presented the final conceptual plan, explaining its primary goal is to maximize storage for stormwater volume reduction and flood risk reduction while maintaining some open space, minimizing tree loss, having a path-sidewalk connection, and keeping a tidy aesthetic.

Engineer Kieffer went through the Engineer's opinion of probable cost of \$898,000, which includes a 30% construction contingency. She said the estimated accuracy of minus 15% and plus 20% is \$764,000-\$1,078,000. She listed the project benefits, including an estimated 91% reduction in runoff volume from the area tributary to the park and annual average total phosphorous removal of 12 pounds. She stated that the estimated annualized cost per pound of phosphorus removed is \$4,300.

ii. Lynmar Basin Stormwater BMP Retrofit Project Feasibility Study/ Engineer's Scope of Work

Engineer Kieffer reviewed the expected benefits of the Lynmar Basin stormwater project. She said if the Edina City Council supports this project concept at its September 21, 2021, meeting, the next step is a feasibility study this fall, followed by a public hearing and ordering of the project. To continue development of the project, the engineer has provided a proposed scope of work for additional engineering and design-development tasks for board approval.

There was discussion about the plant selections and keeping the plants maintained to meet the residents' expectations. Administrator Anhorn said this issue will be addressed in the maintenance agreement with the city.

Engineer Kieffer went through the tasks involved in the proposed engineering and design scope of work, including soil borings, groundwater mounding analysis, basin sizing and storm sewer retrofit analysis, the feasibility report, and project meetings, a presentation to the Board, and project management throughout the project. Administrator Anhorn reminded the Board the District was awarded \$190,000 from the state Clean Water Land and Legacy program. He said that once the City of Edina approves the project, the District can apply for grant funds from Hennepin County.

Manager Butler moved, seconded by Manager Olson to authorize a scope of work as presented by Engineer Kieffer, not to exceed \$28,560, including subcontracted soil-boring services, and to delegate to Administrator Anhorn the authority to select a soil boring subcontractor. On a roll call vote, the motion was approved 5-0.

Mr. Welch noted that the administrator and engineer will need to obtain permission from the city to conduct the soil borings.

X. New Business

a. Groundwater Conservation Grant

Program and Project Manager Sniegowski reminded the Board it allocated in this year's budget \$100,000 for its 2021 Groundwater Conservation Cost Share Grant program. She also reminded the Board that the grants are available to cities at a maximum grant amount of \$25,000 and require a 10% match, and that Administrator Anhorn is authorized to approve the grants. Program and Project Manager Sniegowski reported the District received applications from Eden Prairie and Hopkins, and she summarized the applications. She asked for Board feedback on the Hopkins application for constructing a pollinator garden of native plants and fescue and installing educational signage at a proposed pollinator garden in Valley Park.

Manager Butler said she's concerned about exactly where the pollinator garden would be located in the park and making sure the District can help drive people to education events there. Chair Cutshall commented this isn't the type of project he had envisioned with the groundwater conservation grant program, since it is all education and removed from measurable results. Manager Hunker said she sees this as an opportunity to have further partnerships with the City of Hopkins. Manager Kvam said when she was considering putting fescue in her yard, she had a hard time finding examples, and so she supports this project. Manager Butler suggested as part of this grant the City of Hopkins provide fescue seed and track the number of people who take the seed to provide the District with a measurement of the project's effectiveness.

b. Boardroom Audiovisual Proposal

i. iSpace Proposal

Administrator Anhorn described the proposal for remote electronic participation in in-person meetings and education events. Administrator Anhorn noted that the proposal cost is \$36,431.27. He asked for manager input to see if they value adding this type of technology.

The managers talked about the availability of training on the equipment, the timing of this initiative, and the cost. Attorney Welch noted that an additional benefit of such technology would be that District meetings and events would more accessible and transparent.

Administrator Anhorn said it sounds like the managers are in consensus of pursuing this type of technology for the District office. The managers requested the administrator to obtain a second quote for the technology upgrade.

c. Imagine IT Proposal to Replace Outdated Server and Migrate to Cloud

Administrator Anhorn stated that NMCWD's current server is becoming obsolete and presented the option of migrating to the cloud, as outlined in a proposal from NMCWD's current managed-services support provider, Imagine IT. Manager Olson commented that there would be a recurring monthly charge for networking and storage in the cloud. Administrator Anhorn said he is looking for Board authorization to work with Imagine IT to migrate from the server to the cloud.

Manager Butler moved, seconded by Manager Hunker to authorize the District Administrator to amend the agreement with Imagine IT to include a Not-to-exceed subcontract with Perceptive Solutions of \$7,400 and additional work by Imagine IT not-to-exceed \$4,564 to move the NMCWD computer network to the cloud. On a roll call vote, the motion was approved 5-0.

XI. Attorney's Report

Attorney Welch noted that it appears prudent in light of ongoing COVID-19 infection rates for NMCWD to stay the course with virtual meetings. Administrator Anhorn noted the Board's workshop will be virtual as well.

XII. Managers' Reports

Manager Butler commended staff member Elizabeth Boor on her hard work to develop a new storymap for the District's website, which is a great new resource that provides information in great detail about Nine Mile Creek and the District's capital projects and what the District has done.

XIII. Adjournment

It was moved by Manager Olson , seconded by Manager Butler to adjourn the meeting at 9:04 p.m. On a roll call vote, the motion was approved 5-0.

Respectfully Submitted,

Erin Hunker, Secretary

DRAFT