



Nine Mile Creek Discovery Point
12800 Gerard Drive
Eden Prairie, MN 55346

(952) 835-2078

ninemilecreek.org

MEMO

TO: Nine Mile Creek Board of Managers
FROM: Randy Anhorn
DATE: August 23, 2021
RE: Authorization to Pay Smith Partners July 2021 Invoice

Background/Information

Due to some IT issues, the District did not receive Smith Partner's invoice for legal services in July 2021 (attached). In order for the District to pay the invoice within the 35-day requirement, I informed the managers at the August 18, 2021 Board meeting of receiving the invoice after the July Treasurer's report was completed and distributed, and that a check was cut for the Manager's to authorize payment of (to be signed by two managers). I further stated that and that the invoice amount would be reconciled on the August 2021 Treasurer's report.

While the Managers authorized payment of the invoice, I neglected to state the dollar amount invoiced (\$13,483.60). For this reason, I am asking the Managers to re-authorize the payment of the Smith Partners July 2021 invoice for legal services for the District in the amount of \$13,483.60.

Request

Authorize the payment of the Smith Partners July 2021 invoice for legal services for the District in the amount of \$13,483.60 and have two managers stop by the District Office to sign the check.



The Marq
 250 Marquette Ave. So., Suite 250
 Minneapolis, MN 55401
 (612) 344-1400
 EIN 20-3663831

Invoice submitted to:
 Nine Mile Creek Watershed
 12800 Gerard Dr.
 Eden Prairie, MN 55346

July 31, 2021

Matter: 407-100 In Reference To: General Administration

Invoice # 42550

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/21/2021 Prepare and attend meeting of board managers. Michael J. Welch	3.70 249.00/hr	921.30
For professional services rendered	3.70	\$921.30
Previous balance		\$547.80
Accounts receivable transactions		
8/2/2021 Payment - Thank You. Check No. 7891		(\$6,942.07)
8/2/2021 Transfer remainder of check to other client matters		\$1,311.76
8/2/2021 Transfer remainder of check to other client matters		\$323.70
8/2/2021 Transfer remainder of check to other client matters		\$771.90
8/2/2021 Transfer remainder of check to other client matters		\$426.00
8/2/2021 Transfer remainder of check to other client matters		\$199.20
8/2/2021 Transfer remainder of check to other client matters		\$249.00
8/2/2021 Transfer remainder of check to other client matters		\$273.90
8/2/2021 Transfer remainder of check to other client matters		\$273.90
8/2/2021 Transfer remainder of check to other client matters		\$174.30
8/2/2021 Transfer remainder of check to other client matters		\$2,390.61
Total payments and adjustments		(\$547.80)
Balance due		\$921.30



The Marq
250 Marquette Ave. So., Suite 250
Minneapolis, MN 55401
(612) 344-1400
EIN 20-3663831

Invoice submitted to:
Nine Mile Creek Watershed
12800 Gerard Dr.
Eden Prairie, MN 55346

July 31, 2021

Matter: 407-101 In Reference To: Watershed Administration

Invoice # 42551

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/9/2021 Draft statement rescinding virtual meetings declaration. Michael J. Welch	0.40 249.00/hr	99.60
7/13/2021 Draft suggested revisions to June meeting minutes; email correspondence with administrator regarding in-person meetings. Michael J. Welch	0.40 249.00/hr	99.60
7/14/2021 Telephone conference with administrator on meeting format. Michael J. Welch	0.10 249.00/hr	24.90
7/15/2021 Draft suggested revisions of June meeting and workshop. Michael J. Welch	1.10 249.00/hr	273.90
7/20/2021 Telephone correspondence with administrator on agenda items. Michael J. Welch	0.20 249.00/hr	49.80
7/22/2021 Telephone conference with president regarding gift ban. Michael J. Welch	0.10 249.00/hr	24.90
7/27/2021 Email correspondence from administrator. Michael J. Welch	0.20 249.00/hr	49.80
For professional services rendered	2.50	\$622.50
Previous balance		\$1,311.76

Continued

	<u>Amount</u>
Accounts receivable transactions	
8/2/2021 Transferred payment from other client matters	(\$1,311.76)
Total payments and adjustments	(\$1,311.76)
Balance due	<u>\$622.50</u>

Matter: 407-105

In Reference To: Contracts

Invoice # 42552

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/21/2021 Analyze cyberprotection proposal. Michael J. Welch	0.30 249.00/hr	74.70
For professional services rendered	<u>0.30</u>	<u>\$74.70</u>
Balance due		<u><u>\$74.70</u></u>

Matter: 407-106

In Reference To: Special Matters

	<u>Amount</u>
Previous balance	\$323.70
Accounts receivable transactions	
8/2/2021 Transferred payment from other client matters	(\$323.70)
Total payments and adjustments	(\$323.70)
Balance due	<u>\$0.00</u>

Matter: 407-201 In Reference To: Rule Making

Invoice # 42553

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/7/2021 Telephone conference with administrator on comments. Michael J. Welch	0.20 249.00/hr	49.80
7/8/2021 Prepare for and participate in rule comment review. Michael J. Welch	2.70 249.00/hr	672.30
7/9/2021 Work on responses to comments and revisions to rules; email correspondence with permit coordinator. Michael J. Welch	0.50 249.00/hr	124.50
7/13/2021 Work on rule comment responses, rule revisions; finalize resolutions. Michael J. Welch	2.00 249.00/hr	498.00
7/14/2021 Work on rule revisions, resolutions, supporting matrix; telephone confrence with permit coordinator. Michael J. Welch	1.90 249.00/hr	473.10
7/15/2021 Follow up on board action on rule revision with administrator. Michael J. Welch	0.30 249.00/hr	74.70
7/16/2021 Telephone conference and follow up with permit coordinator on rule typo. Michael J. Welch	0.40 249.00/hr	99.60
7/19/2021 Prepare for July meeting of managers. Michael J. Welch	0.40 249.00/hr	99.60
Prepare for board action on rules; email correspondence with engineer and permit coordinator. Michael J. Welch	0.50 249.00/hr	124.50
7/20/2021 Finalize preparations for rule-amendment adoption. Michael J. Welch	0.70 249.00/hr	174.30
7/21/2021 Analyze notices; email correspondence with permit coordinator. Michael J. Welch	0.40 249.00/hr	99.60
7/22/2021 Finalize rules and related materials. Michael J. Welch	2.20 249.00/hr	547.80
7/23/2021 Finalize rules materials. Michael J. Welch	0.60 249.00/hr	149.40
7/29/2021 File rules for recordation. Michael J. Welch	0.50 249.00/hr	124.50

Continued

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	13.30	\$3,311.70
Additional Charges :		
7/31/2021 Print and copying cost month of July 2021		6.39
Total additional charges		\$6.39
Previous balance		\$771.90
Total amount of this bill		\$3,318.09
Accounts receivable transactions		
8/2/2021 Transferred payment from other client matters		(\$771.90)
Total payments and adjustments		(\$771.90)
Balance due		\$3,318.09

Matter: 407-202

In Reference To: Permits

Invoice # 42554

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/1/2021 Email correspondence with engineer on Rosland permit; voicemail correspondence with permit coordinator on declaration (.1). Michael J. Welch	0.60 249.00/hr	149.40
7/2/2021 Email correspondence with permit coordinator and administrator on Rosland permit. Michael J. Welch	0.30 249.00/hr	74.70
7/8/2021 Web conference with administrator, engineers and permit coordinator on Rosland Park project permitting. Michael J. Welch	0.20 249.00/hr	49.80
7/12/2021 Consider financial assurance for Rosland project permit. Louis N. Smith	0.40 260.00/hr	104.00
7/13/2021 Telephone correspondence with engineer about permitting for Rosland project. Michael J. Welch	0.30 249.00/hr	74.70
7/14/2021 Email correspondence regarding Shady Oak outlet permit. Michael J. Welch	0.60 249.00/hr	149.40
7/15/2021 Analyze report 2021-71; draft advisory notes for engineer. Michael J. Welch	3.10 249.00/hr	771.90
7/16/2021 Finalize revisions to 2021-71 report; telephone and email correspondence with engineer and administrator. Michael J. Welch	3.40 249.00/hr	846.60
7/19/2021 Finalize review of 2021-71 report draft; email correspondence with engineer. Michael J. Welch	1.70 249.00/hr	423.30
7/22/2021 Analyze revised report for 2021-71. Michael J. Welch	0.50 249.00/hr	124.50
Analyze email correspondence regarding 2021-55 declaration. Michael J. Welch	0.20 249.00/hr	49.80
7/24/2021 Analyze revised report for 2021-071; email correspondence with administrator on public comment. Michael J. Welch	1.40 249.00/hr	348.60
7/26/2021 Finalize notes on revised 2021-71 report; email engineer. Michael J. Welch	0.90 249.00/hr	224.10

Continued

	<u>Hrs/Rate</u>	<u>Amount</u>
7/26/2021 Telephone conference with permit coordinator on declarations; email correspondence on 2021-55. Michael J. Welch	1.00 249.00/hr	249.00
7/28/2021 Telephone conference with engineer on Old Shady Oak Road culvert issue .5); analyze declaration for 2021-055 and email permit coordinator (.5). Michael J. Welch	1.00 249.00/hr	249.00
7/29/2021 Analyze followup on permit 2020-74. Michael J. Welch	0.30 249.00/hr	74.70
7/30/2021 Complete review of 2021-055 report and draft advisory notes and recommendations. Michael J. Welch	2.30 249.00/hr	572.70
Email correspondence regarding 2021-55 (.1); finalize vacating and superseding template. Michael J. Welch	1.10 249.00/hr	273.90
For professional services rendered	<u>19.30</u>	<u>\$4,810.10</u>
Additional Charges :		
7/31/2021 Print and copying cost month of July 2021		5.31
Total additional charges		<u>\$5.31</u>
Previous balance		\$426.00
Total amount of this bill		<u>\$4,815.41</u>
Accounts receivable transactions		
8/2/2021 Transferred payment from other client matters		(\$426.00)
Total payments and adjustments		<u>(\$426.00)</u>
Balance due		<u><u>\$4,815.41</u></u>

Matter: 407-203

In Reference To: Policy Issues

Invoice # 42555

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/29/2021 Telephone conference with engineer and followup on Oxboro Lake environmental assessment worksheet. Michael J. Welch	0.40 249.00/hr	99.60
For professional services rendered	<u>0.40</u>	<u>\$99.60</u>
Additional Charges :		
7/31/2021 Print and copying cost month of July 2021		0.18
Total additional charges		<u>\$0.18</u>
Previous balance		\$199.20
Total amount of this bill		<u>\$99.78</u>
Accounts receivable transactions		
8/2/2021 Transferred payment from other client matters		(\$199.20)
Total payments and adjustments		<u>(\$199.20)</u>
Balance due		<u><u>\$99.78</u></u>

Matter: 407-204

In Reference To: Sureties

Invoice # 42556

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/7/2021 Telephone conference with administrator and follow up on 2017-45 enforcement. Michael J. Welch	0.10 249.00/hr	24.90
7/9/2021 Analyze background on 2017-45 enforcement. Michael J. Welch	0.50 249.00/hr	124.50
7/12/2021 Follow up with administrator on 2017-043/-045 enforcement. Michael J. Welch	2.20 249.00/hr	547.80
7/13/2021 Finalize draft letter on 2017-043/-045 draw; email and telephone correspondence with administrator. Michael J. Welch	1.60 249.00/hr	398.40
7/14/2021 Telephone conference and email followup with administrator on 2017-43 enforcement. Michael J. Welch	0.40 249.00/hr	99.60
7/15/2021 Follow up on financial assurance renewal for 2017-43 with administrator. Michael J. Welch	0.10 249.00/hr	24.90
7/19/2021 Follow up with administrator on financial assurance for 2017-45. Michael J. Welch	0.20 249.00/hr	49.80
7/20/2021 Telephone correspondence with administrator and followup on bond for 2017-43. Michael J. Welch	0.20 249.00/hr	49.80
7/21/2021 Telephone and email correspondence with administrator on bond for 2017-45. Michael J. Welch	0.20 249.00/hr	49.80
7/22/2021 Email correspondence regarding performance of facilities for 2017-45. Michael J. Welch	0.10 249.00/hr	24.90
7/26/2021 Analyze bond reinstatement for 2017-45. Michael J. Welch	0.10 249.00/hr	24.90
For professional services rendered	5.70	\$1,419.30

Additional Charges :

7/20/2021 Postage 7/20/2021		8.60
7/31/2021 Print and copying cost month of July 2021		6.03

	<u>Amount</u>
Total additional charges	\$14.63
Previous balance	\$249.00
Total amount of this bill	\$1,433.93
Accounts receivable transactions	
8/2/2021 Transferred payment from other client matters	(\$249.00)
Total payments and adjustments	(\$249.00)
Balance due	<u>\$1,433.93</u>

Matter: 407-305

In Reference To: General Capital Project Matters

	<u>Amount</u>
Previous balance	\$273.90
Accounts receivable transactions	
8/2/2021 Transferred payment from other client matters	(\$273.90)
Total payments and adjustments	(\$273.90)
Balance due	<u>\$0.00</u>

Matter: 407-306

In Reference To: Edina Water Quality Improvement Project

Invoice # 42557

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/12/2021 Telephone conference and followup with administrator on vegetation maintenance. Michael J. Welch	0.10 249.00/hr	24.90
7/19/2021 Telephone conference with administrator on permitting and review of Edina stream-restoration work. Michael J. Welch	1.10 249.00/hr	273.90
7/20/2021 Follow up on engineering conflict for Edina project with administrator. Michael J. Welch	0.20 249.00/hr	49.80
Analyze issue of payment for vegetation; email administrator. Michael J. Welch	0.40 249.00/hr	99.60
7/21/2021 Follow up with administrator on next steps for maintenance agreement. Michael J. Welch	0.10 249.00/hr	24.90
7/30/2021 Follow up on project planning. Louis N. Smith	0.60 260.00/hr	156.00
For professional services rendered	2.50	\$629.10
Previous balance		\$273.90
Accounts receivable transactions		
8/2/2021 Transferred payment from other client matters		(\$273.90)
Total payments and adjustments		(\$273.90)
Balance due		<u><u>\$629.10</u></u>

Matter: 407-307

In Reference To: General Administration

	<u>Amount</u>
Previous balance	\$174.30
Accounts receivable transactions	
8/2/2021 Transferred payment from other client matters	(\$174.30)
Total payments and adjustments	(\$174.30)
Balance due	<u>\$0.00</u>

Matter: 407-311

In Reference To: Lake Cornelia & Lake Edina

Invoice # 42558

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/20/2021 Telephone and email correspondence with administrator and engineer on bidding results. Michael J. Welch	0.80 249.00/hr	199.20
7/21/2021 Prepare for contracting determination by managers; web meeting with engineers and administrator. Michael J. Welch	1.20 249.00/hr	298.80
7/22/2021 Email correspondence with engineer and administrator. Michael J. Welch	0.20 249.00/hr	49.80
7/23/2021 Telephone conference with administrator and followup with notes for Lynmar basin. Michael J. Welch	0.40 249.00/hr	99.60
7/27/2021 Telephone conference with administrator on blue-green algae response. Michael J. Welch	0.20 249.00/hr	49.80
7/30/2021 Follow up on Rosland Park bid results. Michael J. Welch	1.50 249.00/hr	373.50
For professional services rendered	4.30	\$1,070.70
Additional Charges :		
7/31/2021 Print and copying cost month of July 2021		0.09
Total additional charges		\$0.09
Previous balance		\$2,390.61
Total amount of this bill		\$1,070.79
Accounts receivable transactions		
8/2/2021 Transferred payment from other client matters		(\$2,390.61)
Total payments and adjustments		(\$2,390.61)
Balance due		\$1,070.79

Matter: 407-312

In Reference To: South Fork

Invoice # 42559

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/12/2021 Analyze responses to request for proposals; email correspondence with managers, administrator. Michael J. Welch	0.50 249.00/hr	124.50
7/20/2021 Analyze responses to request for proposals for wetlands work. Michael J. Welch	0.60 249.00/hr	149.40
7/23/2021 Draft agreement with EOR for assessment work. Michael J. Welch	0.20 249.00/hr	49.80
7/29/2021 Draft agreement with EOR for feasibility analysis. Michael J. Welch	0.70 249.00/hr	174.30
For professional services rendered	<hr/> 2.00	<hr/> \$498.00
Balance due		<hr/> <hr/> \$498.00

Selection Criteria

Clie.Classification Open
Clie.Referred by Begins with: NMCW

Name	120+ Days	90 Days	60 Days	30 Days	Current	Balance	Overdue
407-100 NMCW-Gen Admin	0.00	0.00	0.00	0.00	921.30	921.30	0.00
407-101 NMCW-Watershed Admin	0.00	0.00	0.00	0.00	622.50	622.50	0.00
407-105 NMCW-Contracts	0.00	0.00	0.00	0.00	74.70	74.70	0.00
407-201 NMCW-Rule Making	0.00	0.00	0.00	0.00	3318.09	3318.09	0.00
407-202 NMCW-Permits	0.00	0.00	0.00	0.00	4815.41	4815.41	0.00
407-203 NMCW-Policy Issues	0.00	0.00	0.00	0.00	99.78	99.78	0.00
407-204 NMCW-Sureties	0.00	0.00	0.00	0.00	1433.93	1433.93	0.00
407-306 NMCW-Edina Project	0.00	0.00	0.00	0.00	629.10	629.10	0.00
407-311 NMCW-Lk's Cornel/Edina	0.00	0.00	0.00	0.00	1070.79	1070.79	0.00
407-312 NMCW-South Fork	0.00	0.00	0.00	0.00	498.00	498.00	0.00
Grand Total	0.00	0.00	0.00	0.00	13483.60	13483.60	0.00