

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

WEDNESDAY, AUGUST 16, 2023

1. Call to Order of the Regular Board Meeting

President Bob Cutshall called the Nine Mile Creek Watershed District Board of Managers regular meeting to order at 7:00 p.m. The meeting was held at the NMCWD office, Discovery Point, 12800 Gerard Drive, Eden Prairie, MN.

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

Advisors Present: Azeem Ahmed, Stephanie Johnson, and Janna Kieffer (Barr Engineering Company) and Louis Smith (Smith Partners)

Staff Present: Randy Anhorn* (Administrator), Brett Eidem (Natural Resources Project and Planning Manager), Dylan Monahan (Administrative Assistant), Erica Sniegowski (Deputy Administrator), Zach Stafslie (Regulatory Program Manager), and Gael Zembal* (Education and Outreach Coordinator).

*Attended virtually

2. Approval of Regular Meeting Agenda

Manager Peggy Kvam moved, seconded by Manager Grace Butler to approve the meeting agenda as drafted. On a vote, the motion was approved.

3. Reading and Approval of Minutes

a. Draft Minutes of July 19, 2023, Regular Board Meeting

Manager Larry Olson moved, seconded by Manager Erin Hunker to approve the minutes of the July 19, 2023, Regular Board Meeting as drafted. On a vote, the motion was approved.

4. **Public Open Forum**

a. **General Interest**

No members of the public were in attendance and no items were raised in the public open forum.

5. **Consent Agenda**

a. **Administratively Approved Permits and Inspection Report**

b. **Engineer's Report**

The Board accepted the Consent Agenda by consensus.

6. **Staff Updates**

Randy Anhorn introduced NMCWD Administrative Assistant Dylan Monahan and Janna Kieffer introduced Barr Engineering staff member Azeem Ahmed.

7. **Treasurer's Report**

Manager Kvam highlighted some of the disbursements listed in the Treasurer's report.

a. **Sunram Construction Final Pay Application for the Hopkins Streambank Repair/Maintenance Project at Valley Park in Hopkins**

Ms. Kieffer said Sunram Construction has submitted a pay application for the Hopkins Streambank Repair/Maintenance Project. She said the pay application, in the amount of \$20,998.00, represents payment for completion of the entire project and is consistent with the quote from Sunram. Ms. Kieffer reported Barr Engineering reviewed the pay application and recommends payment.

Manager Butler moved, seconded by Manager Olson to accept the Treasurer's Report, pay the District's bills, and pay the Sunram Construction pay application for the Hopkins Streambank Repair/Maintenance Project at Valley Park in Hopkins in the amount of \$20,998.00. Upon a roll call vote, the motion was approved 5-0.

8. Administrator's Report

Mr. Anhorn noted his report is in the meeting packet. He added the Board has a workshop scheduled for September 7th. He explained the Board will host two public hearings at that workshop – one hearing to receive public comments about the District's proposed plan amendment about incorporating wetland restoration projects and the other hearing to receive public comments about the District's proposed 2024 budget and levy. Mr. Anhorn said the workshop agenda will include a permit application review as well as a presentation on the Mirror Lake water quality study by Barr Engineering.

Mr. Anhorn reported staff plans to meet with the applicant of permits 2019-085 and 2020-083 to talk about infiltration alternatives as the current system is not meeting the District's infiltration requirements, even though the system was built to specifications.

9. Unfinished Business

a. Minnesota Watershed Resolutions

i. 2023 Request for Resolutions

Mr. Anhorn said the deadline for submitting resolutions to Minnesota Watersheds is September 1. He said staff has no recommendations for resolutions. Mr. Anhorn said Manager Butler had talked about the wake boat resolution put forth last year by the Riley Purgatory Bluff Creek Watershed District (RPBCWD). He said the RPBCWD is planning to put forth a similar resolution this year. Mr. Anhorn said once the resolution is finalized and approved by the RPBCWD Board, the NMCWD Board can review it and decide if it wants to submit a letter of support.

Mr. Anhorn announced Minnesota Watersheds is planning to hire a new lobbyist for 2024.

b. DEIA Consultant Selection

Erica Sniegowski reported the DEIA Committee reviewed the four proposals submitted in response to the District's RFP. She said the DEIA Committee selected two to interview. She announced the DEIA Committee recommends the Board select Zan Associates and its scope of work at a cost not to exceed \$75,000.

Manager Kvam moved, seconded by Manager Butler to authorize the Administrator to enter into contract with Zan Associates to complete the

June 30, 2023, scope of work to prepare complete a Nine Mile Creek Watershed District DEIA plan for an amount not to exceed \$75,000. Upon a vote, the motion was approved.

c. 2024 Draft Budget

Mr. Anhorn reminded the Board the District's draft proposed 2024 budget and levy has been on previous Board meeting and workshop agendas. He said the District will hold the public hearing about the proposed budget at its September 7th Board Workshop.

Mr. Anhorn said the proposed 2024 budget is \$5,759,000.00 and the proposed 2024 levy is \$3,200,000.00, as staff previously presented to the Board. He pointed out a few changes to the draft budget compared to the previous version, such as removing \$20,000 from the Birch Island Lake capital project budget since there are likely fewer projects anticipated for implementation than anticipated during preparation of the original draft, so the feasibility study will be less costly. Mr. Anhorn said the \$20,000 was added to the proposed budget for the wetland restoration projects.

10. New Business

a. Holiday, Wing, and Rose Lakes Feasibility Study

i. Report

ii. Presentation

Stephanie Johnson, PhD., displayed the PowerPoint presentation "Lake Holiday, Wing Lake, and Lake Rose Feasibility Study." She reminded the Board that the scope of the feasibility study includes practices for improving water quality in Lake Holiday, Wing Lake, and Lake Rose in the City of Minnetonka.

Ms. Johnson reviewed the best management practices (BMPs) evaluated in the study, including the Holiday Lake Park Recirculating Enhanced Filtration Basin. She said Barr does not recommend the District move forward with the project at this time due to the high capital cost and uncertainties regarding operation and maintenance.

Ms. Johnson said based on the feasibility study findings, Barr recommends the District conduct curly-leaf pondweed treatment on Lake Holiday using the herbicide Galleon. She reported the planning-level cost estimate for a three-year treatment is \$48,000 to \$63,000. Ms. Johnson described the recommended BMP of in-lake sediment treatment

on each of the three lakes to reduce internal phosphorus loading. She said the recommended treatment for Lake Holiday is aluminum and iron and aeration, the recommended treatment for Wing Lake is aluminum and iron, and for Rose Lake the recommended treatment is aluminum.

The group discussed the importance of signage and communication about putting an aeration system in on Lake Holiday, if the District moves forward with aeration as a BMP. Manager Butler commented that she thinks the residents are used to being able to walk on Lake Holiday in the winter. Ms. Johnson said the aerator would be run during the growing season and year round operation would need explored further.

Manager Butler asked if Woodgate Pond should have been studied to see what it contributes to Lake Holiday and if it should be a treatment site. Ms. Kieffer responded Woodgate Pond was not included in the 2008 water quality study and was not included in the recent study update. Manager Butler said she wonders if it is a missed opportunity.

Ms. Johnson reported on the evaluation of enhanced street sweeping in the watersheds of Holiday, Wing, and Rose lakes. She said currently the City of Minnetonka conducts one street sweeping annually, which occurs in the spring after snow melt. Ms. Johnson said that the modeling analysis concluded that the benefits of street sweeping vary by season and the number of sweeps, with the greatest phosphorus removal occurring from a fall sweep. She recommended that an enhanced street sweeping program for the Holiday, Wing, and Rose watersheds include at least one fall sweeping.

She recommended the District continue discussing this topic with the City of Minnetonka.

Manager Butler commented that a lot of the street areas in Minnetonka do not have curbs. She said early fall snow also impacts street sweeping schedules.

Ms. Johnson said Barr will look into a few more details regarding the sediment treatment plan and curly-leaf pondweed treatment alternatives. She said Barr will update the draft report, if needed. She outlined recommended next steps for the District including sending the draft feasibility study report to the City of Minnetonka for review and comment, continuing discussions with the City, hosting a community meeting in partnership with the City of Minnetonka, and finalizing the feasibility report. She said further future steps include the District holding a public hearing and ordering the project.

b. Minnesota Stormwater Research Council Participation Request

Mr. Anhorn reminded the Board that NMCWD has participated in the Minnesota Stormwater Research Council for the past several years. He said the managers have found that participating in the Minnesota Stormwater Research Council has provided value to the District in the area of stormwater management. He noted the District has previously participated with the Council at a cost of \$15,000 per year. Mr. Anhorn said the District's budget includes \$15,000 to participate this year. He said if the Board continues to find value in the work and authorizes the participation, the Board can decide at what amount to participate.

i. Supporting Documents

Mr. Anhorn noted the supporting documents are in the meeting packet. Manager Kvam commented about the annual Minnesota Water Resources Conference. She said the conference is another way the District receives value from Minnesota Stormwater Research Council. Manager Butler noted the value the District is receiving from the Minnesota Stormwater Research Council regarding the Rosland Park project.

Manager Kvam moved, seconded by Manager Olson to authorize the Administrator to enter into a contract with the University of Minnesota Water Resources Center in the amount of \$15,000 to support stormwater management research. Upon a vote, the motion was approved.

11. Attorney's Report

Louis Smith reported there is no attorney's report.

12. Managers' Reports

Manager Butler reported on a presentation she heard regarding how and where watershed districts and businesses are at risk of contaminants.

Manager Kvam said she is interested in attending the October 17-18 Minnesota Water Resources Conference. She said some of the District's CAC members are interested as well. Ms. Sniegowski said any other managers interested in attending the conference should email her or Mr. Anhorn.

Mr. Anhorn reminded the Board its October meeting is October 24.

13. Adjournment

It was moved by Manager Olson, seconded by Manager Hunker to adjourn the meeting at 8:37 p.m. Upon a vote, the motion was approved.

Respectfully Submitted,



Grace Butler, Secretary

