

**MINUTES OF THE PUBLIC HEARING AND WORKSHOP  
OF THE  
BOARD OF MANAGERS  
OF THE  
NINE MILE CREEK WATERSHED DISTRICT**

**TUESDAY, AUGUST 31, 2021**

**I. Call to Order**

President Cutshall called the Public Hearing and Workshop of the Board of Managers of the Nine Mile Creek Watershed District to order at 6:00 p.m., Tuesday, August 31, 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

Manager Absent: None

Advisors Present: Janna Kieffer and Michael McKinney (Barr Engineering)

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

**II. Budget Public Hearing; Resolutions 21-03 and 21-04**

Administrator Anhorn provided background about the required public hearing and the notice published by the District in its official papers. He summarized the District's proposed 2022 budget of \$4,110,000 and proposed \$2.6 million dollar levy stating they are the same as presented at the Board's August 18<sup>th</sup> meeting. Administrator Anhorn explained the estimated annual impact to property owners will decrease over previous years. He stated the difference between the proposed budget and the proposed levy will be made up using existing reserve funds or carry over from this year for projects that are continuing. Administrator Anhorn said this is the preliminary budget and levy, and the Board will take and consider comments in this evening's public hearing before potentially adopting Resolutions 21-03 and 21-04. He

said the resolutions would authorize him to provide the proposed budget and levy to the County auditor. He stated that in addition to this evening's public hearing, the District will provide an opportunity for the public to comment in December before the District's 2022 budget and levy are final. Administrator Anhorn explained that in December the Board can raise or lower its budget but will only be able to lower its levy or leave it the same.

- i. Resolutions 21-03 Adopting 2022 Budget and 21-04 Adopting 2022 Metropolitan Surface Water Management Act Levy

**It was moved by Manager Butler, seconded by Manager Kvam, to adopt Resolution 21-03 Adopting the 2022 Budget totaling \$4,110,000 as presented in the meeting packet. On a roll call vote, the motion was approved 5-0.**

**It was moved by Manager Olson, seconded by Manager Butler, to adopt Resolution 21-04 Adopting 2022 Levy totaling \$2,600,000 as presented in the meeting packet. On a roll call vote, the motion was approved 5-0.**

### **III. Authorization to Pay the Smith Partners July 2021 Invoice**

Chair Cutshall said the invoice wasn't in the Board packet for the Board's last meeting, and the Board needs to take action to pay the Smith Partners July invoice in the amount \$13,483.60.

**It was moved by Manager Butler, seconded by Manager Hunker, to pay the Smith Partners July 2021 invoice in the amount \$13,483.60.**

### **IV. Update on How to Hold Upcoming Board Meetings: In-Person or Virtual**

Administrator Anhorn reported that the District's legal counsel said the District is still able to meet virtually. Administrator Anhorn suggested the Board meet virtually at least through its October 7<sup>th</sup> workshop. He said the Board had previously discussed monitoring the number of new daily cases of COVID-19 in Hennepin County as a factor to consider regarding in-person meetings. Administrator Anhorn said the seven-day average in Hennepin County is about 350.

The managers discussed when to bring this topic up again. The Board agreed by consensus to hold virtual meetings through its October 7 meeting and to move its October 20 meeting to Tuesday, October 26.

V. **Atlas 14 Flood Risk and Resiliency, Phase 2 – Project Update & Preliminary Modeling Results**

Engineer Kieffer said she and Engineer McKinney will present the preliminary modeling results. She noted that she and Engineer McKinney presented this information today to the District’s TAC for review and for comments back to the District by September 20. Engineer McKinney reviewed the modeling and mapping tasks that have been completed. He said the TAC and Board have been emailed the Dropbox link to the results. Engineer McKinney displayed slides showing data and locations of potentially impacted structures during different storm events. He included a summary based on the year the structure was constructed, whether the structures are in the creek corridor or in upland areas (low-lying areas within the watershed, but upstream of the creek). Engineer McKinney went through several examples of impacts in Edina, Bloomington, and Eden Prairie.

Engineer Kieffer talked about next steps, explaining that addressing flooding issues will require multiple strategies, including engineered solutions, big ideas, cooperation, and partnerships. She discussed what Phase 3 could include, such as developing an approach for evaluating and pursuing flood risk reduction projects and identifying and evaluating potential flood risk reduction projects in the creek corridor. Engineer Kieffer provided examples of possible projects, which could be scoped as part of the Phase 3 tasks.

Engineer Kieffer raised points for the Board’s future consideration, including what are the District’s goals for flood risk reduction efforts, where does the District want to be the leader and where does the District want to be a partner, and does the Board like the direction for Phase 3 as presented.

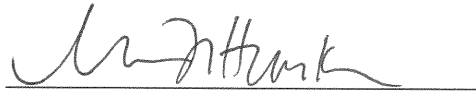
Chair Cutshall said the project so far has met his expectations, and he likes the direction Phase 3 is heading. Manager Butler commented about potential partners such as cities, school districts, and maybe MnDOT. She said she thinks Phase 3 needs more discussion and needs to involve more manager and engineering discussion to identify opportunities. Manager Hunker suggested incorporating the exercise of layering to help identify projects that could be multi-partner and multi-jurisdictional.

Engineer McKinney described a project prioritization process that could be incorporated into Phase 3. Manager Kvam cautioned against using only monetary value parameters to prioritize the projects. Managers and staff discussed specific scenarios of residential flooding and basement impacts and methodologies that might be useful for making estimates about basement impacts and sanitary sewer backups, since the modeling analysis conducted as part of the Phase 2 scope of work generally does not account for this type of flood impact. Engineer Kieffer suggested the Atlas 14 flood risk and resiliency topic could be on the Board’s October agenda for further discussion.

VI. Adjournment

It was moved by Manager Olson, seconded by Manager Butler, to adjourn the meeting. On a roll call vote, the motion was approved 5-0. The meeting adjourned at 7:40 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Erin Hunker", written over a horizontal line.

Erin Hunker, Secretary