

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

**THURSDAY, JULY 17, 2024**

**1. Call to Order**

President Larry Olson called the Nine Mile Creek Watershed District Board of Managers regular meeting to order at 6:30 p.m. The meeting was held at the NMCWD office, Discovery Point, 12800 Gerard Drive, Eden Prairie.

Managers Present: Grace Butler, Bob Cutshall, Chris-Ann Lauria, Peggy Kvam, and Larry Olson

Advisors Present: Janna Kieffer (Barr Engineering Company) and Michael Welch (Smith Partners)

Staff Present: Lizzy Boor (Watershed Specialist), Hailey Buckentin (Field Intern), Brett Eidem (Project and Planning Manager), Erica Sniegowski (Administrator), Zach Staflien (Regulatory Program Manager), Jordan Wein\* (Water Resources Project Manager), and Gael Zembal (Education and Outreach Coordinator)

Other Attendees: Heidi Niziolek\* (Bloomington Neighbors Nurturing Nature)

\*Attended virtually.

**2. Approval of Regular Meeting Agenda**

Administrator Erica Sniegowski request that the Houston Engineering contract amendment be pulled from the agenda because it not ready to be authorized.

**Manager Kvam moved, seconded by Manager Butler, to approve the agenda as amended. Upon vote, the motion carried.**

**3. Public Open Forum**

None.

4. **Action Items**

**Proposed Solar-Array Installation**

Lizzy Boor said the state has a grant program for solar arrays on public buildings, such as Discovery Point. The district is eligible for the program and staff is requesting authorization from the board apply.

Ms. Boor said she asked All Energy Solar to put together a proposal for the district to help define the system required. She said the proposed system would include 26 panels. Ms. Boor mentioned that with the grants and tax incentives, the proposed system would be paid off in 10 years. Ms. Boor said moving to solar would make a direct impact on climate change and lower the district's energy bill because the solar panel system is expected to offset 36 percent of the district office's energy costs. Ms. Boor reported the installation cost proposed by All Energy Solar is \$41,159. She explained the grant would cover 50 percent of costs. She recommended the board consider including this project in its 2025 budget for installation in 2025.

In response to an inquiry from Manager Peggy Kvam, Ms. Boor said the grants will be available next year, and she will gather more information about the tax credit.

Michael Welch recommended that the district pursue the solar installation and a district capital project.

Manager Bob Cutshall suggested having an independent third-party identify the possible kilowatt-hours yield the solar panels could produce.

**Manager Kvam moved, seconded by Manager Butler, to authorize staff to submit the grant application for solar panels. Upon vote, the motion carried.**

c. **Zan Associates Contract Amendment**

Lizzy Boor said Zan Associates staff have communicated that they underestimated the complexity of developing a diversity, equity, inclusion and accessibility plan for the district, for which the board authorized \$74,973.47, and underestimated staff time to accomplish the project. She said Zan Associates is requesting an additional \$4,000 in funding and an additional four months to complete the project Administrator Sniegowski said that based on the work done to date, especially the time spent in outreach, she feels Zan Associates' request is reasonable.

President Olson noted that \$4,000 is 4 percent to 5 percent of the contracted not-to-exceed amount.

**Manager Lauria moved, seconded by Manager Butler, to authorize the administrator, on advice of counsel, to enter an amendment to increase the contract with Zan Associates to not-to-exceed \$78,943.47 and extend the termination date to December 31, 2024. Upon vote, the motion carried.**

**d. Cost-Share Grants**

Lizzy Boor said the district received five cost-share grant applications in June. She said three applications were for residential habitat restoration projects. The district's review committee consisting of the Citizens Advisory Committee and staff members recommended two for administrative approval. She noted the committee recommended that another applicant apply again next month with a more detailed project. Ms. Boor reported the two non-residential grant applications were reviewed by a committee consisting of staff and managers. She said the committee recommends funding both projects, including the Meetinghouse Church Entry Garden for \$10,000 and the Kennedy High School Courtyard Revitalization for \$50,000.

**Manager Lauria moved, seconded by Manager Butler, to authorize the administrator to enter into cost-share agreements with Meetinghouse Church for \$10,000 and with Bloomington Public Schools for \$50,000. Upon vote, the motion carried.**

Ms. Boor stated the district has almost expended its 2024 cost-share budget of \$250,000. Administrator Sniegowski said the program's rolling deadline has been successful. She suggests that as the district reviews additional applications, the board should continue to allocate funds as needed and as the district's budget allows instead of feeling pressured to withhold funds.

**e. Administrator's Six-Month Review**

Manager Grace Butler stated she and Manager Bob Cutshall are the members of the district's Personnel Committee, which conducted the administrator six-month review. She thanked Administrator Sniegowski for her hard work and dedication to the Nine Mile Creek Watershed District. Manager Butler said the committee recommends completion of the administrator's six-month probationary period and the implementation of the associated salary increase as outlined in the administrator's statement of hire.

**Manager Butler moved, seconded by Manager Cutshall, to approve the completion of the administrator's six-month probationary period and the implementation of the salary adjustment as outlined in the administrator's statement of hire. Upon vote, the motion carried.**

5. **Treasurer's Report**

a. **Solitude Lake Management Pay Application #2**

Janna Kieffer said Barr Engineering has reviewed pay application number 2 from Solitude Lake Management for \$10,745.75 and recommends payment.

b. **US Siteworks Pay Application #7**

Ms. Kieffer reported said the engineer recommends payment of pay application number 7 from US Siteworks for \$14,190.01 for the first year of vegetation establishment for the Lynmar Basin Stormwater Retrofit Project.

**Manager Butler moved, seconded by Manager Lauria, to accept the treasurer's report and pay the district's bills, including the Solitude Lake Management and US Siteworks pay applications. Upon vote, the motion carried.**

6. **Consent Agenda**

a. **Draft Minutes June 6, 2024, Regular Meeting**

**Manager Kvam moved and Manager Cutshall seconded, approval of the consent agenda. Upon vote, the motion carried.**

7. **Discussion Items**

a. **2025 Draft Budget Considerations**

Administrator Sniegowski summarized her work reviewing the district's assigned and unassigned funds. She plans to add a column to the budget spreadsheet to track district income. Administrator Sniegowski recommended she bring back to the board a proposed budget outlining the district's goals and budgeting. The board consented to her recommendation.

Manager Butler commented that the district's current watershed management plan may not reflect the direction in which the current board would like the district to grow. She said the board may need to review the past three years in terms of costs and vision.

**b. Request for Minnesota Watersheds Resolutions**

Administrator Sniegowski stated that Minnesota Watersheds is requesting proposed policy resolutions from watershed organizations. She said no action is needed tonight, but the managers should consider topics and resolutions to put forward, if any. Manager Butler asked Ms. Sniegowski to contact other watershed districts to inquire about the resolutions they are considering and whether these districts are seeking support for those resolutions from other districts.

**c. Summer Tour Reflections**

Manager Butler commented on the ball fields in Hopkins and said she thinks they would provide an opportunity to add stormwater storage if/when those fields need to be redone. She said the work done to make Hidden Falls in St. Paul accessible to the public was inspiring. She added that the tour showed that permeable asphalt walkways and bikeways are working really well. She would like the district to double-check with its cities about how permeable asphalt works.

Manager Kvam remarked on the tour stop that demonstrated successful tree trenches in a parking lot.

**8. Updates**

**a. Administrator's Report**

Administrator Sniegowski noted the board will hold a workshop August 1 at 5:30 p.m. She announced that the Minnesota Watersheds conference will be held in Nisswa, Minnesota, in December.

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

Zach Stafslie reported a permit violation from May and said the property owner is willing to work with the district to remediate the issue.

**c. Managers' Reports**

Manager Kvam reported on a new and efficient district process for reviewing invoices.

9. **Adjournment**

**It was moved by Manager Butler, seconded by Manager Kvam to adjourn the meeting at 8:24 p.m. Upon vote, the motion carried.**

Respectfully Submitted,

---

Chris-Ann Lauria, Secretary