

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

**WEDNESDAY, OCTOBER 23, 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: Bob Cutshall, Brian Kirk, Chris-Ann Lauria, Peggy Kvam, and Larry Olson

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

Staff Present: Elizabeth Boor (Watershed Specialist), Brett Eidem (Project and Planning Manager), Cynthia Rubio (Administrative Specialist), Erica Sniegowski (Administrator), Zach Stafslie (Regulatory Program Manager), Claire Volk (MN GreenCorps Member), and Jordan Wein (Water Resources Project Manager).

Others Present: John Bilotta (Minnesota Stormwater Research Council) and Colin Livdahl\* (United States Geological Service)

\*Indicates virtual attendance

**2. Approval of Regular Meeting Agenda**

Erica Sniegowski recommended removing the Mirror Lake Shoreline Restoration Update and Policy Framework from the agenda to give staff additional time to prepare for board discussion.

**Manager Kvam moved, seconded by Manager Kirk, to approve the meeting agenda as modified. Upon vote, the motion carried.**

3. **Public Open Forum**

No matters were raised in the public open forum.

4. **Minnesota Stormwater Research Council**

John Bilotta of the Minnesota Stormwater Research Council reported on stormwater research projects his organization had conducted in the past year. Administrator Sniegowski said that the Minnesota Stormwater Research Council's applied research helps the district better understand practices to protect the water resources in the watershed. She said if the board finds continued value in the council's research and wants to continue to engage the council in stormwater research, there is budget for it in the district's 2024 and 2025 budgets.

**Manager Kvam moved, seconded by Manager Kirk, to authorize the administrator to enter into contract with the University of Minnesota Water Resources Center for not to exceed \$15,000 to support stormwater management research. Upon vote, the motion carried.**

a. **Central Park Feasibility Study – Cooperative Agreement with Hopkins**

Brett Eidem said staff continues to work with City of Hopkins staff on the Central Park Feasibility Study. He reminded the board that it earmarked funds within the district's special cost-share program for district support components of the Central Park Feasibility Study that addresses beyond-compliance stormwater management and flood-risk reduction, and the draft agreement in the packet for the managers' consideration provides terms for such support.

Michael Welch noted that the agreement provides for a reliance letter, allowing the district to rely on the contamination investigation to be done by Braun Intertec for Hopkins as part of the study.

**Manager Cutshall moved, seconded by Manager Lauria, to authorize the president, with advice from counsel, to execute the agreement with the City of Hopkins providing not to exceed \$50,000 for the Central Park Feasibility Study. Upon vote, the motion carried.**

**b. Holiday, Wing, Rose, Birch Island Lakes Drainage Study**

Janna Kieffer presented a scope of work for the Holiday, Wing, Rose, Birch Island Lakes Drainage Study.

Mr. Welch explained the action in front of the board is to authorize Barr Engineering to contract with the City of Minnetonka to complete the study. Under the district's contract with Barr for engineering services, Barr is required to receive approval from the district before working on a project that will be subject to district review. Here, the district will not review the study itself in a regulatory or other oversight capacity, but projects would likely be subject to such review, making it prudent for Barr to secure the board's approval.

**Manager Kirk moved, seconded by Manager Kvam, to approve Barr Engineering contracting with the City of Minnetonka for the Holiday, Wing, Rose, Birch Island Lakes Drainage Study. Upon vote, the motion carried.**

**c. Rosland Filter**

Addressing the district's continued efforts to improve the operation of the water-quality filter in Rosland Park, Ms. Kieffer explained that Barr is proposing a field-test scope of work to test the flow limitation and determine if the existing pipes can handle the proposed flow of 700 gallons per minute at normal lake conditions and at lower lake levels. She said the total cost of the work is \$13,200, including a subcontract in the amount of \$4,800 to rent equipment.

**Manager Cutshall moved, seconded by Manager Lauria, to authorize the Barr field-test scope of work not to exceed \$13,200, including a subcontract with Rain for Rent not to exceed \$4,800 on the condition that staff confirm the City of Edina approves the scope of work. Upon vote, the motion carried.**

**d. Lake Holiday follow-up Sediment Treatment Contract**

Ms. Kieffer reported the water-quality treatment of phosphorus in Lake Holiday took place October 2 and 3. She noted that lake water pH levels dipped below 6 as the alum compounds were being applied, and she indicated that the optimum level would be 6 to 8. Ms. Kieffer recommended applying Calcis pond lime, a proprietary product. She indicated that the lake will be a white, milky color during the treatment, but coloration of the lake water will be temporary.

President Larry Olson asked about the potential negative outcome of not trying to raise the pH level. Ms. Kieffer said the low level potentially stresses aquatic life, and the MPCA's approval of sediment treatment references keeping the pH level of the lake above 6.

**Manager Lauria moved, seconded by Manager Cutshall, to authorize the administrator to enter into a contract with Tigris Aquatic Services LLC, on advice of counsel, to conduct a Calcis Pond Lime treatment of Lake Holiday at a cost not to exceed \$14,960 and authorize the administrator to approve change orders totaling 10 percent in aggregate of the contract amount. Upon vote, the motion carried.**

**e. Minnesota Watersheds Annual Meeting Delegation**

**Manager Lauria moved, seconded by Manager Kirk, to appoint Manager Cutshall and Manager Olson as NMCWD delegates and Manager Kvam as alternate delegate for the Minnesota Watersheds 2024 annual meeting. Upon vote, the motion was approved.**

**5. Treasurer's Report**

Manager Kvam reviewed the report in the packet.

**a. Sunram Construction, Inc. Payment Application #1 for South Fork Project**

Mr. Eidem said the pay application from Sunram Construction is for approximately one-third of the work on the South Fork project, and the pay application has been reviewed by EOR, the project engineer, who recommends payment.

**Manager Cutshall moved, seconded by Manager Lauria, to accept the treasurer's report and pay the district's bills, including the Sunram Construction payment application of \$145,959.07. Upon vote, the motion carried.**

6. **Consent Agenda**
  - a. **Draft Minutes September 5, 2024, Workshop**
  - b. **Draft Minutes of September 18, 2024, Meeting**
  - c. **Penn Lake Water Quality Study Final Report**

Manager Kvam moved seconded by Manager Kirk, to approve the consent agenda. Upon vote, the motion carried.

7. **Discussion Items**

No discussion items during the meeting.

8. **Updates**

- a. **Administrator's Report**

Administrator Sniegowski said the City of Eden Prairie inquired as to whether the district would be interested in purchasing property on Lake Smetana. She has determined that the property is not at risk of flooding. She said there would need to be a district purpose for acquiring a property, and in this case, the analysis did not show such a purpose.

- b. **Staff Reports**

Jordan Wein reported the fisheries field season is about complete. Surveys are done except for Lake Cornelia, which will be completed shortly.

- c. **Administratively Approved Permits and Inspection Report**

Zach Stafslie stated that he has followed up reported work on shoreline in locations, and both property owners indicated they will apply for the necessary permit.

- d. **Engineer's Report**

Ms. Kieffer reported that the aeration systems have been installed in Arrowhead Lake, Indianhead Lake and Lake Holiday.

9. **Adjournment**

**It was moved by Manager Lauria, seconded by Manager Kirk, to adjourn the meeting at 8:29 p.m. Upon vote, the motion carried.**

Respectfully Submitted,

Chris-Ann Lauria  
Chris-Ann Lauria, Secretary

**Signature:** Chris-Ann Lauria  
Chris-Ann Lauria (Nov 26, 2024 17:03 CST)  
**Email:** calauria21@aol.com






# NMCWD-October-23-2024-Regular-Board-Meeting-Minutes

Final Audit Report

2024-11-26

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