

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

THURSDAY, SEPTEMBER 1, 2022

I. Call to Order of the Public Hearing

President Bob Cutshall called the public hearing of the board of managers of the Nine Mile Creek Watershed District to order at 5:30 p.m. on Thursday, September 1, 2022. The meeting was held in the NMCWD office, Discovery Point, 12800 Gerard Drive, Eden Prairie, MN.

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

Manager Absent: Grace Butler

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

Staff Present: Randy Anhorn, Brett Eidem, and Erica Sniegowski

Others Present: Mike Majeski (Emmons and Olivier Resources)

II. Nine Mile Creek Watershed District 2023 Budget and Levy Public Hearing

Administrator Randy Anhorn reported he increased the proposed 2023 budget by \$4,000 to reflect the increase in 2023 Minnesota Association of Watershed District dues, bringing the proposed 2023 budget total to \$4,594,000. Mr. Anhorn stated that the district's proposed 2023 levy is \$2,800,000. He noted that in addition to tonight's public hearing, there will be an opportunity at the December regular meeting for public comment on the budget and levy. Mr. Anhorn noted the board will not be able to increase its budget and levy once adopted, but could decrease it.

a. **Resolutions 22-07 and 22-08**

It was moved by Manager Kvam, seconded by Manager Hunker to adopt Resolution 22-07 Adopting 2023 Budget. Upon a roll call vote, the motion passed 4-0.

Mr. Anhorn and attorney Michael Welch noted that with Manager Grace Butler absent from tonight's meeting, the board should appoint a secretary *pro tem* to facilitate timely execution of the resolutions for submission to Hennepin County.

It was moved by Manager Olson, seconded by Manager Kvam to appoint Manager Hunker as secretary *pro tem*. Upon a vote, the motion passed 4-0.

It was moved by Manager Hunker, seconded by Manager Olson to adopt Resolution 22-08 to set the levy in the amount of \$2,800,000. Upon a roll call vote, the motion passed 4-0.

Upon hearing no public comments, President Cutshall closed the public hearing at 5:37 p.m.

III. Call to Order of the Workshop

President Cutshall called the workshop of the board of managers of the Nine Mile Creek Watershed District to order at 5:45 p.m.

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

Manager Absent: Grace Butler

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

Staff Present: Randy Anhorn, Brett Eidem, and Erica Sniegowski

Others Present: Mike Majeski (Emmons and Olivier Resources)

IV. South Fork Nine Mile Creek Streambank Stabilization Project

Mr. Anhorn reminded the board that Emmons and Olivier Resources completed a baseline assessment of the South Fork of Nine Mile Creek and prepared a feasibility study report. That work included a mandatory Environmental Assessment Worksheet, and the Board issued a negative declaration for a need for an Environmental Impact Statement. Mr. Anhorn noted that the board solicited comments and held a public hearing on the feasibility

study at its August regular meeting. He noted the support for the project expressed at the hearing. In anticipation of potentially ordering the project this evening, the board directed EOR to prepare a scope of work for preparation of plans and construction documents, as well as construction oversight for the South Fork Nine Mile Creek Streambank Stabilization Project.

Mr. Anhorn summarized the work included in the scope and reported the cost of the scope of work for EOR is \$120,533.

Mr. Anhorn explained that the resolution ordering the project includes authorization of the administrator on advice of counsel to enter into an agreement with EOR for the work.

Mr. Welch stated that Resolution 22-09 also authorizes the administrator to execute land-use agreements, though exactly which properties will need to be accessed and used has yet to be determined. He noted that the board could hold off on authorizing the land-use agreements if the managers would like to wait for more specifics. The managers expressed support for the resolution as presented.

It was moved by Manager Olson, seconded by Manager Hunker to adopt Resolution 22-09 ordering the South Fork of Nine Mile Creek project.

V. Holiday, Wing, and Rose Lakes Engineer's Report and Scope of Work

Engineer Janna Kieffer presented a summary of the findings of the Lake Holiday, Wing Lake, and Lake Rose Water Quality Study completed by Barr in August 2022 on behalf of the NMCWD. She presented a summary of historic water quality data indicating moderate to poor water quality in the lakes and the primary sources of phosphorus, which include both internal and external loading.

Ms. Kieffer discussed management strategies that are identified in the study to reduce external and internal phosphorus loading in the lakes. She said that an alum treatment is recommended for Lake Rose to address internal loading. She pointed out that for Holiday and Wing, the phosphorous in lake sediment is mostly in an organic form, which means a traditional alum treatment will not work as well, compared to lakes in which the phosphorous is bound to iron particles. Ms. Kieffer explained this is the reason for the engineer's recommendation of an iron-alum treatment on Holiday and Wing, as the iron is anticipated to improve the long-term effectiveness of the alum treatments. She discussed Barr's recommendation to aerate Lake Holiday in conjunction with the iron-alum treatment to improve effectiveness, given the physical characteristics of the waterbody and availability of power at nearby Lake Holiday Park. She said Barr also recommends conducting and herbicide treatment of Lake Holiday to reduce the presence and density of curly-leaf pondweed.

Ms. Kieffer talked about the proposed lake-management strategy to reduce in-lake nutrient concentrations in Lake Holiday by using a recirculating filtration best-management practice.

Ms. Kieffer shared data about the estimated lake outcomes for Holiday, Wing, and Rose from implementing sediment total phosphorous load reductions. She identified the estimated annual load reduction in pounds of total phosphorous from the management strategies discussed:

- Lake Holiday – Sediment Treatment: 7 to 10 pounds
- Lake Holiday – Filtration BMP: 12 to 13 pounds
- Lake Holiday – Sediment Treatment+ Filtration BMP: 16 pounds
- Wing Lake: 10 to 15 pounds
- Lake Rose: 26 to 36 pounds

Ms. Kieffer presented a proposed scope of work to conduct a feasibility study to further evaluate the management activities identified in the water-quality study. Ms. Kieffer discussed the four proposed work tasks and project schedule, noting that Task 1-1, Confirming Conceptual Design, would include reviewing the design of other similar treatment systems, identifying pre-treatment options and identifying a conceptual design that the Board and staff from NMCWD and the City of Minnetonka are comfortable with moving forward with into Task 1-2, Feasibility Analysis/Preliminary Design. Ms. Kieffer summarized tasks 3 and 4 and displayed the cost estimate breakdown per task.

Mr. Anhorn said the estimated cost for the Holiday, Wing and Rose Lake feasibility study is \$111,800.

It was moved by Manager Kvam, seconded by Manager Olson to authorize Barr Engineering to undertake the feasibility study at a cost not to exceed \$111,800. Upon a vote, the motion passed .

VI. Adjournment

It was moved by Manager Olson, seconded by Manager Hunker to adjourn the meeting. Upon a vote, the motion passed. The meeting adjourned at 7:00 p.m.

Respectfully Submitted,



Grace Butler, Secretary