

**Bassett Creek Watershed Management Commission  
Minutes of the Meeting of November 16, 2011**

**1. CALL TO ORDER**

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., on Wednesday, November 16, 2011, at Golden Valley City Hall by Chair Loomis. Ms. Herbert called roll.

ROLL CALL		Counsel	Charlie LeFevere
Crystal	<i>Not represented</i>	Engineer	Karen Chandler
Golden Valley	Commissioner Linda Loomis, Chair	Recorder	Amy Herbert
Medicine Lake	Commissioner Ted Hoshal		
Minneapolis	<i>Not represented</i>		
Minnetonka	Commissioner Jacob Millner		
New Hope	Alternate Commissioner Dan Stauner		
Plymouth	Alternate Commissioner Judy Johnson		
Robbinsdale	<i>Not represented</i>		
St. Louis Park	Commissioner Jim de Lambert, Secretary		

*Note:* Crystal Commissioner Pauline Langsdorf arrived after roll call

Also present: Laura Adler, BCWMC Technical Advisory Committee, St. Louis Park  
 Derek Asche, BCWMC Technical Advisory Committee, Plymouth  
 Jeannine Clancy, BCWMC Technical Advisory Committee, Golden Valley  
 Christopher Gise, Golden Valley Resident  
 Ferdousi Gramling, BCWMC Technical Advisory Committee, Medicine Lake  
 Dave Hanson, Alternate Commissioner, City of Golden Valley  
 Dan Johnson, Crystal Resident  
 Tom Mathisen, BCWMC Technical Advisory Committee, Crystal  
 Liz Stout, BCWMC Technical Advisory Committee, Minnetonka

**2. APPROVAL OF AGENDA AND CONSENT AGENDA**

Chair Loomis asked if the Cooperative Agreement for the Main Stem Restoration Project, Irving Avenue to Golden Valley Road, was ready. Mr. LeFevere said he is still waiting for comments on the draft from the

City of Minneapolis. Chair Loomis said that the discussion of the agreement should be pulled from item 7A on today’s agenda. Commissioner de Lambert moved to approve the Agenda as amended and the Consent Agenda. Acting Commissioner Johnson seconded the motion. The motion carried unanimously with six votes in favor [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

**3. CITIZEN INPUT ON NON-AGENDA ITEMS**

No citizen input on non-agenda items

**4. ADMINISTRATION**

**4A. Presentation of October 20, 2011, Meeting Minutes.** The meeting minutes were approved as part of the Consent Agenda.

**4B. Presentation of Financial Statements.** The BCWMC’s November 2011 financial report was approved as part of the Consent Agenda.

The general and construction account balances reported in the November 2011 Financial Report are as follows:

Checking Account Balance	\$505,601.79
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$505,601.79</b>
<b>TOTAL CONSTRUCTION CASH &amp; INVESTMENTS</b>	<b>\$2,305,754.74</b>
Investment due 9/16/2015	\$512,059.83
<b>TOTAL ON-HAND CONSTRUCTION CASH &amp; INVESTMENTS</b>	<b>\$2,305,754.74</b>
CIP Projects Levied – Budget Remaining	(\$2,263,755.52)
Closed Projects Remaining Balance	\$41,999.22
2011 Anticipated Tax Levy Revenue	\$431,859.17

**4C. Presentation of Invoices for Payment Approval.**

- i. Kennedy & Graven – Legal Services through September 30, 2011 – invoice for the amount of \$3,991.90.
- ii. Barr Engineering Company – Engineering Services through October 28, 2011 – invoice for the amount of \$19,207.07.
- iii. Amy Herbert – October Secretarial Services – invoice for the amount of \$2,531.73.
- iv. D’amico - ACE Catering – November 2011 BCWMC meeting catering – invoice for the amount of \$361.52.

- v. **Judy Arginteanu – Yard Clean up Education Article – invoice for the amount of \$300.00.**
- vi. **Lakeshore Communications – Public Communications – September hearing notice – invoice for the amount of \$149.60.**
- vii. **Sun Newspapers - Public Communications – September hearing notice – invoice for the amount of \$388.84.**
- viii. **Shingle Creek Watershed Management Commission – WMWA Workshops – invoice for the amount of \$532.05.**
- ix. **Shingle Creek Watershed Management Commission - WMWA General Expenses – invoice for the amount of \$25.93.**
- x. **Watershed Consulting – Geoff Nash Administrator Services through 9/15/11 – invoice for the amount of \$1,301.35.**

Commissioner Hoshal moved to approve payment of all of the invoices. Commissioner de Lambert seconded the motion. By call of roll the motion carried unanimously with six votes in favor [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

**4D. Reimbursement Request from the City of Plymouth for the 2010 Plymouth Creek Project.** Ms. Chandler reported on the reimbursement request, the status of the project, and the Commission Engineer’s review of the reimbursement request and supporting documents from the City of Plymouth. She stated that the Commission Engineer recommended reimbursement to the City of Plymouth at the requested amount of \$250,263.44. Ms. Chandler also stated that the Commission’s financial report needs to be updated to reflect the correct approved budget amount for the project.

The Commission directed Ms. Chandler to call the BCWMC’s Deputy Treasurer to discuss the correction. Acting Commissioner Judy Johnson moved to approve the reimbursement to the City of Plymouth in the amount of \$250,263.44. Acting Commissioner Stauner seconded the motion. By call of roll the motion carried unanimously with six votes in favor [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

**4E. Reimbursement Request from the City of Golden Valley for the 2010 Main Stem Restoration Project.** Ms. Chandler reported on the reimbursement request from the City of Golden Valley, the status of the project, and the Commission Engineer’s review of the request and supporting documents. She stated that the Commission Engineer recommended reimbursement to the City of Golden Valley in the requested amount of \$222,788.32. Acting Commissioner Stauner moved to approve the reimbursement to the City of Golden Valley in the amount of \$222,788.32. Commissioner de Lambert seconded the motion. By call of roll the motion carried unanimously with six votes in favor [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

Ms. Chandler stated that currently when a reimbursement request comes in to the Commission, the Commission Engineer seeks direction from the Commission before reviewing the request, which adds time to the process. She asked if the Commission would want to streamline the process and give general direction to the Commission Engineer to work on the reimbursement requests as they are received. The Commission and TAC members commented on the idea. Commissioner de Lambert moved that the Commission authorize the Commission Engineer to review the reimbursement requests for Commission-directed projects as the requests come in to the Commission. Commissioner Hoshal seconded the motion.

**The motion carried unanimously with six votes in favor** [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

**4F. Status Update on Grant Expenditures for the 2010 Plymouth Creek Restoration Project and the 2010 Main Stem Restoration Project.** Ms. Chandler explained that just this morning she heard from the Minnesota Board of Water and Soil Resources (BWSR) that the two Commission projects that had received the 2010 grants are far enough along to be considered complete by BWSR, which means that the Commission will not need to apply for grant extensions. Ms. Chandler said that there are several tasks that do need to be done regarding the grants before the end of the year. She said the Commission needs to get the eLINK reporting done, needs to update the water stories and add pictures, and next month Chair Loomis will need to sign some financial items. Ms. Chandler said that after those tasks are completed, the Commission will be able to get back its ten percent that had been retained until project completion. The Commission directed Barr to complete the necessary tasks on the grants.

## **5. PUBLIC HEARING**

**Receive comments regarding the proposed Sweeney Lake Outlet Reconstruction Project in Golden Valley, a proposed BCWMC Capital Improvement Project.** Mr. LeFevere commented that this public hearing is not required by state law but is required by the Commission's Joint Powers Agreement to allow the member cities to comment on the proposed project. Chair Loomis opened the public hearing and called for comments. Hearing no comments, Chair Loomis closed the public hearing.

## **6. NEW BUSINESS**

**A. Resolution 11-10 Ordering 2012 Improvements – the Sweeney Lake Outlet Reconstruction Project - and Approving the Cooperative Agreement with the City of Golden Valley for Construction of the Project.** Acting Commissioner Stauner moved to approve Resolution 11-10. Acting Commissioner Johnson seconded the motion. **The motion carried unanimously with six votes in favor** [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

## **7. OLD BUSINESS**

**A. Cooperative Agreements for the Main Stem Restoration Project (Irving Avenue to Golden Valley Road) and the Wirth Lake Outlet Structure Modification Project and Resolution 11-11 Approving the Cooperative Agreement for the Wirth Lake Outlet Modification.** Chair Loomis commented that the agenda had been amended to remove the Cooperative Agreement for the Main Stem Restoration Project since the agreement was still being reviewed by the City of Minneapolis.

Mr. LeFevere commented that the draft Cooperative Agreement for the Wirth Lake Outlet Structure Modification Project has been revised per the Commission's direction at its last meeting. Mr. LeFevere discussed the changes as indicated in the marked up copy of the agreement handed out at the meeting. Acting Commissioner Stauner brought up a question about the definition of major maintenance. Mr. LeFevere provided the definition as written into the agreement.

Commissioner de Lambert moved to approve Resolution 11-11 approving the Cooperative Agreement for the Wirth Lake Outlet Modification. Commissioner Hoshal seconded the motion. **The motion carried unanimously with six votes in favor** [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote].

**B. TAC Recommendations.**

- i. **Pressure Transducers.** Ms. Chandler said that since volunteers were offering the use of a pressure transducer for the winter and volunteers were offering to install the transducer, the TAC decided it could ask the volunteers to move forward and install the transducer on Medicine Lake. Commissioner de Lambert reported on the installation of the transducer and provided details about the data collection such as the potential pitfalls of the site.

Ms. Chandler said that the TAC recommends that the Commission evaluate the performance of the transducer after ice out and if it has worked as the Commission expected then the Commission could consider purchasing one or two transducers and using them to collect the lake level data.

The Commission discussed who would take care of the data and reporting and wondered about the costs involved in the reporting. Ms. Chandler said that Barr Engineering typically has put the lake level data into a table but that she didn't have a cost for that work. Chair Loomis asked how the data is used. Ms. Chandler said it is used for historical data and for verifying watershed modeling results. Mr. Asche said that the TAC is interested in seeing the results.

- ii. **Evaluation of RFQs and Recommendation on Providers of Engineering and Technical Services.** Ms. Chandler reported that the TAC evaluated the qualifications of the eight firms that responded to the Commission's request. She said that the TAC ranked the firms and provided the Commission with a list of the following three firms, in addition to Barr Engineering as the fourth firm, based on the rankings: Wenck, WSB, and SEH. Acting Commissioner Stauner moved to approve the Commission accepting the TAC's recommendation of the firms as providers to the BCWMC for Engineering and Technical Services. Acting Commissioner Johnson seconded the motion. The motion carried unanimously with six votes in favor [Cities of Crystal, Minneapolis, and Robbinsdale absent from vote]. The Commission directed Ms. Herbert to send letters to the respondents notifying them of the Commission's decision.
- iii. **Next TAC Meeting Agenda.** Ms. Chandler said that the TAC will need to meet to discuss the channel maintenance proposals in either December or January. She said that the only other month that the TAC is scheduled to meet is April in order to review the Commission's CIP. The Commission discussed some of the items that may be on the Commission's upcoming agendas and decided it needed to discuss its Next Generation Planning Process before making a decision about the TAC's next meeting, in case there is something the Commission would need TAC input on by December.

[Commissioner Langsdorf arrives.]

- C. **Next Generation Planning Process.** Ms. Chandler said that the Commission received an inquiry from Brad Wozney of the Minnesota Board of Water and Soil Resources (BWSR) asking about the status of the Commission's Next Generation Planning Process. She said that she learned the request was due to BWSR wanting to make sure that the Commission didn't complete its issue prioritization process without getting input from its stakeholders. She updated the Commission on the work that has already been done in the process and outlined some of the next steps that the Commission could take such as having the TAC review its responses about issues and finishing the last questionnaire about the issues. Ms. Gramling volunteered to work with Ms. Chandler to organize the TAC and Commission responses that have already been completed. Ms. Chandler said that there wouldn't be enough time

before the possible TAC meeting on December 1<sup>st</sup> to get the information organized and out to the TAC.

Acting Commissioner Stauner said that the Commission also should consider the new standard GASB 54 that has been adopted by the Government Accounting Standards Board. He explained that it requires governmental entities to adopt a policy designating fund balances and needs to be in place by the end of this fiscal year.

The Commission discussed whether it needs to meet in December.

Commissioner Hoshal asked if the Commission was interested in forming a committee to investigate hiring another administrator. Chair Loomis said that the Administrative Services Committee is trying to sit down and meet with Doug Snyder from the Mississippi Watershed Management Organization to see if instead of the Commission hiring another administrator it could contract with another watershed for those services. Chair Loomis said the Committee is trying to schedule a meeting. She said that she didn't know if the Commission ever directed the Committee to meet and this topic is something that the Commission should discuss in terms of what does the Commission want to do to explore options. Commissioner Hoshal asked if the Commission should discuss the succession of the Chair. Chair Loomis discussed the end of her term as an elected official to the City of Golden Valley and the end of her appointment to the BCWMC.

Commissioner Hoshal moved to direct the Administrative Services Committee to explore the review of a new administrator position and a review of the succession to the Board of the BCWMC.

Commissioner Langsdorf made the friendly amendment that the Commission give authorization to the Executive Committee to pay the December invoices if the December meeting is cancelled.

Commissioner Hoshal approved the friendly amendment. Acting Commissioner Johnson seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Robbinsdale absent from the vote].

Acting Commissioner Stauner moved to schedule the next TAC meeting for January 5<sup>th</sup> and to authorize the Chair to cancel the December meeting if there is insufficient business for the Commission to meet. Commissioner Millner seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Robbinsdale absent from the vote].

- D. Draft BCWMC Policy Manual. The Commission reviewed and made edits to the remainder of the draft Policy Manual starting at Section 3 External/ Internal Operational Policies on page 16. The Commission identified language in specific policies that needed revising and directed Ms. Chandler and Mr. LeFevere to revise those policies.
- E. BCWMC Meeting Calendar for Remainder of Fiscal Year 2011. See discussion under agenda item 7C.

## 8. COMMUNICATIONS

Chair:

- 1. Chair Loomis reported that the BCWMC would be participating in the Honeywell Sustainability Fair tomorrow at Honeywell.

Commissioners:

- 1. Commissioner Hoshal announced that the BCWMC has been sent a letter from the Medicine Lake City Clerk communicating that the City has appointed Ferdousi Gramling as the City's Technical Advisory Committee member to the BCWMC.

- 2. Commissioner Hoshal announced that he had received a communication from Terrie Christian of AMLAC [Association of Medicine Lake Area Citizens] that today is Give to the Max day for charities and that she highlighted the Minnesota Lakes Association.
- 3. Commissioner Langsdorf reported that she received an e-mail from Hennepin County Green Partners with its e-newsletter. She said she would like the e-mail forwarded to the Commission. The Commission directed Ms. Herbert to forward the e-mail to the Commission and TAC.

Committees:

Education Committee

- 1. Commissioner Langsdorf asked the Commission to authorize Ms. Herbert to go through the billings from the Commission’s watershed education partners and identify which partners still haven’t submitted invoices for the Commission’s 2011 fiscal year.
- 2. Commissioner Langsdorf moved to approve the Commission participating in the City of Plymouth’s Yard and Garden Expo in the spring and to pay the \$60 registration fee. Acting Commissioner Stauner seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Robbinsdale absent from the vote].

**9. ADJOURNMENT**

The meeting adjourned at 2:00 p.m.

_____		_____	
Linda Loomis, Chair	Date	Amy Herbert, Recorder	Date
_____		_____	
Jim de Lambert, Secretary	Date		