

Bassett Creek Watershed Management Commission

Minutes of the Meeting of January 20, 2011

1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:35 a.m., on Thursday, January 20, 2011, at Golden Valley City Hall by Chair Loomis. Ms. Herbert conducted roll call.

Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf, Secretary	<i>Administrator</i>	Geoff Nash
<i>Golden Valley</i>	Commissioner Linda Loomis, Chair	<i>Counsel</i>	Charlie LeFevere
<i>Medicine Lake</i>	Commissioner Ted Hoshal	<i>Engineer</i>	Len Kremer
<i>Minneapolis</i>	Alternate Commissioner Lisa Goddard	<i>Recorder</i>	Amy Herbert
<i>Minnetonka</i>	Commissioner Bonnie Harper-Lore		
<i>New Hope</i>	Alternate Commissioner Al Sarvi		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	<i>Absent</i>		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Note: Commissioner Sicora of Robbinsdale and Commissioner Welch of Minneapolis arrived after roll call

Also present:

Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth
Bill Bleckwenn, McGhie & Betts Environmental Services, Inc.
Pat Byrne, BCWMC Technical Advisory Committee, City of Minneapolis
Lois Eberhart, BCWMC Technical Advisory Committee, City of Minneapolis
Jack Frost, Metropolitan Council Environmental Services
Lisa Goddard, Alternate Commissioner, City of Minneapolis
Lee Gustafson, BCWMC Technical Advisory Committee, City of Minnetonka
Dave Hanson, Alternate Commissioner, City of Golden Valley
Justin Klabo, SEH, Inc.
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley
John O'Toole, Alternate Commissioner, City of Medicine Lake
Justin Riss, Alternate Commissioner, City of St. Louis Park
Wayne Sicora, Alternate Commissioner, City of Robbinsdale
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka
Liz Thornton, Alternate Commissioner, City of Plymouth
Larry Wacker, SWB, Inc.

2. Approval of Agenda and Consent Agenda

Chair Loomis removed the financial report from the Consent Agenda and added an invoice to Agenda Item 4C – presentation of Invoices for Payment Approval. She said the invoice being added was an invoice from Kennedy & Graven for its December services. Commissioner Black moved to approve the Agenda and the Consent Agenda as amended. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

3. Citizen Input on Non-Agenda Items

No citizen input on non-agenda items.

4. Administration

- A. Presentation of the December 16, 2010, BCWMC meeting minutes. The December 16, 2010, meeting minutes were approved under the Consent Agenda.
- B. Presentation of the Financial Statement. Chair Loomis requested that the Commission delay its discussion of the financial report until after the Commission's Treasurer, Commissioner Welch, arrived for the meeting. The Commission agreed.

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

<u>Checking Account Balance</u>	<u>471,134.90</u>
<i>TOTAL GENERAL FUND BALANCE</i>	<i>458,429.92</i>
Construction Account Cash Balance	3,186,922.07
Investment due 5/13/2015	508,918.39
<u>TOTAL CONSTRUCTION ACCOUNT BALANCE</u>	<u>3,695,840.46</u>
<u>-Less: Reserved for CIP projects</u>	<u>3,815,469.11</u>
<i>Construction cash/ investments available for projects</i>	<i>(119,628.65)</i>

C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through November 30, 2010 - invoice for the amount of \$1,189.20.
- ii. Barr Engineering Company – Engineering Services through December 31, 2010 - invoice for the amount of \$40,367.08.
- iii. Watershed Consulting, LLC – Geoff Nash Administrator Services through December 31, 2010 – invoice for the amount of \$3,000.00.
- iv. Amy Herbert – December Recording Administrator Services - invoice for the amount of \$3,921.27.
- v. D'amico Catering – January Meeting Catering - invoice for the amount of \$448.41.
- vi. Metropolitan Council Environmental Services – 2010 CAMP Participation - invoice for the amount of \$4,150.00.
- vii. JASS – BCWMC Portion of WMWA Administrative Costs for 2010 – invoice for the amount of \$2,018.56.
- viii. Minneapolis Park and Recreation Board – 2010 WOMP Costs – invoice for the amount of \$1,931.00.
- ix. Hennepin County Environmental Services – 2010 River Watch – invoice for the amount of \$2,000.
- x. Rice Creek Watershed – 2010 Blue Thumb Membership – invoice for the amount of \$1,000.

- xi. **Prairie Moon Nursery – Education and Outreach – Native Seed Packets - \$269.33.**
- xii. **JASS - Education and Outreach – Printed Labels for Seed Packets – invoice for the amount of \$22.50.**
- xiii. **State Register – Public Communications – Request for Letters of Interest – invoice for the amount of \$69.40.**
- xiv. **CNA Surety – Annual Bond/ Policy – invoice for the amount of \$100.**
- xv. **City of Golden Valley – 2010 Financial Services Fee – invoice for the amount of \$3,000.**
- xvi. **Kennedy & Graven – Legal Services through December 31, 2010 – invoice for the amount of \$908.29.**

Commissioner Black moved to approve payment of all 16 invoices. Alternate Commissioner Goddard seconded the motion. By call of roll the motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

- D. Resolution 11-01 to Appoint the BCWMC’s Official Depositories. Chair Loomis stated that Resolution 11-01 appoints the BCWMC’s Official Depositories as RBC Dain Rauscher, Wells Fargo, and the 4M Fund. Commissioner deLambert moved approval of Resolution 11-01. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].**
- E. Resolution 11-02 to Reimburse the BCWMC 2.5% of the 2010 tax levy for the BCWMC’s 2010 administrative expenses associated with CIP projects and to approve transfer of the funds from the CIP Account to the Administrative Account. Commissioner Black asked if staff tracks how closely this reimbursement correlates to the actual CIP project administrative expenses. Chair Loomis said that she would need to check with Deputy Treasurer Sue Virnig. Commissioner Black requested that the Commission discuss at a future meeting the actual amount that the BCWMC spent on CIP administrative expenses in fiscal year 2010 and how it correlates with the 2.5% reimbursement of tax levy funds. Chair Loomis directed Administrator Nash to work with Sue Virnig to determine the amount and to bring it to the Commission at a future meeting. Commissioner Black moved to approve Resolution 11-02. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].**

[Commissioner Sicora arrives]

- F. 2011 Blue Thumb Partners’ Agreement. Commissioner Langsdorf provided a summary of the Blue Thumb program. Commissioner Black moved to approve the Commission’s participation in the 2011 Blue Thumb program, to fund the Commission’s participation at the level budgeted for in the Commission’s 2011 budget, to accept and sign the Partner’s Agreement, and for the Education Committee to discuss the agreement further and to bring any concerns back to the Commission at a future meeting. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously with nine votes in favor.**
- G. Approval of Contract with MMKR – Certified Public Accountants – for Annual Audit. Commissioner Black commented that the proposed cost seemed high and she asked if the Commission has gone out for bids to see if the Commission could get better prices. Chair Loomis said that the Commission has not gone out for bids. She added that MMKR is the firm that conducts the audit for the City of Golden Valley and so the bid is a combined bid for the audit of the Commission and the audit of the**

City of Golden Valley, which makes the price cheaper. Commissioner Goddard asked if the Commission is happy with MMKR's performance. Chair Loomis said that the City of Golden Valley is happy with MMKR's services. Commissioner Black moved for the Commission to accept the contract with MMKR for the audit. Commissioner Harper-Lore seconded the motion. The motion carried unanimously with nine votes in favor.

- H. Education & Outreach Committee: Request to Participate in 2011 WMWA Costs for Seminars and Consideration of WMWA invoice for 2011 seminars. Discussion of this item was delayed to later in the agenda after Commissioner Welch arrived.

5. New Business

- A. Letters of Interest for Legal and Engineering and Technical Services. Commissioner Black moved to direct the BCWMC's Administrative Services Committee to review the nine proposals with input from the Technical Advisory Committee on the technical aspects of the proposals. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously with nine votes in favor.
- B. Wirth Lake 2010 Improvements. Mr. Kremer stated that there were several people in attendance from the Minneapolis Park and Recreation Board's consultant team for the project. Larry Wacker of SWB, Inc., the project manager, introduced himself as did Mr. Bill Bleckwenn, wetland consultant from McGhie and Betts Environmental Services, Inc., and Mr. Justin Klabo of SEH's Water Resources Division. Mr. Kremer described the improvements that are being proposed by the Wirth Lake Site Improvement Master Plan. He explained that the proposed improvements to be constructed in 2011, as detailed in the January 12th Engineer's memo from Barr Engineering, include:

- Beach parking lot reconstruction
- Bituminous and concrete paths
- Boardwalks on helical piers
- Bituminous access drive and ADA parking at the existing pavilion
- Addition of sand within the Wirth Beach swim area
- Wetland replacement west of the existing beach parking lot
- Bio-retention basin for treatment of stormwater runoff upstream of the wetland; and,
- Wet pond for treatment of Highway 55 runoff.

He noted that other improvements would be constructed in 2012 and 2013. Mr. Kremer reported that the improvements proposed for construction in 2011 would result in an increase in impervious surface of 0.98 acres and the total proposed project construction would add 4.23 acres of impervious surface. He explained that a variety of BMPs (best management practices) are proposed to mitigate for the proposed increase in impervious surface. He said the proposed BMPs for the entire master plan include two bioretention basins, a wet pond, and pervious pavers and that one of the bioretention basins would be constructed in a subsequent phase.

Mr. Kremer said that there is a current total phosphorus load to the watershed in this site of 12.3 pounds and the increase in phosphorus load due to the construction of the entire project would raise that amount to 14.9 pounds. He stated that all of the proposed BMPs with this project would remove over 20 pounds of phosphorus, which is a significant increase over the required removal amount.

Mr. Kremer reminded the Commission that one of the ponds being proposed in this project was proposed to be constructed by the Commission about four years ago. He explained that although the project was approved by the Commission, the various parties involved couldn't work out a maintenance agreement and so the project was never constructed.

Mr. Kremer noted that the Commission Engineer included a number of conditions in the memo for the meeting packet about the Wirth Lake 2010 Improvements. He explained that subsequent to the creation of the memo the project team had met all of the conditions except the one regarding preparing a maintenance agreement with the City of Golden Valley for the wet pond, bioretention basin and pervious pavers. Mr. Kremer said that the Commission Engineer recommends approval of the project with the condition that a maintenance agreement be developed and the final plans are submitted to the Commission for final review.

Mr. Oliver added that the City of Golden Valley is drafting a maintenance agreement and will be meeting with the Minneapolis Park and Recreation Board to discuss it. Commissioner Harper-Lore asked about Mn/DOT's role. Mr. Kremer said that when the Commission was considering constructing the wet pond four or so years ago and had asked for Mn/DOT's participation Mn/DOT had offered a recommendation that the Commission apply to its grant program. He said that the Commission did apply but did not receive the grant. Mr. Kremer said that Mn/DOT's issue over maintenance is that Mn/DOT doesn't want to leave its property and the pond wasn't going to be constructed on its property. Mr. Oliver remarked that the cost to obtain permanent easements is too high.

Commissioner Black moved to approve the project on the condition of the development of a maintenance agreement. Commissioner Harper-Lore seconded the motion. Chair Loomis mentioned that in a phone call with Commission Engineer Jim Herbert he had mentioned a concern about a potential impact on the floodplain that should be reviewed by the City. Mr. Kremer replied that the Commission doesn't regulate the floodplain in the area of the phase I of the project but there is a chance that the parts of the project proposed to be constructed in 2012 and 2013 may require floodplain mitigation.

Mr. Kremer asked Mr. Bleckwenn if the design for those parts of the project is developed enough yet to determine potential impact on the floodplain. Mr. Bleckwenn responded that they are still looking at design options but that they would try to avoid a design that would require fill in the floodplain. Mr. Kremer remarked that the other condition the Commission Engineer recommends besides the development of a maintenance agreement is that the final plans be submitted to the Commission. Commissioner Black made a friendly amendment to her motion to add that the final project plans be submitted to the Commission. Commissioner Harper-Lore approved the friendly amendment. The motion carried unanimously with nine votes in favor.

6. Old Business

A. TAC Recommendations

i. Capital Improvement Plan (CIP) Project Modification Recommendations.

Administrator Nash reported that the TAC reviewed the Commission's CIP table that was revised December 30, 2010, and reviewed the projects that the cities requested be added to the Commission's CIP. He summarized the four projects that the TAC recommends that the Commission add to its CIP for 2012 and the one project that the TAC recommends the Commission add for 2013. Administrator Nash stated that the estimated project costs for the four 2012 projects total \$835,000. He reported that the estimated cost for the 2013 project is \$196,000.

Administrator Nash described the recommended projects, including:

- 2012 - The Wirth Lake outlet structure with a project cost of \$250,000 minus the \$75,000 Clean Water Legacy Grant for the project by BWSR, for a total Commission cost of \$175,000.
- 2012 - The Main Stem Channel Restoration project with a project cost of \$600,000.

- 2012 - The Sweeney Lake outlet project in Golden Valley. The feasibility study would be conducted in 2012 at a cost of \$10,000 and the entire cost of the project would be approximately \$250,000.
- 2012 - The Schaper Pond project feasibility study at a cost of approximately \$50,000. The full scope or project cost estimate of the project have not been determined.
- 2013 – The Lakeview Pond project in Golden Valley, with a project cost of \$196,000.

Administrator Nash said that the TAC also recommended that the Commission develop and adopt a process for incorporating projects identified in the TMDL studies into the CIP.

He said that the TAC will continue this discussion at the February meeting. Administrator Nash said that Chair Loomis directed him to work with Barr Engineering to identify which of the proposed 2012 - 2013 CIP projects would most likely qualify for BWSR grants and to bring that information in front of the Commission. Mr. Gustafson mentioned that the TAC did not have time to discuss the CIP beyond 2013. He said that the TAC needs to discuss and reach an agreement about the definition of the trunk system to help the TAC make decisions about future CIP projects.

- ii. **Recommendation for BCWMC Representative on MPCA’s Twin Cities Metropolitan Area Chloride Project.** Administrator Nash announced that the TAC nominated Derek Asche to be the Commission’s representative to the MPCA’s group and is asking for the Commission’s approval of that nomination.
- iii. **Status of Hydrologic and Water Quality Monitoring from Barr.** Administrator Nash said that the TAC did not have time to discuss the two memos prepared for the TAC by Barr regarding cost estimates for hydrologic and water quality models and they will be discussed at the next TAC meeting.
- iv. Administrator Nash stated that the February 3rd TAC meeting will be rescheduled due to a conflict on that date for several TAC members. Chair Loomis added that the Commission needs a volunteer liaison for the TAC’s February meeting. Commissioner Black said that she would like to attend if she can and to update her on the meeting date.

[Commissioner Welch arrived]

Commissioner Black moved to approve the four projects recommended by the TAC. Commissioner Harper-Lore seconded the motion. Commissioner Black amended her motion to approve the five projects recommended by the TAC. Commissioner Harper-Lore approved the friendly amendment. Commissioner Black asked for staff to comment or to prepare for a Commission discussion on the idea of using reserve construction funds for the two feasibility studies instead of levying for the costs of the studies. Mr. Kremer said that typically feasibility studies use construction funds that the Commission raises through the ad valorem tax request to the County. Commissioner Black asked staff to prepare information for a discussion of using reserve construction funds for the feasibility studies instead of being reimbursed for those costs and for staff to bring the information in front of the Commission the next time the projects are on the Commission’s agenda. The motion carried unanimously with nine votes in favor.

[Commissioner Welch took over as Acting Commissioner for the City of Minneapolis]

Commissioner Black moved to approve Derek Asche as the BCWMC’s representative to the MPCA’s Twin Cities Metropolitan Area Chloride Project. Commissioner deLambert seconded the motion. The motion carried unanimously with nine votes in favor.

Commissioner Welch moved for staff to assess the need for a major or minor plan amendment and to initiate the processes for the five projects the Commission has added to its CIP.

Commissioner Black seconded the motion. Mr. Kremer requested the Commission's approval for the Commission Engineer to discuss with Counsel whether the Sweeney Lake Outlet structure project would require a plan amendment because it is a flood control maintenance project and could be paid for out of Long-Term Maintenance Fund. Mr. Kremer said that the TAC's intention regarding the recommendation to the Commission to move forward with the Sweeney Lake Outlet Structure project was to fund the project through the Long-Term Maintenance Fund.

Commissioner Welch said that staff will come back to the Commission next month with an analysis of what plan amendments will be needed. The motion carries unanimously with nine votes in favor.

4. Administration (Continued)

- B. **Presentation of the Financial Statement.** Chair Loomis announced that the Commission had received information from the Commission Engineer regarding the status of the 2010 Engineering Budget. She said the Commission Engineer is requesting the Commission's approval to exceed the 2010 Engineering Budget so it can complete any necessary January work and prepare for the next TAC meeting. Mr. Kremer went through a list of items that were directed to the Commission Engineer that had not been anticipated at the time of setting the 2010 budget. The Commission discussed the status of the fiscal year 2010 budget. Chair Loomis mentioned that the Commission carries a fund balance with a year or a half year's worth of operating costs.

Commissioner Black commented that the Commission will want to discuss its practices on tracking its budget and perhaps it would be part of the policy manual discussion. Mr. Kremer stated that there may be some accounting details that need to be identified and worked out with Sue Virnig so that the Commission Engineer's work on CIP projects and the Twins Stadium project are charged and allocated correctly and are reflected correctly in the financial report.

Commissioner Sicora moved for the staff to adjust the financial report to properly reflect the Twins Stadium and CIP project work and for the Commission to just adjust the budget as needed to in order to accurately reflect the costs expended in fiscal year 2010. Commissioner Welch seconded the motion and added that he thinks the Administrator needs to coordinate things as efficiently as possible to be very clear about what the Commission needs to do and any possible effects on the 2011 budget. Commissioner Welch said that Barr Engineering had proposed to delay its billing for work conducted in January until February. Mr. Kremer said that the proposal may not be acceptable to the auditors and added that he thinks that if the Twins Stadium and the CIP project work is reviewed and allocated correctly in the financial report then the Engineering budget will come in very close to the budget set by the Commission.

Mr. LeFevere commented that the Commission's budget is a working document and that all of the line items will likely be either under or over the budget for those items. He said that the Commission often makes decisions about which budget line to take funds from and the Commission may not be making clear footnotes about those decisions. Mr. LeFevere commented that the Commission's budget philosophy lately has been to eliminate contingency budget lines and instead to use the reserve fund for unanticipated expenses. He said that if the Commission uses reserve funds then the Commission would have a decision to make on whether it would replenish the reserve fund.

Commissioner Sicora said that the exercise that the Commission should take is for it to do an adjustment at the end of the year so that it has an accurate picture of its fiscal year 2010

expenditures. Commissioner deLambert asked for the motion to be repeated. Ms. Herbert recapped the Commission's discussion and added that the Commission hasn't made a clear decision on how to amend Commissioner Sicora's motion. Commissioner Sicora withdrew his motion.

Commissioner Welch moved to authorize the Commission Engineer to complete the work that needs to be completed in the month of January and to delay any work that can be delayed until after January. Commissioner Black seconded the motion. The motion carried unanimously with nine votes in favor.

Commissioner Black moved to receive and file the financial report. Commissioner Welch seconded the motion. The motion carried unanimously with nine votes in favor.

[Commissioner Harper-Lore departed the meeting.]

- H. Education and Outreach Committee Request to Participate in 2011 West Metro Watershed Alliance Seminars. Commissioner Langsdorf remarked that in 2010 the Commission paid for both the 2009 and the 2010 costs for participating in River Watch, so the Commission paid \$2,000 more than it had budgeted for its Watershed Education Partnerships. Commissioner Langsdorf also noted that the Commission extended its contract with Meadowbrook Elementary for the education grant until May 2011 and it will be responsible for paying that grant out of the Commission's 2011 budget.

Commissioner Langsdorf summarized the seminars being proposed by the West Metro Watershed Alliance (WMWA). She stated that the BCWMC's portion of the costs to participate in the workshops would amount to approximately \$2,969.50. Commissioner Langsdorf explained that the \$2,969.50 cost was not included in the Commission's 2011 Education budget and that the Education Committee is requesting that the Commission decide whether it will participate in the seminars at the cost of \$2,969.50. She said that the Education Committee did not use all of the 2010 Education budget and that the Committee would like the Commission to use those leftover 2010 Education funds to fund the WMWA seminar costs. Chair Loomis said that the unused education budget from 2010 would go into the Commission's reserve and the WMWA costs could be paid from the reserve and the Commission wouldn't need to adjust the budget and instead would just authorize the Deputy Treasurer to pay it.

The Commission discussed the invoice submitted by WMWA for the seminars and whether the Commission would want to pay it now before the work on the seminars is done or if the Commission would want to be invoiced after the services have been rendered. Commissioner Langsdorf said what she needs is authorization by the Commission to pay for its portion of the costs of the seminars. Commissioner Welch said he thinks the Commission needs an amendment to its contract with WMWA. Commissioner Black responded that she didn't see that an amendment is necessary. She moved for the Commission to approve its commitment to the WMWA workshops in the amount of \$2,969.50 and to pay for the services as they are performed. Alternate Commissioner Sarvi seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

Chair Loomis mentioned that she had been asked to bring an idea to the Commission for its consideration for its 2012 budget, which is the idea of using BCWMC Education funds to fund commissioner education.

6. Old Business (Continued)

B. BCWMC Comments on Mn/DOT's Environmental Assessment/ EA Worksheet for its

Interstate 494 Expansion Project in Minnetonka, Plymouth, & Maple Grove. Mr. Kremer summarized the project and explained that it would result in an increase of 13.9 acres of impervious surface in the Bassett Creek Watershed. He explained that the Commission's policy for corridors of this type is pretty similar to what Mn/DOT is proposing. Mr. Kremer said that the Commission's policy says that the Commission realizes how difficult it is to integrate BMPs along transportation corridors because of the need for right-of-ways. He said that the Commission's policy states that the Commission will work with the entity proposing the corridor to address the water quality issues to the maximum extent possible.

Mr. Kremer reported that the draft Medicine Lake TMDL states that Mn/DOT's phosphorus reduction in the watershed will be 26 pounds out of the total reduction of 1,287 pounds. Mr. Kremer reminded the Commission that when it had asked Mn/DOT for participation in water quality measures Mn/DOT responded that it can only participate when it is building a highway. He recommended that the Commission send comments back to Mn/DOT asking that in light of the TMDL that Mn/DOT work to achieve as much of that 26 pounds reduction of phosphorus that it can as part of this corridor project.

Commissioner Sicora commented that he attended the public meeting on this project and that he was disappointed that the Mn/DOT water resources engineer wasn't there. He added that the information from Barr Engineering included in the packet is consistent with Shingle Creek Watershed' comments. He said Shingle Creek's comments on the EA/ EAW also include comments on chloride. Commissioner Welch asked for a clarification of the Commission Engineer's recommended comments.

Mr. Kremer said the Commission Engineer's recommendation is that the Commission's comments request that Mn/DOT work to achieve the 26 pound reduction of phosphorus in addition to no load from the 13.9 acres of increased impervious surface. Chair Loomis added that Commissioner Sicora requested that the Commission address chloride in its comments as well. Commissioner Black asked that the Commission's comments also address volume. She also said that it may make sense to coordinate comments with the cities of Plymouth and Minnetonka as well as with the other watersheds involved. Commissioner Welch said that he would like to see the comments beefed up on the topics of infiltration, run off, and volume and that for expediency sake he would like the Commission to cc the cities and the other watersheds involved.

Commissioner Welch moved to direct staff to draft a letter of comments to Mn/DOT as amended in this discussion and to add comments regarding volume control, additional phosphorus loading in the Medicine Lake subwatershed, and chloride, and to carbon copy the other watershed cities. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

- C. **Wirth Lake Outlet Modification Clean Water Legacy Grant Update.** Administrator Nash reported that the Minnesota Board of Water and Soil Resources (BWSR) asked for a clean water story. He said that story was a summary of the Wirth Lake Outlet Structure project, which he submitted to BWSR along with photographs of the structure and that will be posted online. He said it is a public relations tool so that the public knows where its money is being spent. Administrator Nash said he will let the Commission know when the information is available online and where.

He said that the project's work plan is due on March 31st and that he is wondering who should write the plan. He said he would like to do it. Commissioner Welch moved to direct Administrator Nash to prepare the work plan for submittal to BWSR. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote]. The Commission directed staff to put the draft work plan on the February meeting agenda for

Commission review. Administrator Nash reported that he anticipates exceeding his \$3,000 budget for his January work. The Commission did not object.

- D. **Next Generation Planning Process.** Chair Loomis recommended postponing the discussion until the Commission's March or April meeting but added that if any commissioner has input he or she should forward that input on to Administrator Nash.
- E. **Education Committee: BCWMC's Web Site.** Commissioner Langsdorf stated that the Education Committee made recommendations for updates to the BCWMC's education portion of the Web site and has passed them onto Ms. Herbert to make the changes online. Commissioner Langsdorf said that the Committee recommends that if the Commission wants changes beyond the Education Committee's recommendations then the Commission should set up a Web site Committee. Chair Loomis noted that committee members don't need to be Committee members and perhaps the Commission could request public participation in a Web site task force. Commissioner Welch commented that he thinks that the Web site serves his needs and asked about what shortcomings others may see about the Web site. Commissioner Hoshal said he could put together a memo about it for the February meeting.

7. Communications

- A. **Chair:**
 - i. Chair Loomis reported that Administrator Nash asked if the Commission should be e-mailed the TAC meeting agendas and she told him that it would be helpful for the entire Commission to receive the TAC agenda and meeting materials.
 - ii. Chair Loomis announced that next month's meeting is the organizational meeting and the Commission will select its officers. She asked Commissioners to consider whether they would be interested in volunteering for one of the officer roles.
- B. **Administrator:**
 - i. Administrator Nash announced that BWSR wants a Clean Water Grant Fund logo displayed on all of its grant projects so that taxpayers know where their money is being spent. He said that the cities of Plymouth and Golden Valley have been provided with the logo.
 - ii. Administrator Nash reported that the BCWMC's policy manual will be reviewed at the Administrative Services Committee meeting immediately following this Commission meeting.
 - iii. Administrator Nash said he will straighten out the date for the February TAC meeting.
 - iv. Administrator Nash said that Alternate Commissioner Dave Hanson has co-authored or will co-author an article with David Austin of CH2MHill on Whole Lake Aeration in the periodical "Land and Reservoir Management".
 - v. Administrator Nash stated that he has provided the Commission with the full River Watch report and that the Bassett Creek sites received a "C" grade.
- C. **Commissioners:**
 - i. Commissioner Welch reminded the Commission that it shouldn't copy e-mails across the Commission because of the Open Meeting Law.
 - ii. Commissioner Black discussed the Lost Lake Vegetative Management Plan and said that there are two places in the plan where the Commission may want to make comments. She said that

she would do a first draft of comments and will submit them to Barr Engineering for the Commission Engineer's review and additional comments. She requested that the item be added to the February meeting agenda. The Commission agreed with that direction.

- iii. Commissioner Black introduced Resolution 11-03, "A Resolution of Appreciation for the Services of Elizabeth Thornton to the Bassett Creek Watershed Management Commission." Commissioner Black moved to adopt the motion. Commissioner Langsdorf seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].
- iv. Commissioner Sicora commented that he will forward to Ms. Herbert to e-mail out to the Commission two items: 1. The American Society of Civil Engineers draft Web publication directed to practitioners in the use of sustainability; and, 2. News on a new law signed by the President on January 4th requiring Federal facilities to pay local storm water management fees.

D. Committees:

Education Committee:

- i. Commissioner Langsdorf announced that the draft Education and Outreach Plan is nearing completion.
- ii. Commissioner Langsdorf reported that the seed packets have arrived.
- iii. Commissioner Langsdorf said that an article written by the Education Committee came out in the *Sun Sailor* Newspaper and that the Committee had approved Administrator Nash putting his name on it and sending it to the paper for publication.
- iv. Commissioner Langsdorf said that the next Education and Outreach Committee meeting is January 26th and the next WMWA meeting is the second Tuesday in February.

E. Counsel: No Communications.

- F. Engineer: Mr. Kremer reported that Hennepin County is considering asking the Legislature for Clean Water Legacy money for stream restoration and lake improvement. He commented that it might be worth the Commission's while to make a phone call to a County Commissioner in support of that legislative agenda item.

8. Adjournment

Commissioner Welch moved to adjourn the meeting at 2:25 p.m. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

Linda Loomis, Chair

Date

Amy Herbert, Recorder

Date

Pauline Langsdorf, Secretary

Date