

Bassett Creek Watershed Management Commission

Minutes of the Meeting of May 20, 2010

1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., Thursday, May 20, 2010, 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>	<i>Not represented</i>	<i>Engineer</i>	Karen Chandler
<i>Minneapolis</i>	<i>Not represented</i>	<i>Recorder</i>	Amy Herbert
<i>Minnetonka</i>	<i>Not represented</i>		
<i>New Hope</i>	<i>Not represented</i>		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	Commissioner Wayne Sicora		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Arrived after roll call: Alternate Medicine Lake Commissioner Ted Hoshal; Minneapolis Commissioner Michael Welch, Treasurer; New Hope Commissioner John Elder

Also present: Derek Ashe, BCWMC Technical Advisory Committee, City of Plymouth
Jack Frost, Metropolitan Council Environmental Services
Kari Geurts, Golden Valley Resident
Dave Hanson, Alternate Commissioner, City of Golden Valley
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley
Stu Stockhaus, Alternate Commissioner, City of Crystal
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka
Jim Vaughn, BCWMC Technical Advisory Committee, City of St. Louis Park

2. Approval of Agenda and Consent Agenda

Commissioner Black moved to approve the Consent Agenda, which included the presentation of the April 15, 2010, minutes, the May 2010 financial report, and the communications from the BCWMC's Counsel. Commissioner Sicora seconded the motion. The motion carried unanimously with five votes in favor [Cities of Medicine Lake, Minneapolis, Minnetonka, and New Hope absent from vote].

Chair Loomis requested the addition to the Agenda of item Cvii – an invoice from MMKR for audit services. Commissioner Black moved to approve the agenda as amended. Commissioner Langsdorf seconded the motion. The motion carried unanimously with five votes in favor [Cities of Medicine Lake, Minneapolis, Minnetonka, and New Hope absent from vote].

3. Citizen Input on Non-Agenda Items

No citizen input on non-agenda items.

4. Administration

- A. Presentation of the April 15, 2010, BCWMC meeting minutes. Approved under the Consent Agenda.
- B. Presentation of the Financial Statement. Approved under the Consent Agenda.

The general and construction account balances as reported in the May 2010 Financial Report:

Checking Account Balance	665,521.17
<i>TOTAL GENERAL FUND BALANCE</i>	<i>665,521.17</i>
Construction Account Cash Balance	2,066,786.35
Investment due 10/18/2010	533,957.50
Investment due 1/21/2015	500,000.00
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>3,100,743.85</i>
<i>-Less: Reserved for CIP projects</i>	<i>2,764,883.52</i>
<i>Construction cash/ investments available for projects</i>	<i>335,860.33</i>

- C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through March 31, 2010 - invoice for the amount of \$2,781.04.
- ii. Barr Engineering Company – Engineering Services through April 30, 2010 - invoice for the amount of \$34,958.25.
- iii. Watershed Consulting, LLC – Administrator Services April 15 – April 30, 2010 – invoice for the amount of \$1,831.69.
- iv. Amy Herbert – April Administrative Services - invoice for the amount of \$4,263.26.
- v. D’amico Catering – April 2010 meeting catering – invoice for the amount of \$393.91.
- vi. Hamline University – 2010 participation with Metro WaterShed Partners – invoice for the amount of \$5,000.00.
- vii. MMKR – Audit Services – Third progress billing – invoice for the amount of \$2,500.

[Alternate Commissioner Hoshal arrived.]

Commissioner Black moved to approve all invoices including the added invoice vii – MMKR – Audit Services. Commissioner Langsdorf seconded the motion. By call of roll, the motion carried unanimously with five votes in favor. [City of Medicine Lake abstained from the vote; Cities of Minneapolis, Minnetonka, and New Hope absent from vote].

[Commissioner Elder arrived].

5. New Business

- A. **2010 Plymouth Street Reconstruction Project: Plymouth.** Ms. Chandler explained that the project is in front of the Commission because the project consists of street reconstruction that will disturb more than five acres and she reminded the Commission that street reconstruction projects of less than five acres do not come in front of the Commission. She stated that the project is located near Parkers Lake and involves 3.4 miles of residential street reconstruction. Ms. Chandler said that 18 acres of the watershed will be disturbed and that the project will decrease the impervious surface area by 0.33 acres because some roads and intersections will be narrowed.

Ms. Chandler reported that the Commission Engineer recommends adding one more sump manhole than was proposed and that the Commission Engineer recommends approval of the permit with the recommendations a- f that are listed in the Engineer's May 13, 2010, memo describing the permit review.

Commissioner Black moved to approve the permit contingent on the recommendations of the Commission Engineer. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Minnetonka absent from vote].

- B. **South Shore Drive Emergency Utility Repair: Plymouth.** Ms. Chandler explained that the location of the needed repair is south of Medicine Lake. She said that south of South Shore drive there is a Metropolitan Council sanitary sewer line that is failing. She explained that this is an emergency project to replace a sagged PVC pipe and a fractured reinforced concrete pipe and that since it is an emergency repair, the project could proceed without the Commission's review but the timing of the repair and the Commission's meeting provide the Commission with an opportunity to provide feedback on the proposed repair. Ms. Chandler said the approach proposed for repairing the pipe includes replacing the fractured pipe with ductile iron pipe, which will be supported in order to compensate for movement, which was the cause of the sagging and fracture in the pipe.

Ms. Chandler said the Commission Engineer has not seen the design plan so the Commission Engineer recommends that the Commission make a conditional approval based on the Engineer's review and approval of the final plans, including the diversion and dewatering plans, prior to the repair.

Alternate Commissioner Hoshal moved to approve the repair project contingent on the Engineer's review and approval of the plans. Commissioner Sicora seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Minnetonka absent from vote].

- C. **South Shore Drive Bridge: Plymouth.** Ms. Chandler reminded the Commission that it discussed this project in February 2010 and the Commission conditionally approved the project and sent a letter to the City of Plymouth requesting that the low chord of the bridge be raised to be at or above the 100-year flood level and requesting that other conditions be met as detailed in the Engineer's May 13, 2010, memo. Ms. Chandler reported that the Commission Engineer has received a response from the City of Plymouth stating that the City does not want to raise the bridge due to various concerns. Ms. Chandler said the Commission Engineer is waiting for the receipt of information from the City's consulting engineer regarding what, if any, impact the proposed bridge would have on the flood level. She said the project is coming back in front of the Commission since the City did not meet the Commission's request regarding raising the bridge above the 100-year flood level and so the Commission needs to address the issue again. Ms. Chandler said the Commission could table the discussion until it receives the technical data due from the City's consultant, or the Commission could conditionally approve the design contingent on final review and approval of the Commission Engineer and the Engineer's satisfaction that there will not be impacts on the flood level upstream, or the Commission could request that the City of Plymouth revise the bridge design so that the low chord is above the 100-year flood level.

[Commissioner Welch arrived.]

Commissioner Black said that her concern is regarding the residents on either side of the bridge, whose homes are lower than the current bridge elevation. She commented that her concern is whether an elevation change to the bridge would cause runoff into those properties and homes. Commissioner Black stated that City staff want to keep the bridge at the elevation it is at in the Mn/DOT-approved plan and she added that if that elevation changes, then Mn/DOT would likely have to review the plan again and reapprove it.

Mr. Mathisen asked if Mn/DOT was okay with the plan the way its drawn and with the low chord level being below the 100-year flood level. Commissioner Black responded that Mn/DOT approved the plan. Ms. Chandler added that in the approved plan there is an error in the listed 100-year flood level. She said the plan lists the 100-year flood level as 889.4 feet, which is incorrect for the upstream side of the bridge. Ms. Chandler said the correct elevation is 890.3 feet. Mr. Mathisen asked if Mn/DOT has seen that correction and Ms. Chandler replied that she did not know and that perhaps the City's consultant for the project would know.

Mr. Oliver asked Mr. Asche if the cross sectional area would be increasing or decreasing for flow. Mr. Asche replied that the City received verbal information from Bonestroo, the City's consultant on the project, that the existing cross-sectional opening is 81 square feet and the proposed opening is 93 square feet, which would be a little more area for water to pass under. Ms. Chandler commented that the existing structure's low chord is above the 100-year flood level, which means it is a free flow, but the Commission Engineer does not yet know if there would be pressure underneath the bridge that could cause the water to back up. Mr. Asche stated that Bonestroo has verbally communicated to the City that the new bridge could handle 1,000 or higher cubic feet per second and that the 100-year flow would be 192 cubic feet per second. Mr. Asche said that the delay in getting information to the watershed is because Bonestroo needs to rerun a model, which it has started. Mr. Asche said the City staff prefers the Commission to make a conditional approval based upon providing data to the Commission Engineer that satisfies the watershed that the flow under the bridge would not be a problem.

Ms. Chandler said the Commission Engineer has not seen enough information to recommend approving the permit but would be comfortable with a conditional approval that would be based upon the Engineer's review of the data when it arrives and the satisfaction of the Engineer from the review that the water would not flood any higher. She said if the Commission Engineer was not satisfied after the review of the technical data then the Engineer would bring the issue back to the Commission. Ms. Black moved to approve the permit contingent on the Commission Engineer's approval. Commissioner Sicora seconded the motion. The motion carried unanimously with seven votes in favor [City of Minneapolis abstained from the vote. City of Minnetonka was absent from the vote].

- D. Request from Medicine Lake to review its Local Water Management Plan (LWMP). Ms. Chandler explained that last week the Commission received the LWMP from Medicine Lake for the Commission's review and comment. Ms. Chandler added that if Barr is authorized to review the plan, the review could likely be completed in time for discussion at the June Commission meeting. Commissioner Welch moved to authorize staff to review the Medicine Lake Local Water Management Plan for conformance to the Commission's *Watershed Management Plan* and to bring recommendations and comments back to the Commission at its June meeting. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from the vote].

6. Old Business

- A. **Weir on Sweeney Lake.** Ms. Chandler reminded the Commission that at its last meeting the Commission directed the Commission Engineer to look into modifications made at the Sweeney Lake outlet. Ms. Chandler pointed out features of the Sweeney Lake outlet structure photos in the May 13, 2010, Engineer's Memo. She said that the modification was put in at about two-tenths of a foot higher than the original structure, which may have been installed because erosion on the south side of the weir has lowered the lake outlet elevation approximately six inches. Ms. Chandler said the Commission Engineer's recommendation is that the original structure should be replaced with one that is tied into the earth on either side to eliminate erosion. She said that in the meantime the Commission should consider directing the removal of the modification and directing the replacement of the original control structure while ensuring that the original outlet elevation is maintained. Ms. Chandler said the Minnesota Department of Natural Resources (DNR) did not have any record of a permit for either of the structures and indicated that the newer, masonry wall could be removed without a permit and that if there is temporary shoring up of the original structure that needs to occur then it could be done without a permit. She said that the DNR stated that replacing the outlet structure would require a permit. Ms. Chandler said that as far as the Commission Engineer could find out, no one owns the outlet.

Commissioner Welch commented that work in public waters requires a permit. He said he thinks the Commission should find the official mapped elevation of the lake because theoretically there are FEMA and floodplain issues associated with the work. Commissioner Welch also thought the Commission should get a ballpark cost estimate of the project broken down by component.

Mr. Oliver commented that the City of Golden Valley would like to see a more detailed study on options for the next step. He said the City would be willing to do the removal of the masonry wall and short-term wing wall expansion although the City would ask for funding participation on the maintenance given the fact that this is a major flood storage area for the watershed. He requested that the Commission authorize additional investigation in order to determine what is practical and the cost scope.

Commissioner Black said the Commission needs to find out the official elevation of the outlet. Chair Loomis said the City has that information. Commissioner Black said she assumes that any new structure that goes in would need to be at that official elevation. Commissioner Black moved to have the City of Golden Valley make any minor modifications that they deem helpful and to explore options for what should go in there as well as what are some of the funding options available. Mr. Oliver requested that the Commission Engineer would generate the report on the options. Ms. Black amended her motion to state that the City make any minor modifications to the structure that the City deems necessary at this time and for the Commission Engineer to evaluate options for replacement and to include cost estimates and to identify potential partners. Commissioner deLambert seconded the motion but asked what the City of Golden Valley would do for a short-term stabilization. Mr. Oliver remarked that if this motion is approved, the City would like to meet with the Commission Engineer to talk about what would be an effective interim measure to stop the flow around the weir and then to implement that measure.

Commissioner Welch commented that the Commission can't direct the City to take action about repairing the weir. Commissioner Welch requested a friendly amendment to the motion to ask the Commission Engineer to work with the City to develop options and the range of cost for short, medium, and long-term solutions and to address the permitting and ownership issues and any other legal information the DNR may have and for the Commission Engineer to report back at the June meeting. Commissioner Black stated that she approved the friendly amendment. Commissioner Welch asked if there is a certain budget line to which to allocate the work described in the motion. Ms. Chandler suggested that the cost could be allocated to the surveys and studies budget. Administrator Nash asked if the Commission wanted him to do anything with this item. Chair Loomis commented that he could work it out with the Commission Engineer. Commissioner

Welch asked Ms. Chandler to carbon copy Administrator Nash on communications. The motion carried with eight votes in favor [City of Minnetonka absent].

- B. **Order Feasibility Reports for Main Stem and North Branch Projects Listed in Major Plan Amendment.** Chair Loomis said that the reach of the Main Stem listed in the Engineer's memo is incorrect and that the project actually is from Duluth Street to Westbrook Road. She reminded the Commission that the Main Stem and the North Branch channel restoration projects were in the Commission's CIP for 2012 but because of the grant awards, the Commission decided to move the two projects to 2011, which is why the Commission needs the feasibility reports prepared. Mr. Mathisen reported that the City of Crystal's City Council had a work session this week on the North Branch project and he asked if the funds for the project will be collected in 2011. Mr. LeFevere said if the project is certified to the County to be levied this year, the BCWMC would receive the funds from the County in July and in December of 2011. Ms. Herbert commented that the Commission had previously discussed that its goal is to have its major plan amendment for these two projects approved this year in time for the two projects to be included in the Commission's certification of the levy that is due to the County by October 1st. Commissioner Welch commented that he had volunteered to follow up on the plan amendment with Brad Wozney of BWSR and will do so and will also convey to him the Commission's schedule.

Commissioner Welch moved to approve staff to complete the two feasibility reports at a cost of \$29,970.00. Alternate Commissioner Hoshal seconded the motion. Commissioner Black stated that she is uncomfortable with the Commission not going out for a bid on this work. She said she knows that in this case creating a request for proposals and going out for a bid would delay the process and the Commission does not have time for a delay but she would like the Commission in the future for these kinds of things that are outside of development review to go through an RFP process. Alternate Commissioner Hoshal asked if the Commission has a stated policy on going out for bidding. Commissioner Black said no. Alternate Commissioner Hoshal commented that perhaps the Commission should have such a policy. Commissioner Sicora added that moving forward he would like to see the Commission use an RFP process but that the Commission should also reserve the right to direct staff to conduct the studies. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

Commissioner Welch moved to establish a Commission policy of issuing electronic requests for bids for all feasibility studies. Commissioner Black seconded the motion. Commissioner Welch modified his motion to direct staff to create a policy regarding the Commission submitting RFPs for feasibility studies. Commissioner Black approved the friendly motion. Mr. Mathisen suggested that the Commission consider establishing a pool of consultants to which the Commission would send the RFPs in order to ensure the bids come in from consultants that have the areas of technical expertise that the Commission wants and to also reduce the number of RFPs that the Commission would need to evaluate for each bid. Commissioner Welch commented that staff can structure the process in that way. Mr. Oliver remarked that he understands the Commission's concept but stated that the RFP process can be very expensive and recommended that the Commission forward the issue to the TAC to discuss and make recommendations on the process and potential consultant pool. Administrator Nash commented that he thought that the TAC's opinion on this issue would be important. Commissioners Welch and Black agreed with the friendly amendment to ask the TAC to review the issue and develop recommendations for the Commission. The motion carried with eight votes in favor [City of Minnetonka absent from vote].

C. **TAC Recommendations.**

- i. **CIP Work Group.** Mr. Oliver reported that the TAC recommends that at least two if not three TAC members participate in the group. He said that the TAC members from Plymouth and Golden Valley are the representatives. Commissioner Welch commented that it would be nice to have a third representative and requested that the TAC name a

third representative. Chair Loomis directed Administrator Nash to organize a meeting of the CIP Work Group.

- ii. **Medicine Lake TMDL.** Mr. Asche reported that the TAC reviewed the draft Medicine Lake TMDL and added that the review was outside of the 30-day comment period and the MPCA afforded the Commission the review opportunity. He explained that the May 11, 2010, memo to the Commission from the TAC states the TAC recommended changes to the text of the TMDL. He said that in summary the comments highlight questions to the MPCA about internal loading details, monitoring details such as how the monitoring should take place, and implementation plan details. Commissioner Black asked about the TAC's questions regarding internal loading. Mr. Asche replied that the TMDL discusses three major forms of internal loading and the TAC's concern is that with the current language in the TMDL even though the MPCA doesn't have regulatory oversight of the internal load, the TMDL as written will affect the MS4s abilities to meet the goals of the TMDL.

Commissioner Welch asked Ms. Chandler if the Commission Engineer agrees that the comments listed in the TAC memo are the right comments to send to the MPCA to address the Commission's concerns. Ms. Chandler responded that staff is comfortable with submitting these comments. Commissioner Black stated that she feels that the comments are irritating to the MPCA and that it doesn't seem like a good idea to irritate the MPCA keeping in mind that the Commission submits funding requests to the MPCA. Mr. Oliver replied that the TAC's goal was not to aggravate the MPCA but to ask the MPCA for clarification in the TMDL in order to provide long-term assurances that will protect the MS4s and the Commission. Mr. Asche suggested that the Commission present official comments to the MPCA in a way that is more workable to the MPCA. Commissioner Welch agreed with the idea of addressing the matter of the tone of the Commission's comments. Administrator Nash reported that he spoke on the phone with Ms. Asleson of the MPCA this morning and that he sensed that she is frustrated and that she commented that the internal load issues will not be modified in the TMDL because they are beyond the MPCA's leeway. Administrator Nash remarked that if the Commission officially sends in the comments that it shouldn't be surprised if they result in no changes to the TMDL. Ms. Chandler added that Ms. Asleson communicated to Mr. Kremer of Barr Engineering that "the MPCA doesn't mean that the MS4s will be required to reduce the internal load." Ms. Chandler explained that the TAC wants that assurance captured in the TMDL.

Commissioner Black moved to approve submitting Commission comments to the MPCA by modifying the comments in the TAC memo as follows: Eliminating section 4.1, eliminating section 4.3, revising the first comment of section 5 to state that "the Commission will coordinate the sampling and collection of data," eliminate in the implementation plan section 1.5 and the final comment of section 2.3. Commissioner Welch made a friendly amendment to Commissioner Black's motion to authorize Administrator Nash to work with the Commission Engineer to modify the Commission's comments and to draft a cover letter that emphasizes that the Commission's paramount goal is to continue working with the MPCA to improve the water quality of Medicine Lake and that the Commission recognizes that internal loading is a difficult issue that needs to be addressed by all parties. Alternate Commissioner Hoshal seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

D. TMDL Updates:

- i. **Sweeney Lake TMDL.** Ms. Chandler introduced the table prepared by Ron Leaf of SEH that addressed the Commission's comments and the comments from the TAC, the City of

Golden Valley, Commissioner Welch, and Alternate Commissioner Hanson. She pointed out that the TAC's comments to the MPCA include the Commission's comment that the TMDL change the proposed external load reduction back to the originally stated 99 pounds from the MPCA's recommended increase to 150 pounds. Commissioner Welch remarked that the Commission requested that table that lists load allocations on page 29 be removed and asked again that it be removed. He also stated that comment S4 on page 1 should not state that the "BCWMC has determined to choose the categorical allocation option with full understanding of the role" but instead should state that "the Commission is proceeding in good faith to coordinate among all parties on how to implement the TMDL."

Commissioner Welch moved for the Commission Engineer to deliver the Commission's changes to the comments to Ron Leaf of SEH for revision of the TMDL and submittal of the revised TMDL to the MPCA and for all communications to be carbon copied to Administrator Nash. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

- ii. **Wirth Lake TMDL.** Ms. Chandler reported that the Commission received the draft Wirth Lake TMDL last week after the meeting packet had been sent out but that the electronic copy was part of the online meeting packet for Commission review. She stated that comments are due back to the MPCA by May 28th and that a public meeting is planned for early June unless a stakeholder quickly takes the action to ask the MPCA for a longer comment period, in which case the public meeting could be delayed. The Commission indicated that it did not feel the need to request any delay.

- E. **Discuss and Approve BCWMC 2009 Annual Report.** Commissioner Black recommended two changes to the Executive Summary. Commissioner Welch remarked that a footnote to the pie chart explaining the categories would be nice if it fit. Commissioner Welch moved to approve the BCWMC's 2009 annual report with the changes noted by Commissioner Black and for staff to submit the report to BWSR. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].
- F. **Request from the Mississippi WMO to review draft revised Watershed Management Plan.** Ms. Chandler reported that the Commission received notice that the plan will be sent to the Commission. She said the Commission Engineer recommends that the Commission spend less than \$1,000 for the Commission Engineer to make a cursory review of the plan. Commissioner Welch said he would be interested in hearing highlights from the plan. Commissioner Elder moved to approve that the Commission Engineer conduct the review and provide comments to the Commission with a cost limit of \$1,000. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].
- G. **BCWMC's Draft 2011 Budget.** Commissioner Welch asked Ms. Chandler about the \$18,000 budget for line item 8: 2011 Commission and TAC meetings. Ms. Chandler explained that the budget assumes that the TAC will meet monthly in 2011 but if the TAC reverts to its every-other-month meeting schedule then the budget figure could be reduce to \$13,000 and line item 6: 2011 Technical Services be reduced to \$110,000 based on the same TAC meeting reduction. The Commission decided to make those two changes. Commissioner Sicora recommended that line item 36: TMDL Studies be reduced to 0 and the Commission agreed to make that change. Commissioner Langsdorf recommended reducing line item 28: Watershed Education Partnerships to \$14,500 in anticipation of working through the West Metro Watershed Alliance to contribute to NEMO. The Commission agreed to make the change. Ms. Chandler reported that the Commission has been notified by the Three Rivers Park District (TRPD) that it will not be able to provide sampling work or water quality analysis in 2011 and that for the Commission to use someone else

to collect samples and to use a commercial lab to analyze the samples would require a \$4,000 increase in line 10: Water Quality/ monitoring. The Commission agreed to increase line 10 to \$34,000 and directed Ms. Chandler to inquire with the TRPD about its unavailability to do the work in 2011 and to investigate the costs of having the Metropolitan Council Environmental Services do the work.

[Commissioners Sicora and Welch depart the meeting.]

- H. **Approval of BWSR Grant Agreement.** Commissioner Black moved to approve the signing of the agreement. Commissioner Elder seconded the motion. The motion carried unanimously with six votes in favor [Cities of Minneapolis, Minnetonka, and Robbinsdale absent from vote].
- I. **Update on 2010 Clean Water Fund Grant for Plymouth Creek and Bassett Main Stem Restoration Projects.** Ms. Chandler reported that the Commission Engineer submitted the work plan into BWSR's eLINK system but BWSR has requested additional information. The Commission Engineer will revise the work plan and will resubmit it after obtaining the additional information that was requested.
- J. **Education Committee.** Deferred to Committee Communications.
- K. **Update on Cultural Resource Review Protocol.** Earlier in the agenda Commissioner Welch remarked that he would like to be involved in finalizing the cultural resource protocols. The Commission consented.

7. Communications

A. Chair:

- i. Chair Loomis reported that the BCWMC received a late invitation to participate in this Saturday's Golden Valley Days.
- ii. Chair Loomis reported that she received an e-mail inquiry from a resident regarding removal of goose droppings from private property, buckthorn removal, and the potential for a second monitoring site in Sweeney Lake for the 2010 CAMP program.
- iii. Chair Loomis stated that the BCWMC's draft financial audit is ready for Commission review. Commissioner Black moved to approve that Administrator Nash work with Commissioner Welch to review the audit, to communicate any changes to the Deputy Treasurer and to finalize the report so the Deputy Treasurer can submit it to the necessary bodies. Alternate Commissioner Hoshal seconded the motion. The motion carried unanimously with six votes in favor [Cities of Minneapolis, Minnetonka, and Robbinsdale absent from vote].
- iv. Chair Loomis reported that the Commission received after the May meeting packet mailing a letter from the City of Medicine Lake requesting a hydraulic and hydrologic evaluation of the dam at the headwaters of Bassett Creek/ the Medicine Lake Outlet and that the request will be part of the June meeting agenda.

B. Administrator:

- i. Administrator Nash discussed the draft policy manual format and the table of contents and the sample policy included in the meeting packet.
- ii. Administrator Nash addressed the draft work plan for the Administrator and reported that the Administrative Services Committee needs to meet again to complete the work plan.

