



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting
Board of Managers
Wednesday, February 15, 2023
Carver County Government Center, 602 East
4th Street, Chaska, MN 7:00 p.m.

1. CALL TO ORDER AND ROLL CALL

On Wednesday, February 15, 2023, at 7:00 PM CST, in the Board Room of the Carver County Government Center, 602 East 4th Street, Chaska, Minnesota, President Hartmann called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

The first item on the agenda was the Oath of Office for Joseph Barisonzi. Manager Barisonzi was appointed to the LMRWD Board of Manager by the Hennepin County Board of Commissioners on February 7, 2023. Manager Barisonzi read the Oath of Office and executed the Oath of Office and the Manager's Bond, which were signed by Board Secretary, Lauren Salvato.

President Hartmann asked for the roll call to be taken. The following Managers were present: President Jesse Hartmann, Manager Joseph Barisonzi, and Manager Lauren Salvato. Manager Laura Amundson joined virtually. Manager Kuplic was not able to join from a location accessible to the public as required under Minnesota Open Meeting Laws, so she observed the meeting virtually, but was not part of the quorum. In addition, the following attended the meeting in-person: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; and Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant. John Kolb, Rinke Noonan, LMRWD legal counsel; Hannah LeClaire, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; Lisa Frenette, Frenette Legislative Advisors, LMRWD legislative liaison; Ben Burnett, Prior Lake Spring Lake Manager, and Brynne Spangler, student from Rosemount High School, joined the meeting virtually.

2. APPROVAL OF THE AGENDA

Administrator Loomis asked to add delete Item 4. C. viii. – TimeSaver Off Site Secretarial, Inc. - Preparation of January 18, 2023, meeting and to add Item 4. C. ix. – Metro Sales, Inc. – for copier maintenance agreement payment.

President Hartmann made a motion to approve the agenda with the deletion of Item 4. C. viii. – TimeSaver Off Site Secretarial, Inc. - Preparation of January 18, 2023, meeting and to add Item 4. C. xiv. – Metro Sales, Inc. – for copier maintenance agreement payment. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

3. CITIZEN FORUM

Administrator Loomis said she had not received communication from anyone that wished to address the Board and no one was present at the meeting.

4. CONSENT AGENDA

President Hartmann introduced the item.

A. Approve Minutes January 18, 2023, Regular Meeting

B. Receive and file January 2023 Financial report

C. Approval of Invoices for payment

- i. **Clifton Larson Allen (CLA) - Financial services through January 31, 2023**
- ii. **Daniel Hron –January, February & March 2023 office rent**
- iii. **Rinke Noonan, Attorneys at Law – December 2022 legal services**
- iv. **Scott County SWCD – Q4 2022 monitoring, TACS & Education services**
- v. **Carver WMO – 2022 monitoring, TACS & Education services**
- vi. **Frenette Legislative Advisors – January/February 2023 Legislative Services**
- vii. **HDR Engineering, Inc. – Web services through Jan 28**
- ~~viii. **TimeSaver Off Site Secretarial, Inc. – Preparation of January 18, 2023 meeting minutes**~~
- ix. **Metro Sales – payment on copier maintenance agreement**
- x. **US Bank Equipment Finance – payment on copier lease**
- xi. **Young Environmental Consulting Group, LLC – January 2023 technical, and Education & Outreach services**
- xii. **Naiad Consulting, LLC – January 2023 administrative services, mileage & expenses**
- xiii. **4M Fund – December 2022 bank service charges**

D. Receive and file December 2022 Citizen Advisory Committee meeting minutes

President Hartmann made a motion to approve the Consent Agenda as amended under the approval of the agenda. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Hartmann, and Salvato; the following voted against: None. Manager Barisonzi abstained.

5. NEW BUSINESS/PRESENTATIONS

A. No new business

6. OLD BUSINESS

A. 2021 Financial Audit

Administrator Loomis provided an update on the 2021 Audit Report to the Board.

B. Cost Share Application - S. Mueller, 10745 Lyndale Bluffs Trail

No new information to report since last update.

C. City of Carver Levee

No new information to report since last update.

D. Dredge Management

i. Vernon Avenue Dredge Material Management site

Administrator Loomis introduced this item and gave an update. She reminded the Board that firms within the Engineering Pool had been given RFIs (Requests for Information) and that proposals were to be submitted to the LMRWD by February 10th. She shared that they received 3 proposals from their engineering pool. Requests were provided to four of the firms.

Ms. Young stated that Young Environmental Consulting Group was reviewing the proposals received. She explained that the proposals and assumptions vary greatly. She stated that they are coming up with questions to ask each firm that will help level the playing field. She hoped to have a recommendation prepared by the March 2023 meeting.

Mr. Kolb stated that it may be better to create a standard set of assumptions and ask the firms to resubmit proposals.

Ms. Young stated that the internal team will be meeting tomorrow to discuss this. She added that it may be difficult to just lay out the assumptions as the assumptions currently vary greatly based on the experiences of the consultants to recognize what needs to happen.

Ms. Amundson shared that there may be some basics in terms of what they want done with the overall roadway geometry as well as the base materials that could be shared with the firms.

Ms. Young stated that these have been highlighted and there needs to be discussions with the city on these matters. She shared that the differences between the proposals involve other permits and approvals that will be needed.

ii. Private Dredge Material Placement

No new information to report since last update.

E. Watershed Management Plan

No new information to report since last update.

F. 2022 Legislative Action

Administrator Loomis introduced this item. She explained that there was a bill submitted last year to the legislature requesting \$4.6 million and there was some misunderstanding that if money was received from the State that there would need to be a 50% match by the LMRWD. She noted that Ms. Young updated the estimate and determined that the estimated cost of the project now stands at \$5.5 million. Administrator Loomis stated that the LMRWD need to determine how to pay for the required match. Lisa Frenette, Frenette Legislative Advisors, legislative liaison for the LMRWD, said that money already spent by the LMRWD does not count toward the match.

Administrator Loomis added that she has contacted the city of Eden Prairie to see how much they are interested in contributing. She stated that the LMRWD already has \$150,000 reserved for this project. She added that they did not budget any funds for this project this year. She noted that there are funds in the Watershed Restoration fund that could be used to this project. She also noted that funds could be moved from other projects to provide for the match. She stated that this can be put in the budget for next year and funds could be moved around the account for it.

Mr. Kolb stated that this money could be borrowed and then could be levied to pay off the debt service on this.

Manager Salvato asked if this is a lost opportunity if not done now. Ms. Frenette explained that this would give pause to the MNB to pause future funding. She added that they normally do not move forward with bonds until August which would give time for the LMRWD time to collect funds.

Administrator Loomis stated that she will get numbers together by the next meeting for further discussion.

Ms. Young shared that once we realized that the LMRWD would need to match state funds, the engineers began looking at a phased approach and they should have more information on this next month. She explained more of the project and answered questions from the Board.

G. Education and Outreach Plan

Administrator Loomis introduced this item and shared that there are two people who have applied to be on the Citizen Advisory Committee.

Manager Salvato made a motion to adopt Resolution 23-04 Citizen Advisory Committee Appointments. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

Administrator Loomis introduced this item concerning educational signage around the district.

President Hartmann made a motion to procure illustrations and rights to use illustration in other publications and media and to proceed with fabrication and installation of signage for Courthouse Lake. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

H. LMRWD Projects

(Only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)

i. There were no items under this heading in February.

I. Project/Plan Reviews

(Only projects that require Board action will appear on the agenda. Informational updates will appear on the Administrator Report)

i. Permit Renewals

Administrator Loomis introduced this item concerning permit extensions and stated that Ms. LeClaire could answer any other questions.

Manager Salvato made a motion to extend all permits listed in Table 1 of Technical Memorandum – February 2023 Permit Renewal Requests dated February 8, 2023.

President Hartmann seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

ii. 3rd Street West Bridge Replacement (LMRWD No. 2022-042)

Administrator Loomis introduced this item and shared the recommendation for a conditional approval.

President Hartmann made a motion to conditionally approve subject to receipt of the final construction plans, signed by a professional engineer; name and contact information for all contractors undertaking land-disturbing activities as part of the proposed project; and name and contact information for the person(s) responsible for erosion control inspections and maintenance of erosion control measures. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

iii. Interstate 35W Resurface and Auxiliary Lane Project (LMRWD No.2022-041)

Administrator Loomis introduced this item and shared the recommendation of a conditional approval subject to receipt of a copy of the NPDES Construction Stormwater Permit, and additional documentation.

Ms. Young answered questions concerning the chloride management and how this is done. She stated that the State will tell them the maximum amount that can go to a water body and the LMRWD does not have a specific chloride management plan for projects. She also addressed questions concerning runoff speed and rate control requirements.

Manager Salvato expressed her concern with chlorides and said more of the issue concerns private applicators and residents doing damage.

Mr. Kolb asked Ms. Salvato if there are development standards that she is aware of that could be rolled into a permit standard concerning this. Manager Salvato stated that this (Chloride management) will be discussed at her work in depth soon. Mr. Kolb stated that this if the Board would want to incorporate rules regarding chloride management that the LMRWD would have to establish need and reasonableness and that the LMRWD should monitor other rules and regulations happening elsewhere until a standard can be adopted.

Ms. Young shared that there is a lot of work being done across the State especially in the Metro-area concerning chloride management. She noted that other watershed districts have begun to address this issue.

Manager Salvato stated that she would be interested in hearing the practices and rules of other districts for consideration. The Board discussed stormwater capture and direction from bridges.

President Hartmann made a motion to conditionally approve a permit for Interstate 35W Resurface and Auxiliary Lane Project (LMRWD No.2022-041) subject to receipt of a copy of the NPDES Construction Stormwater Permit; name and contact information for the contractor; name and contact information for the person(s) responsible for erosion control inspections and maintenance of erosion control measures; and Documentation that the Applicant has received full approval for the project from the Nine Mile Creek Watershed District. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

iv. Permit Program Summary

Administrator Loomis introduced and provided background on this item.

v. 535 Lakota Lane, Chanhassen – work without a permit

Administrator Loomis introduced this item and provided updates on meeting with the property owner.

6. COMMUNICATIONS

A. **Administrator Report:** Administrator Loomis reviewed her report and added that there was a communication from a concerned citizen about the developments that the city of Bloomington has allowed at the headwaters of Ike's Creek. The resident submitted pictures from the site with snow piled up from the parking lot that is likely full of salt. She stated that they will be meeting at the site to address this. She added that there were One Watershed, One Plan meetings today and that she will continue to provide the Board with minutes and notes from those meetings.

B. **President:** No report

LOWER MINNESOTA RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
WEDNESDAY, February 15, 2023
MEETING MINUTES

- C. **Managers:** No report
- D. **Committees:** No report
- E. **Legal Counsel:** No report
- F. **Engineer:** No report

7. ADJOURN

At 8:00 PM, President Hartmann made a motion to adjourn the meeting. Manager Salvato seconded the motion. Upon a vote being taken the following voted in favor of the motion: Amundson, Barisonzi, Hartmann, and Salvato; the following voted against: None.

The next meeting of the LMRWD Board of Managers meeting will be 7:00, Wednesday, March 15, 2023, and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.

Attest:

Lauren Salvato, Secretary

Linda Loomis, Administrator