



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday, January 15, 2020

Carver County Government Center, 602 East 4th Street, Chaska, MN 7:00 p.m.

Approved February 19, 2020

1. CALL TO ORDER AND ROLL CALL

On Wednesday, January 15, 2020, at 7:00 PM 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) and asked for roll call to be taken. The following Managers were present: Managers Adam Frey, and President Jesse Hartmann (Manager Raby's absence was excused). In addition, the following were also present: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, Technical Consultant; Charley Howley, Prior Lake/Spring Lake Watershed District Board of Managers; and Kristopher Guentzel, Hennepin County.

2. APPROVAL OF THE AGENDA

Administrator Loomis asked that an item be added to the agenda under new business. Item 5. A. - USGS Sediment and Flow Monitoring. She also noted that the December 18, 2019 meeting minutes were not complete and should be removed from the agenda.

President Hartmann made a motion to approve the Agenda, with the addition of Item 5. A. - USGS Sediment and Flow Monitoring and removal of the December 18, 2019 Regular Meeting minutes. The motion was seconded by Manager Frey. The motion carried unanimously.

3. CITIZEN FORUM

There were no citizens who wished to address the board on non-agenda items. President Hartmann asked individuals in the audience introduce themselves; Charlie Howley, Manager from Prior Lake/Spring Lake Watershed District and Kris Guentzel, Hennepin County Water Resource Department. President Hartmann welcomed them both.

4. CONSENT AGENDA

President Hartmann introduced the item.

A. Approve Minutes November 20, 2019 and ~~December 18, 2019~~ Regular Meetings

B. Receive and file December 2019 Financial reports

C. Approval of Invoices for payment

- i. Frenette Legislative Advisors - for November 2019 lobbying services
- ii. Daniel Hron - for December 2019 office rent
- iii. Metro Sales, Inc. - for maintenance contract on copier
- iv. Scott County Soil & Water Conservation District - 2nd & 3rd 2019 quarter monitoring expenses

- v. **US Bank Equipment Finance - for December copier lease payment**
 - vi. **Frenette Legislative Advisors - for December 2019 lobbying services**
 - vii. **Rinke Noonan Attorneys at Law - November 2019 legal services**
 - viii. **Naiad Consulting, LLC - October 2019 administrative services & expenses**
 - ix. **Young Environmental Consulting Group, LLC - November 2019 technical services**
- D. **Designation of 2020 official newspaper**
 - E. **Designation of Data Practices Compliance Official**
 - F. **Order Preparation of 2019 Annual Report**
 - G. **Authorize solicitation for proposals for legal, technical and professional consultant services**
 - H. **Authorize execution of agreement with Dakota County SWCD for 2020 monitoring services**

President Hartmann made a motion to approve the Consent Agenda removing the December 18, 2019 Regular meeting minutes. The motion was seconded by Manager Frey. The motion carried unanimously.

5. NEW BUSINESS

A. USGS Sediment and flow monitoring

Administrator Loomis reported on a conversation she had with Joel Groten of the USGS. Mr. Groten informed the LMRWD that the pier where the monitoring equipment was mounted has been destroyed by 2019 flooding and that the Met Council, who owned the pier, does not plan to replace it. She said the USGS requested that the money agreed to in the contract with the USGS be used to prepare a final report on the sediment monitoring.

Ms. Young asked what would be contained in the report and how to quantify some of the sediment. She wondered how the information would be useful to the LMRWD when visiting with legislators.

6. OLD BUSINESS

A. Remote meeting participation

Administrator Loomis said work will not proceed until the LMRWD and Carver County have an agreement.

B. Dredge Management

i. Review Process for funding of maintenance of Navigation Channel

No new information since last update.

ii. Vernon Avenue Dredge Material Management site

President Hartmann noted that the link in the on-line agenda is wrong and goes to a different document. Administrator Loomis said the District has received all the contract documents and they are currently being reviewed by legal counsel. Once legal counsel gives the okay, the District will work with the contractor to schedule work.

iii. Private Dredge Material Placement

No new information since last update

C. Watershed Management Plan

Administrator Loomis said the District is planning to hold a public hearing regarding the adoption of rules in February. She noted the comment period ended and that staff has reviewed comments that were received. She said staff plans to hold conversations with the cities that have concerns about the rules. President Hartmann asked that staff try to get ahead of the hearing to know if there will be public concern. Administrator Loomis noted that the city of Bloomington has scheduled a series of public meetings about zoning changes they are planning to make in order to bring its official controls into compliance with the LMRWD Plan and

Rules. She said she is planning to attend those meetings, so she should be able to get a feel for the public sentiment regarding the rules.

President Hartmann made a motion to revise the rules, prepare and distribute comments and call for a public hearing on February 19, 2020. The motion was seconded by Manager Frey. The motion carried unanimously.

D. 2020 Legislative Action

Administrator Loomis reported on a meeting she and Lisa Frenette had with BWSR. She said that BWSR suggested that the LMRWD request legislation to allow the LMRWD to use money it had received for managing dredge material to replace the grant payment that was denied. The Board discussed the pros and cons of such action.

President Hartmann asked if this jeopardizes anything they ask for in the future. Administrator Loomis said she doesn't think it will, but that she would discuss it with Ms. Frenette. She said the legislators that they have spoken to about this issue might view it favorably that the LMRWD and BWSR were able to work out this situation without asking for an additional appropriation.

She noted once the dredge site work is complete the LMRWD would no longer need the entire appropriation that it has been receiving from the state. She noted that BWSR asked what the LMRWD intended in the future. She and Ms. Frenette told BWSR that the Board would likely recommend to the Board that the appropriation end or be reduced. BWSR suggested that they the LMRWD consider continuing to receive the current state appropriation and use the money to address sediment reduction within the Minnesota River Basin. She said BWSR indicated they would support this. She said that she and Ms. Frenette asked BWSR how it envisioned such a program would work .

The board discussed the dollars and possible sediment reducing projects. They also talked about erosion at the dredge site that the City of Savage has expressed concern over.

E. Education and Outreach Plan

No information to report since last update.

F. LMRWD Projects

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

i. East Chaska Creek Restoration

Administrator Loomis said they are hoping to get this project done this spring. Staff has been working with the contractor to get the contracts in order.

ii. Seminary Fen Restoration Area C-2

Administrator Loomis said the cooperative agreement was reviewed by legal counsel. She addressed the concern expressed by Manager Raby at the December meeting. She stated the only obligation of the LMRWD in this agreement is to contribute \$20,000. So if there are costs over runs or other funding becomes unavailable, there is no additional responsibility to the LMRWD.

President Hartmann made a motion to authorize execution of the cooperative agreement. The motion was seconded by Manager Frey. The motion carried unanimously.

G. Project/Plan Reviews

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

H. MPCA Soil Reference Values - no change since last update

No new information since last update.

7. COMMUNICATIONS

A. Administrator Report: Administrator Loomis said there was no Administrator Report this month. She reported on a meeting she attended in December with the City of Shakopee and work the City is doing to address the stormwater from the Amazon Fulfillment Center and trail improvements in Memorial Park. Both projects have potential to impact burial mounds. She reminded the Board that the LMRWD committed money to the Amazon Fulfillment Center project.

She reported on the most recent inspection of Flying Cloud Drive/CSAH 61. The roadway is completely and the disturbed areas are buttoned-up for the winter. She mentioned the areas where erosion was noted and that the LMRWD plans to investigate those areas once the snow is gone.

She reported on a communication she received from Mr. Dan Callahan about the flow of water in Eagle Creek. Mr. Callahan believes the flow has been reduced because of actions taken by the City of Savage to protect the creek from run-off pollution. He offered to go on a field inspection in the Spring with LMRWD staff.

She reported the meeting with DNR to discuss work the LMRWD has been doing on the fens within the District.

She reported that the draft sustainable lake management plan has been sent to LMRWD partners and that LMRWD staff is planning to schedule meetings to discuss the draft plan.

Administrator Loomis reported on a meeting the MPCA held at Barr Engineering regarding the Freeway Landfill. She explained that there are two areas being addressed by this project. Further she explained the options that the MPCA has looked at to mitigate the pollution from the two areas that were presented at the meeting. She said the MPCA will most likely go with the least expensive option and hopes to begin construction in the summer of 2021. She said more information can be found on the MPCA website.

B. President: No report

C. Managers: No report.

D. Committees: No report

E. Legal Counsel: No Report

F. Engineer: No report

8. ADJOURN

President Hartmann made a motion to adjourn. Manager Frey seconded the motion. The meeting was adjourned at 7:47pm. The next meeting of the LMRWD Board of Managers will be 7:00, Wednesday, February 19, 2020 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN.

Dave Raby, Secretary

Attest:

Linda Loomis, Administrator