



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, October 16, 2019

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

Approved November 20th, 2019

#### 1. CALL TO ORDER AND ROLL CALL

On Wednesday, October 16, 2019, 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: Manager Adam Frey and President Jesse Hartmann. In addition, the following were also present: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, Technical Consultant; and Lindsey Albright, Dakota County SWCD.

#### 2. APPROVAL OF THE AGENDA

Administrator Loomis announced there were no changes or additions to the agenda.

President Hartmann said he had one Manager Raby-esque change. He noted that item number 8 on the agenda should show the next meeting date as November 20th.

**Manager Frey made a motion to approve the Agenda, as amended. The motion was seconded by President Hartmann. The motion carried unanimously.**

#### 3. CITIZEN FORUM

There were no citizens who wished to address the board on non-agenda items.

#### 4. CONSENT AGENDA

President Hartmann introduced the item.

##### A. Approve Minutes - September 18, 2019 Regular Meetings

##### B. Receive and file September 2019 Financial reports

##### C. Approval of Invoices for payment

- i. Frenette Legislative Advisors - - August & September 2019 lobbying services
- ii. Metro Sales, Inc. - Usage based service agreement on copier
- iii. Redpath and Company, Ltd. - Partial payment for 2018 audit services
- iv. Rinke Noonan Attorneys at Law - August 2019 legal services
- v. Star Tribune - Legal notice for 2020 budget hearing
- vi. US Bank Equipment Leasing - November 2019 copier lease payment
- vii. Naiad Consulting - July 2019 administrative services & expenses
- viii. TimeSaver Off Site Secretarial - July 2019 meeting minutes preparation
- ix. Young Environmental Consulting Group, LLC - August 2019 Technical Services

**D. Dakota County 2020 Monitoring Services Scope of Work**

**President Hartmann made a motion to approve the Consent Agenda. The motion was seconded by Manager Frey. The motion carried unanimously.**

**5. NEW BUSINESS**

**There was no new business**

**6. OLD BUSINESS**

**A. 2018 Audit report update**

Administrator Loomis said the audit report is complete and that a hard copy of the report was placed at each Managers' seat. She noted that she spoke to the Auditor about the LMRWD lending money internally from the General Fund to the Seminary Fen Ravine stabilization project, as suggested by legal counsel at the September Board meeting. The Auditor said because the LMRWD does not maintain a separate fund for projects there is not a way to do that according to standard accounting practices.

She noted that previous audit reports showed unearned revenue owed to the LMRWD for the project. That amount does not appear in the 2018 audit, but that it now appears as a liability under the money due to other governments. The will appear there until the LMRWD pays the City of Chaska. She also noted the City invoiced the LMRWD for that amount and that it was paid to the City in October. She said that it shows up on the LMRWD right now as a liability for purposes of seeking funding to replace the grant.

Administrator Loomis asked the Board if they wanted to have a representative from Redpath come to a future meeting to answer any questions the Board may have and to report on the audit. She noted they could come to the November meeting if the Managers wanted to hear from them. Manager Frey asked what had been done in the past. Administrator Loomis said that typically Redpath comes to a Board meeting. President Hartmann asked if there was anything that stood out.

Administrator Loomis said there was one finding by the Auditor that had to do with the way Carver County reported the grant received from the State of Minnesota for the Dredge site. It should have been booked as unearned revenue, as the grant was to pay for costs as they are incurred. The LMRWD offered an explanation of the finding, Carver County made adjustments to the books and we agreed to be more careful in the future. The Board said they were comfortable with receiving and filing the 2018 audit report and didn't think they would need to have someone come from Redpath.

**President Hartmann made a motion to receive and file the audit report and direct staff to post it to the website. The motion was seconded by Manager Frey. The motion carried unanimously.**

**B. Remote meeting participation**

Administrator Loomis said they are working on this with the County and Tierney. She has been trying to get a meeting scheduled between all the

**C. Dredge Management**

**i. Review Process for funding of maintenance of Navigation Channel**

No new information other than that reported in the Executive Summary.

**ii. Vernon Avenue Dredge Material Management site**

Staff is working to get everything ready to go out for bids for construction of the project this year. The LMRWD still have not received the permits yet.

She said she received a phone call from the USACE. They had noticed on our agenda that we are planning a project at the site and asked about it. They were sent the plans and are good with the project since it does not diminish the Corp's ability to place material on the site.

**iii. Private Dredge Material Placement**

Administrator Loomis said she assume private slips have been dredged and material has been placed on the site. She was at the site to check, but the site was so wet she was not able to view the containment area.

**D. Watershed Management Plan**

Administrator Loomis said the plan will be submitted to BWSR. The final language will be reviewed this week. All the response letters are also ready to go to the cities that made comments.

**E. 2020 Legislative Action**

Administrator Loomis said she is working to get a meeting with Representative Hansen to talk about the State replacing the grant money that was lost.

She noted that at the September Board meeting the LMRWD Board wondered how MAWD determined which items for action were prioritized and placed in the "parking lot". She said she spoke with Emily Javens to see what process MAWD used. Emily said the decision was made by the MAWD legislative committee which made a recommendation to the MAWD Board. Both groups went through a process to determine what the priorities should be. She said that if there was anything in the "parking lot", which MAWD members feel strongly about, they could write a letter to the MAWD Board or speak with Board members directly. She suggested that networking with MAWD Board members would be appropriate. She also noted that a number of new items were received this year and will be considered at the Annual Conference, so that the Legislative Committee and the MAWD Board will have to prioritize the items for action again after the conference..

**F. Education and Outreach Plan**

No information to report since last update.

**G. LMRWD Projects**

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

**H. Local Water Management Plan Reviews**

**i. City of Shakopee**

The LMRWD has not received a response from Shakopee to the LMRWD comments.

**I. Project/Plan Reviews**

**MPCA Soil Reference Values - no change since last update**

No new information since last update.

**7. COMMUNICATIONS**

**A. Administrator Report:** Administrator Loomis said the City of Burnsville called and asked if the watershed district would be interested in contributing money to a river bank stabilization project at Black Dog Park. Several large limestone blocks had been set into the river bank in three locations. Flooding of the River has caused the blocks to become dislodged. The City is planning to reduce the number of areas from three down to two. President Hartmann asked how much the city was looking for. Administrator Loomis said the total project would

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be \$75,000 to \$100,000. President Hartmann asked what year they were looking for funds. Administrator Loomis said she assumes the funds would be needed in 2020. President Hartmann asked if there is funding in the 2020 budget to help out with this project. Administrator Loomis said no, this was not planned. She also noted that contingency money that was allocated in the CIP has all been taken up by other projects, so there isn't really any way to re-allocate money.

Administrator Loomis reviewed the Administrator report.

- 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 7:41pm. The next meeting of the LMRWD Board of Managers will be 7:00, Wednesday, November 20, 2019 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN.**

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Dave Raby, Secretary

Attest:

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Linda Loomis, Administrator