



Minutes of Regular Meeting
Board of Managers
Wednesday, January 15, 2014
Bluff Conference Room, Chaska City Hall, 7:00 p.m.
Approved March 19, 2014

1. **CALL TO ORDER AND ROLL CALL**

On Wednesday, January 15, 2014, at 7:02 PM in the Bluff Conference Room of the Chaska City Hall, Chaska, Minnesota, President Francis 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: Kent Francis, Len Kremer, and Yvonne Shirk. Also present were Linda Loomis, LMRWD Administrator, Melissa Bokman, Scott County WMO, Jaime Rockney, PLSLWD and former manager Carla Shutrop.

2. **APPROVAL OF THE AGENDA**

Moved by President Francis, seconded by Manager Shirk and motion carried unanimously to approve the agenda of January 15, 2014.

3. **CITIZEN FORUM**

No Citizen Input

4. **CONSENT AGENDA**

President Francis introduced this item and moved approval of the consent agenda. Manager Kremer and Shirk did not receive the financial reports. Administrator Loomis will forward financial reports to all Managers when they are ready prior to inclusion in the meeting packet. Manager Kremer asked questions about the vacation and sick time paid to former Administrator Schwalbe.

Moved by President Francis and seconded by Manager Shirk to approve the Consent Agenda including the minutes of the November 20 and the December 18, 2013 meetings, December Financial Reports, the Payment of Bills, and authorizing payment of Vacation and Sick Leave to Terry Schwalbe. VOTE: Ayes 3; Nays 0, Motion carried

5. **OLD BUSINESS**

A. **Resolution of Appreciation and Presentation of Commemorative Plaque for Manager Shutrop**

President Francis read the resolution and presented a commemorative plaque to former Manager Shutrop. All the Managers concurred and wished her luck with her new home and future endeavors.

Moved by President Francis, and seconded by Manager Kremer to adopt Resolution 14-01 expressing appreciation to Carla Shutrop for her service and contributions to the LMRWD . Motion carried unanimously.

B. Presentation by Scott County WMO - Dean Lake

Melissa Bokman of the Scott County WMO presented information to the Managers regarding monitoring that has been conducted for Dean Lake. Ms. Bokman referred to the report provided to the Managers in the meeting packet. The report provides historical information for lake. Ms. Bokman explained no clear trends are indicated by the existing historical data. There is no correlation between the data. Total Phosphorus (TP) exceeds the state standard, indicating the lake is hypereutrophic. However, Chlorophyll a levels are lower than would be expected given TP levels within the lake. Carp does not seem to be an issue in the lake throughout the season, however it is possible the carp use the lake early in the season for spawning and then leaves the lake. Aquatic plant community was very good. Sampling of the lake has historically been fairly consistent. There has been no monitoring of the inflow to the lake.

The next step is to conduct a Paleolimnology study. This study is scheduled to begin in the next few weeks. Scott County WMO recommends monitoring inflow and outflow for 2014, as well as monitoring the flows in the bypass. Scott County SWCD will monitor outflow on behalf of the MPCA downstream near TH 101 as part of the MPCA WRAP (it is not a continuous sampling station). Scott WMO recommends additional samples to PCA sample set. WRAP is only taking 10 samples Scott WMO recommends increasing the number of samples to 25. Recommends in-lake monitoring by volunteer. MPCA will take in-lake samples, but will only take 5 samples throughout the season. Scott WMO is looking for a CAMP volunteer. The final recommendation would be an early summer aquatic plant survey.

Managers asked questions and directed that MPCA be contacted to discuss possibility of funding study of Dean Lake through a WRAP. No Action was taken. Item will be placed on February meeting agenda.

C. BWSR Update

i. Plan Amendment Process

Administrator reported to board about conversation with Brad Wozney of BWSR.

Board directed that a meeting of the TAC be organized to discuss the Strategic Resource Evaluation come back to the Board with a recommendation for a plan amendment.

ii. 2012 Annual Report

Administrator reported to board that BWSR has indicated that the LMRWD should get the 2012 report in as soon as possible.

D. Bluff Ravine Stabilization Project – Chaska (additional documentation)

Administrator Loomis reported that no word has been received from BWSR regarding request for additional money for this project. The board discussed options as well as the reason for the increase in cost from the original projections. Board reviewed aerial photo of Seminary Fen and the sediment that is flowing into the fen from this gully. The administrator was directed to find out if a major or minor plan amendment is needed to complete this project as now proposed. The Board discussed the need for a plan amendment if the scope of

the project changed substantially. The Board discussed holding a meeting of the TAC to discuss the SRE resource evaluation and comprehensively amend the plan to include this project as well as others recommended by the TAC.

The Board of Managers directed the Administrator to organize a meeting of the TAC to review the SRE and recommend amendments to the Plan. The Board will await word from BWSR before further action with respect to the Seminary Fen Ravine. Item will be placed on February meeting agenda.

E. Dredge Material Management (verbal update)

Administrator Loomis reported that Manager Kremer and she met with Attorney Malkerson regarding Dredge Material Management. They had a separate meeting with Al Dye of the MAC. The Administrator reported that she is in the process of contacting Rachel Contracting and Ames Construction, at the suggestion of Attorney Malkerson and Manager Kremer, to see if there is a market for dredge spoils. Managers discussed the steps that need to be taken in order to remove the stockpile on the RMP 14.2 site, including getting a contract for site management between L & S Marine and the LMRWD and the Right of Entry Permit between the USACE and the LMRWD.

Direction was provided to the Administrator to continue to reach out to Rachel and Ames and wait for USACE agreement. Item will be on February 19 meeting agenda.

Administrator Loomis informed the Managers of a request by the Friends of the Minnesota Valley Trail for a resolution of support.

Managers directed the Administrator to bring a resolution forward and to inform Trail Proponents of LMRWD plans to manage dredge spoils near Fort Snelling State Park and ask them to support District efforts in that regard.

Discussion about the legislators that attended the river tour Manager Shutrop was to get the list of who was not able to attend and to get those people information. Discussion about information.

Direction was given to the Administrator to provide information to area legislators that was disseminated at the river tour in September.

F. Black Dog Regional Trail

Managers were informed about conversations the Administrator has had with the City of Burnsville with respect to the easement for a trail they had requested. Managers were advised the city is drafting documents that will come before the Managers at the March or April Board meeting. The possibility of filling in the cooling ponds at the Xcel Black Dog facility was briefly discussed, as was the possibility the city of Burnsville could be asked to assist with that effort.

No Action was taken. Item will be place on a future agenda when easement document is ready to be signed.

G. Bonding Request for Dredge Material site (verbal update)

Administrator Loomis reported that she has spoken with Ron Harnack and Claire Robling about how to proceed with the request for state funding this legislative session. The Administrator reported that Mr. Harnack suggested that the LMRWD request that language be added to clarify the position of the LMRWD with respect to eligibility under the State's Port Development Assistance Program. Manager Kremer would like information about how

such a request might benefit the LMRWD. Manager Kremer would like language included in legislation regarding waterway project qualifying for wetland credits from the BWSR statewide bank.

No action was taken. Item will be on February agenda.

H. Lilydale WRMP

Manager Kremer advised the Board that he would not be voting on this issue as the plan was prepared by Barr Engineering. Manager Kremer informed other managers this plan had been submitted to the LMRWD in August 2013. The Managers reviewed the comments to the plan from Momentum Environmental.

Manager Shirk made a motion to approve the Lilydale WRMP with the comments offered by the LMRWD and to inform the city of the decision with the LMRWD's apologies and to request the city incorporate the comments in the amendment to the plan. President Francis seconded the motion. VOTE: Ayes 2; Nays 0. Manager Kremer abstained. Motion carried.

6. NEW BUSINESS

A. USGS Sediment Sampling

Administrator Loomis reported that she was contacted by Chris Ellison of the USGS about whether the LMRWD is participating in the sediment monitoring program in 2014. President Francis wondered why this issue keeps coming back. The Administrator informed the Managers that is because the agreements were not executed and returned to the USGS. President Francis signed the document at the meeting.

No further action is necessary.

B. Dakota County SWCD Fen Monitoring

Administrator Loomis informed the Managers that Jessica Van Der Werff will attend the February meeting to present the monitoring report to the Board. They have also asked for the board to authorize monitoring for 2014. Manager Kremer provided some historical context. The LMRWD took over the monitoring because the State of Minnesota would no longer monitor the fens. Managers discussed the need to monitor the fens in Dakota County every year. Manager Kremer noted in the report that the water level in Quarry Island Fen appears to be declining and suggested contacting the Fen authorities at the DNR to request that agency make investigation of that fen a priority.

Authorize administrator to inform Dakota SWCD of the LMRWD's desire to extend period between monitoring from every year to every three years. Direction was given to staff to contact the DNR and ask them to have a hydrogeologist to design a plan to look at the Quarry Island Fen and recommend who might have the expertise to conduct the plan and be able to make a determination about the quality of the fen.

C. Request Authorization to advertise for Engineering, Legal and Audit Services

Administrator Loomis informed the Board that contracts for professional services expired over a year ago. Managers discussed using a pool of consultants. Managers would like to see clear and simple proposals outlining experience and pricing. Managers would like proposals to be no more than 10 pages. A determination for audit services will be made later in the year.

President Francis made a motion to Direct Administrator to advertise in the State Register for legal and engineering services. Proposals to be limited to 10 pages for engineering

services and 5 pages for legal services. Manager Kremer seconded the motion. VOTE: Ayes 3; Nays 0. Motion carried.

7. COMMUNICATIONS

- A. Administrator's Report** - Administrator Loomis provided an update to Managers of activities since beginning as the District Administrator. The Administrator reported she has received an inquiry from the city of Bloomington about a LMWRD Cost Share Program. Managers informed the Administrator there is \$20,000 in this year's budget for the program. Manager Kremer wanted all the cities notified and informed the program is a first come first served program. Administrator advised the most effective way of getting the word out about programs is to work with the cities.
- B. Chair** - No report
- C. Managers** - Manager Shirk informed the Board she received notice from the Met Council regarding a sewer improvement by the MCES. She inquired about the responsibility of the LMRWD in reviewing projects. The Managers discussed LMRWD policy that all cities would ensure projects within the watershed boundaries would comply with the LMRWD Plan. Manager Kremer reminded other board members that under the agreement with the cities that we would audit compliance with our plan Manager Shirk asked what such an audit would look like. Manager Kremer described the process he envisioned. Managers discussed Chaska project that is at the head of the Ravine. President Francis suggested that a checklist be developed in order to conduct audit. Manager Kremer directed that this be a topic of discussion at the upcoming TAC meeting.
- D. Committees** - No Report
- E. Legal Counsel** - No Report

8. ADJOURNMENT

It was moved and seconded to adjourn at 9:35 PM VOTE: Ayes 3; Nays 0.

Attest:

Kent Francis, President

Linda Loomis, Administrator