



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, April 16, 2025

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

Approved \_\_\_\_\_, 2025

#### 1. CALL TO ORDER

##### A. ROLL CALL

On Wednesday, April 16, 2025, at 7:00 PM CST, in the Board Room of the Carver County Government Center, 602 East 4<sup>th</sup> Street, Chaska, Minnesota, President Barisonzi called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD).

President Barisonzi called for the roll call. The following Managers were present: President Barisonzi, Manager Theresa Kuplic, Manager Lauren Salvato, Manager Vinatha Viswanathan and Manager Janet Williams.

In addition, the following attended the meeting in-person: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, LMRWD Technical Consultant; and Lee Peterson, LMRWD Citizen Advisory Committee. John Kolb, Rinke Noonan Attorneys at Law, LMRWD Legal Counsel; Commissioner Jodi Brennan, Scott County; Commissioner Lisa Anderson, Carver County; Andrew Edgcumbe, Lead Water Resources Technician, Carver County Water Management Organization; Joe Birkholz, Park Street Public, LMRWD Government Relations Consultant; Ben Burnett, Manager, Prior Lake/Spring Lake Watershed District; Alex Jordan, City Engineer and Kirby Templin, Water Resources Environmental Manager, City of Shakopee; Connie Fortin, Water Resource Senior Project Manager, Bolton & Menk, Inc.; Lori Haak, Water Resources Coordinator, City of Eden Prairie; and Apollo Lammers, former LMRWD Manager; joined the meeting virtually.

#### 2. CITIZEN FORUM

No one present wished to address the Board of Managers.

#### 3. APPROVAL OF THE AGENDA

##### A. Additions, Corrections and Deletions to the Agenda

President Barisonzi introduced this item. He requested to move Item 7C to 9C. He asked if there were any other changes to the agenda. Seeing and hearing none,

**Manager Salvato made a motion to approve the agenda, moving Item 7C to 9C. Manager Williams seconded the motion Upon a vote being taken the motion was carried unanimously.**

#### 4. PUBLIC HEARINGS & PRESENTATION

##### A. Presentation by Carver County WMO

Andrew Edgcumbe, Lead Water Resources Technician, at Carver County Water Management Organization, shared the 2024 monitoring findings of water resources in Carver County.

Manager Salvato asked if there is a storm drain on Highway 41 that goes to Brickyard Lake. Mr. Edgcumbe said that there is a drain on either Highway 41 or in a surrounding neighborhood that goes to Brickyard Lake. He noted they are starting to see this lake filling with sediment and the north side of the lake is the culprit.

Manager Salvato asked if this neighborhood has an HOA or if it is connected to the Jonathan neighborhood. Mr. Edgcumbe said he was not sure if it was connected.

Administrator Loomis asked if they are sampling Spring Creek for E. Coli. Mr. Edgcumbe said no.

The Board thanked Mr. Edgcumbe for his presentation.

**B. 2025 Legislative Report from Park Street Public**

Joe Birkholz, Park Street Public, gave an update on the 2025 legislative session. He said the Board's legislative priorities are looking good as they head towards the end of the session.

**C. LMRWD Projects and Programs Quarter 1 Progress Report**

Ms. Young reviewed the first quarter work plan report.

Manager Salvato asked if they have a handle on whether invasive species or groundwater flow is negatively impacting the fens more. Ms. Young said she could get back to the Board on the specifics of this.

Manager Williams asked about fen mapping and what this means. Ms. Young explained that the DNR will give them an indication of areas they want to look at. She said some of this mapping is done by drones and others are done by walking the area.

Manager Kuplic asked if they know of anyone who has been able to restore a fen that has been significantly degraded. Administrator Loomis said she was not aware of anything.

Manager Williams shared her frustration that the trees keep growing and so does the buckthorn and nothing is being done about it. Ms. Young stated buckthorn is very hard to get rid of and the DNR has been working on figuring this out.

President Barisonzi shared that for future quarterly reports, he would like them to include all areas of focus for the work plan and not just those that Young Environmental is responsible for.

The Board thanked Young Environmental for their work.

**5. CONSENT AGENDA**

President Barisonzi introduced this item.

**A. Approve Minutes February 19, 2025 Regular Meetings**

**B. Receive and file March 2025 Financial report**

**C. Approval of Invoices for payment**

- i. Clifton Larson Allen (CLA) – Financial services March 2025
- ii. Rinke Noonan, Attorneys at Law – February 2025 general legal services & Area #3
- iii. TimeSavers Off Site Secretarial – preparation of February 2025 meeting minutes
- iv. Daniel Hron – May 2025 office rent
- v. US Bank Equipment Finance – April 2025 copier lease payment
- vi. Young Environmental Consulting Group, LLC – March 2025 technical, and Education & Outreach services

- vii. Naiad Consulting, LLC – March 2025 administrative services, mileage & expenses
- viii. Bolton & Menk, Inc. – Engineering services related to Vernon Avenue
- ix. 106 Group – March 2025 invoice for Area #3 services
- x. I & S Group, Inc. – March engineering services related to Spring Creek
- xi. Park Street Public – April 2025 Government Relations Services
- xii. Dakota County SWCD – Q1 2025 monitoring
- xiii. 4M Fund – February 2025 fund service charges

**D. Citizen Advisory Committee Report**

**E. Authorize execution of Intergovernmental Agreement Between the Metropolitan Council and the Lower Minnesota River Watershed District for monitoring of Dean Lake under the Community Assisted Monitoring Program**

**F. Minutes of Board Committees**

- Personnel Committee – March 19, 2025
- Personnel Committee – April 9, 2025

Manager Kuplic made a motion to approve the Consent Agenda. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

**6. PERMITS**

**A. LMRWD Permit Renewals**

President Barisonzi introduced this item.

Manager Salvato made a motion to renew permits as recommended in the Technical Memorandum – April 2025 Permit Renewal Requests, dated April 9, 2025. Manager Williams seconded the motion. Upon a vote being taken, the motion carried unanimously

**B. Metro Pond Maintenance Group A2 Project (LMRWD No. 2024-021)**

President Barisonzi introduced this item.

Manager Kuplic made a motion to conditionally approve a permit for Metro Pond Maintenance Group A2 Project (LMRWD No. 2024-021) contingent upon receipt of the following:

- Copy of the NPDES construction stormwater permit.
- Name, address and telephone number of the person(s) responsible for erosion control Inspections and maintenance.
- Name, address and telephone number(s) of all contractors undertaking land-disturbing Activities as part of the project.
- Final staging locations.

Final designation of an individual who will remain liable to the LMRWD for performance under Rule B from the time the permitted activities commence until vegetative cover is established and the LMRWD has certified satisfaction with erosion and sediment control requirements.

Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously.

**7. ACTIONS ITEMS**

**A. Award Water Resource Restoration Fund Grants**

President Barisonzi introduced this item.

Administrator Loomis shared that representatives from Shakopee and Eden Prairie are in attendance online.

The representatives from Shakopee and Eden Prairie thanked the Board for their consideration of their applications.

**Manager Williams made a motion to award Water Resources Restoration Funds to the City of Shakopee in the amount of \$90,280 and to Eden Prairie in the amount of \$9,720, and to enter into cooperative agreements with both cities outlining the roles and expectations for advancing the projects and managing the grant. The motion was seconded by Manager Viswanathan. Upon a vote being taken, the motion carried unanimously.**

**B. Administrative Services Update**

President Barisonzi introduced this item.

Manager Kuplic shared that the Personnel Committee met and interviewed three candidates and recommended offering the position to Will Lytle. She noted all three candidates were very strong and this was a difficult decision to make.

**Manager Kuplic made a motion to offer the Administrative Services position to Will Lytle. The motion was seconded by Manager Salvato. Upon a vote being taken, the motion carried unanimously.**

**C. State of the Minnesota River Listening Session**

Moved to Item 9C.

**D. Study Area #3 Update**

President Barisonzi introduced this item.

Administrator Loomis shared legal counsel issued a summons and complaint to the Huelers as the city will not do the rezoning or re-platting without the Huelers' signature. The Huelers have been unresponsive to all previous attempts to communicate with them.

Attorney Kolb stated the LMRWD did not want to take legal action against the Huelers; however, the LMRWD is not getting the necessary cooperation.

President Barisonzi asked if there were any reasons they should delay this approval. Attorney Kolb said no.

**Manager Salvato made a motion to approve Barr Engineering to provide final design and construction administration services for the Project at a total not-to-exceed fee of \$257,900 and authorize the execution of a Professional Services Agreement or equivalent, subject to review by legal counsel. The motion was seconded by Manager Kuplic. Upon a vote being taken, the motion carried unanimously**

**E. Education & Outreach**

○ **Award Educator Mini-Grant**

Administrator Loomis introduced the item and explained that it was added to the agenda due to the timing of the grant request. A decision on the grant's approval is needed prior to the May Board meeting.

President Barisonzi explained that this grant is intended to support a class's participation in the River Watch program, with transportation identified as the primary barrier to involvement. The grant will specifically cover those transportation costs. He also noted that

the CAC has been asked to explore how mini-grants might be integrated with other education and outreach funding opportunities.

Manager Salvato shared that she will be abstaining from this vote as she has not had time to read the memo.

**Manager Viswanathan made a motion to approve a mini-grant for Jackson Fuson of Hiawatha Academies in the amount of \$500. The motion was seconded by Manager Williams. Upon a vote being taken the motion carried, 4 ayes, 1 abstention.**

## 8. BOARD DISCUSSION ITEMS

### A. Distribution of Managers

Manager Williams introduced this item and shared that the Scott County Commissioners met to discuss this in April and asked the LMRWD for direction on how to proceed.

President Barisonzi shared that the Board's action will be dependent on receiving a formal request from Scott County to expand their managers.

Manager Kuplic noted that if they add another Board member, there would be an even number of Managers and asked how they would break a tie. President Barisonzi shared that they would have to review their operating guidelines on this; however, it is his current understanding that a tie would not pass.

Attorney Kolb shared that they would have to handle this through their bylaws.

**Manager Salvato made a motion to authorize the President to draft communication for legal counsel review to Scott County asking for a formal request to move forward in this process. The motion was seconded by Manager Kuplic. Upon a vote being taken, the motion carried unanimously**

## 9. FOR INFORMATION ONLY

### A. Vernon Avenue Update

Administrator Loomis introduced this item. She shared that she has spoken with Mr. Shannon Sweeney from David Drown, who consulted with an attorney about the use of funds the LMRWD has been collecting to pay for an intended sale of bonds to finance Area #3. The attorney consulted suggested the money collected be redesignated as a capital project fund and that the money already collected can be used to pay for Vernon Avenue.

### B. LMRWD Permit Program Summary

President Barisonzi introduced this item. He shared that there appear to be several deadlines coming up in May but he has not seen extension requests for. He asked if they have been in communication with those whose permits are nearing expiration, especially those that will expire before their next Board Meeting. Ms. Young explained that a few months before a permit expiration they send out a message to the permit holder and wait to hear back if the project is done or if it requires an extension. She said there is a high possibility that some that are coming up for expiration are already complete.

President Barisonzi noted that the Chaska Tech Center Amendment says the construction is complete; however, they have not signed off on it. He asked why this had not been closed out. Ms. Young said she can look into this one and report back.

### C. State of the Minnesota River Listening Session

President Barisonzi introduced this item.

Foe information only – no action was taken.

## 10. COMMUNICATIONS

- A. **Administrator Report:** Administrator Loomis shared that they do not currently have a Treasurer of the Board since Manager Lammers left. She asked President Barisonzi to appoint a new Treasurer.

President Barisonzi appointed Manager Viswanathan to be the new Treasurer.

Administrator Loomis shared that the CAC did a tabling event at the Eden Prairie Center on Saturday for the Eco Expo. She noted there was good attendance at this event and they were able to speak to quite a few citizens. She added that she attended the Metro Watersheds meeting where they had speakers from MnDOT who spoke about their priorities. She explained that she and Ms. Young met with MnDOT this morning and they shared that they are developing an extreme flood vulnerability tool to identify locations for flood resilience improvements. She added that BWSR has reported that there will still be funding left for watershed-based implementation. She shared that the Met Council has reported a new project they are working on for outreach called *Sacred Water Shared Future* which will embrace commitment to a healthy river. She said they are looking for watershed districts to partner with them on events in 2026.

Manager Salvato asked if they would be putting in an application for the accelerating groundwater funding. Administrator Loomis said this would be a grant application and she would like to do some investigation on it to see what is involved.

- B. **President:** President Barisonzi thanked everyone for all the work that they put in for the Administrative Services transition.
- C. **Managers:** No report
- D. **Committees:** No report
- E. **Legal Counsel:** Attorney Kolb shared that he is still monitoring House File 8 and it has made it through one committee and is still alive.
- F. **Engineer:** Ms. Young shared that they have been in touch with Chaska since December on their project and the work is done at this time and the site has been closed.

## 11. ADJOURN

**Hearing no further business, President Barisonzi adjourned the meeting at 8:27 PM.**

**The next regular meeting of the LMRWD Board of Managers will be at 7:00, Wednesday, May 21, 2025, in the Board Room at the Carver County Government Center.**

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Lauren Salvato, Secretary

Attest:

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Linda Loomis, Administrator