



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

Minutes of Regular Meeting

Board of Managers

Wednesday August 15, 2018

County Board Room, Carver County Government Center, Chaska MN, 7:00 p.m.

Approved \_\_\_\_\_, 2018

## 1. CALL TO ORDER AND ROLL CALL

On Wednesday, August 15, 2018, at 7:00 PM in the Board Room of the Carver County Government Center, Chaska, Minnesota, Vice 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, Manager David Raby and Manager 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 SWCD

Administrator Loomis administered the oath of office to Manager Frey.

## 2. APPROVAL OF THE AGENDA

Administrator Loomis requested the removal of the June 13, 2018 and July 18, 2018 Regular Meeting minutes and the 2017 Annual Report. She requested the addition of Item 6.C. under New Business - Call for Public Hearing.

**Manager Raby made a motion to approve the agenda with meeting minutes removed. The motion was seconded by Manager Hartmann. The motion carried unanimously.**

## 3. CITIZEN FORUM

There were no citizens who wished to address the board.

## 4. CONSENT AGENDA

Vice President Hartmann introduced the item.

**A. Approve Minutes for May 16, 2018, ~~June 13, 2018 and July 18, 2018~~ Regular Meeting**

**B. Receive and file Financial Report**

**C. Presentation of Invoices for payment**

- i. Barr Engineering - No-rise evaluation and model
- ii. Culligan Bottled Water - bottled water for LMRWD office
- iii. Rinke Noonan Attorneys at Law - for May 2018 legal services
- iv. Ames Construction, Inc. - for construction of Riley Creek Bank Stabilization
- v. Freshwater Society - for LMRWD contribution to Phase 2 landslide study
- vi. US Bank Equipment Finance - August 2018 copier rental
- vii. Naiad Consulting, LLC - for May 2018 admin services & expenses
- viii. Redpath and Company, Ltd. - for annual audit of 2017 financial records
- ix. TimeSaver Off Site Secretarial Services - for preparation of July 2018 meeting minutes

**Manager Raby made a motion to approve the consent agenda with June 13, 2018 and the July 18, 2018 meeting minutes removed. The motion was seconded by Manager Hartmann. The motion carried unanimously.**

## **5. Public Hearing**

### **A. 2019 Preliminary Budget and Certification of Levies Payable 2019**

Administrator Loomis reviewed the budget. She noted the only change was to the revenue side.

Manager Raby asked for only the changes made since the last time the Board saw the budget. Administrator Loomis went through each of administrative budget items and revenues for the benefit of Manager Frey. Total Revenues are \$1,136,555.00. The total budget for 2019 is \$1,267,000.

She noted the distribution of revenue across the counties. Manager Raby asked why there is a significant decrease for Hennepin County when the other counties increased. He asked if it was attributed to the boundary changes between the LMRWD and RPBCWD. Administrator Loomis said the boundary change was to be a wash. Manager Raby asked if that was not the reason why Hennepin had two Managers. Administrator Loomis said that was her understanding. Managers suggested that Hennepin County should cede a seat to Scott or that Carver be asked to cede its seat to allow Scott County a second seat. Administrator Loomis said that is a question for legal counsel.

Manager Raby asked when they are going to make a decision to be a member of MAWD. Administrator Loomis said the Board should have that discussion when the District is next invoiced, which will be in January or February. Manager Raby said the Board needs to have a discussion before they continue being a member for next year. Manager Hartmann asked how many watershed districts in MN are not a member of MAWD and if any District have left? Administrator Loomis said she doesn't think there are any watershed districts that are not members. She does not know if any have left MAWD. She said there is talk from some districts about leaving. Manager Raby asked if someone from the MAWD Board would come and address the LMRWD Board about remaining in the organization, preferably in November or December.

Administrator Loomis commented on the USGS. She said she spoke at the Upper Mississippi Waterway Association about the cost of maintaining the stream flow gauge and the Board's concern over the equity. Manager Raby asked if the information was removed from the web site, as he thought they had agreed to do that. Ms. Young said she didn't think that USGS was under that impression and that the commitment was to work with the District to find others to share in the cost.

Administrator Loomis said there are resolutions for each county adopting the budget and certifying the levy for each county.

Manager Hartmann opened the public hearing and asked if there was anyone who wished to address the Board. Seeing and hearing no one wishing to address the Board Manager Hartmann closed the public hearing.

**Manager Hartmann made a motion to adopt Resolutions 18-07 thru 18-10 Preliminary Certification of Property Tax Levies Payable 2019 and Adopting 2019 Preliminary Budget. The motion was seconded by Manager Raby. The motion carried unanimously.**

## **6. NEW BUSINESS**

### **A. Recognition of Contributions by Yvonne Shirk to LMRWD**

Administrator Loomis said the Board has a resolution to recognize Yvonne Shirk for her contribution and service to the LMRWD. She noted a plaque has been ordered and will be sent to her, along with the resolution.

**Manager Raby made a motion to adopt Resolution 18-06 expressing Appreciation for Service and Contribution of Yvonne Shirk to the Lower Minnesota River Watershed District. The motion was seconded by Manager Frey. The motion carried unanimously**

**~~B. 2017 Annual Report~~**

**C. Call for public hearing**

Administrator Loomis said this item is to call for a public hearing to be held at the September meeting.

Managers asked questions about the timing of notices for the hearing and whether or not there was time to notice the hearing appropriately.

**Manager Hartmann made a motion to adopt Resolution 18-11. The motion was seconded by Manager Raby. The motion carried unanimously.**

Administrator Loomis noted the dollar amount was \$50,000 for the anticipated cost of the project. She said staff is intending to revise the notice with a range of costs to match the costs as they appear in the pro forma prepared by Burns & McDonnell. The notice will be revised before mailing and publication.

**7. OLD BUSINESS**

**A. 10831 Quebec Avenue South, Bloomington - Cost Share Application**

Administrator Loomis said she has not heard from Mr. Larson.

Manager Raby said he visited the property and feels the Board's decision to fund only the rain barrels was appropriate. He also noted there was not much slope. Administrator Loomis said she directed Mr. Larson to Metro Blooms to

**B. 2018 Financial Audit**

Administrator Loomis said at the last meeting she was directed to check with other watershed districts about audit services. She said that no district is changing and the costs seem to be in the range of what the LMRWD is paying. Several of the District's she checked with actually use Redpath and Company.

She said the Prior Lake/ Spring Lake WD said they use Abdo, Eick & Meyers and are not going to change even though they received a bid for a less expensive audit service. They felt the low bid they received was not qualified

**C. Engineering Services Update**

Administrator Loomis said the agreement with Young Environmental Consulting Group, LLC is ready to be signed.

Manager Raby asked if there were any changes between this agreement and the previous agreement. Ms. Young said it is essentially the identical. She said the only change that was made was regarding task orders that were still open with Burns & McDonnell and how those were be managed,

**Manager Hartmann made a motion to approve the Engineering Services agreement subject to Board review. The motion was seconded by Manager Raby. The motion carried unanimously.**

Staff will send the agreement to the Board, with all the attachments.

**D. Dredge Management**

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

Administrator Loomis said the documentation for this item was included with the information for the public hearing that will be in September.

Administrator Loomis said they need authorization for the task order to begin the dredge site studies.

**Manager Raby made a motion to approve the task order subject to the board finalizing the Engineering Services agreement. The motion was seconded by Manager Hartmann. The motion carried unanimously.**

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

Administrator Loomis noted she and Lisa Frenette visited the dredge site and that no material has been moved off site in 2018. She noted that the City of Wabasha has been negotiating with the Corp, for a tipping fee to accept dredge material. She said that the Corp of Engineers has asked for information about the arrangement the LMRWD has with the private terminal owners.

She also said the Corp indicated that they will survey the Minnesota River next week and they asked if dredging needs to occur below I-35W, would the District be able to pay for the transport of that material to Savage.

**iii. Private Dredge Material Placement**

Administrator Loomis noted the private slips have not been dredged yet.

**E. Watershed Management Plan**

Administrator Loomis said they were given two dates to present the plan to the Central Region Committee of BWSR. Right the Plan will come to the BWSR Board at its September meeting. The LMRWD Board would then adopt the Plan at its October Board meeting

**F. 2018 Legislative Action**

Administrator Loomis no information to add other than what was in the Executive Summary. Manager Raby asked that Lisa attend a future meeting.

**G. Education and Outreach Plan**

Administrator Loomis had nothing to add.

**H. LMRWD Projects**

Administrator Loomis said that she sent spreadsheets detailing the Watershed Based Funding Projects to the Board with the Administrators report. She noted that BWSR extended the deadline to file work plans.

She said that she and MS. Young have met with the City of Shakopee and will be meeting with Savage.

**i. Eden Prairie Area #3 Stabilization**

No information other than what was reported in the Executive Summary.

**ii. Riley Creek Cooperative Project with Riley/Purgatory/Bluff Creek WD**

No information other than what was reported in the Executive Summary.

**iii. Seminary Fen ravine stabilization project**

Administrator Loomis said final payment of the grant has been requested.

**iv. Analysis of Dakota County Groundwater Project**

No information other than what was reported in the Executive Summary.

**v. East Chaska Creek/ CSAH 61 & TH 41 Transportation Improvement Project**

No information other than what was reported in the Executive Summary.

**I. Project/Plan Reviews**

Administrator Loomis said she was notified that MNDOT has completed its floodplain impact evaluation for I-35W. Construction is expected to begin August 20th.

She also noted that work has begun for the TH 41/169 interchange.

**i. I494 Drainage**

No information other than what was reported in the Executive Summary.

**ii. City of Chaska - Formacoat**

Administrator Loomis said the LMRWD sent comments to the city on this project.

Comments expressed that the LMRWD feels this development is a missed opportunity to achieve regional treatment of stormwater flowing to East Chaska Creek and/or to create a treatment area to address the impairments of East Chaska Creek.

**iii. City of Eden Prairie - Peterson Residential Development**

Manager Raby asked what the proposal is for this proposal. Administrator Loomis said it is for residential development of the property and for the city to extend water and sewer to the properties. She noted there are steep slopes on this property that will be impacted if developed.

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

No new information since last update.

**7. COMMUNICATIONS**

**A. Administrator Report:** Administrator Loomis told the Board that she intends to comment on the closing of the Upper St. Anthony Lock and ask what the impact of not dredging in the Mississippi will have at the confluence with the Minnesota River.

**B. President:** No report

**C. Managers:** No report

**D. Committees:** No report

**E. Legal Counsel:** No report

**F. Engineer:** No report

**8. ADJOURN**

**Manager Hartmann made a motion to adjourn. Manager Raby seconded the motion. The meeting was adjourned at 8:07pm. The next meeting of the LMRWD Board of Managers will be Monday, September 17, 2018 and will be held at the Scott County Law Enforcement Center, 301 Fuller Street South, Shakopee, MN.**

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Dave Raby, Secretary

Attest:

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Linda Loomis, Administrator