



Minutes of Regular Meeting
Board of Managers
Wednesday February 15, 2017
Council Chambers, Chaska City Hall, 7:00 p.m.
Approved March 15, 2017

1. CALL TO ORDER AND ROLL CALL

On Wednesday, February 15, 2017, at 7:00 PM in the Council Chambers of the Chaska City Hall, Chaska, Minnesota, President Shirk 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 Jesse Hartmann, and Yvonne Shirk. In addition, the following were also present: Lindsey Albright, Dakota SWCD; Della Young, Young Environmental, LLC and Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator.

2. APPROVAL OF THE AGENDA

Administrator Loomis added Item 4. F. - Authorize payment of 1st half of 2013 CWF grant to the City of Chaska to the agenda.

President Shirk made a motion to approve the agenda of February 15, 2017, as amended. 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

The Consent Agenda included the following items:

A. Approval of Minutes for January 4, 2017 Regular Meeting

B. Approval of Financial Reports

C. Approval of Payment of Invoices

- i. Managers 2nd half 2016 per diem & expense reimbursement
- ii. Burns & McDonnell - for November engineering services
- iii. Norman Senjem - for writing response to MPCA re: Chippewa River WRAPS
- iv. Ron Harnack - for December Lobbying services
- v. MN Dept. of Revenue - for 2016 Sales Tax on sale of Dredge Material
- vi. Barr Engineering - November engineering services for Riley Creek feasibility study
- vii. Naiad Consulting - for November & December Administrative services & expenses
- viii. Time Savers Off Site Secretarial Service - for preparation of December meeting minutes
- ix. US Bank Equipment Finance - February 2017 copier lease payment

D. Fee adjustment for services provided by Young Environmental Consulting, LLC.

- E. Joint Powers Agreement between Dakota County SWCD & LMRWD for 2017 Technical Assistance Services**
- F. Authorize payment of 1st half of 2013 CWF grant to the City of Chaska**

President Shirk made a motion to approve the consent agenda. The motion was seconded by Manager Hartmann. The motion carried unanimously.

5. NEW BUSINESS/PRESENTATIONS

A. Minnesota River Clean Up Event

Administrator Loomis said through connections with Scott County, it was suggested that Great River Greening would be a good partner to work with the District to host an event. She has been in touch with the city of Shakopee, who would like to do an event with the District. She is looking for authorization to work with Great River and the City of Shakopee. Administrator Loomis said whatever type of event is selected; it would be done in the fall.

Manager Hartmann said he would like to visit with Great River Greening.

President Shirk suggested working with the City of Burnsville as well, so the District would host two events this year.

Manager Hartmann also suggested putting funds towards the promotion of this event.

Manager Hartmann commented on a project where goats were brought in to eat the buckthorn. There was a general discussion about the use of goat to control invasive species.

B. MAWD Bylaw Amendment

Administrator Loomis said she had received a request from the Board of MAWD asking members of MAWD to request a special meeting. The reason for the special meeting would be to change the bylaws in a number of ways, including an increase in dues, change of the fiscal year and succession planning for the when Ray Bohn retires. The special meeting would occur at the MAWD Summer Tour in June at Leech Lake.

She reported that more information was requested, however she has not yet received any additional information.

Administrator Loomis suggested that if Managers wished to get more information the item could be tabled to the next meeting.

President Shirk asked what the proposal is for dues. Administrator Loomis said that information was not part of the request. Managers set this aside until the March meeting.

6. OLD BUSINESS

A. Chippewa River WRAPS/ TMDL

Administrator Loomis reminded the Managers that a meeting was held with the MPCA and asked Norman Senjem to prepare a letter withdrawing the contested case hearing. Managers should authorize sending the letter. She thanked the managers for coming to the meeting.

President Shirk made a motion to approve the Chippewa River WRAPS/TMDL letter. The motion was seconded by Manager Hartmann. The motion carried unanimously.

B. Dredge Management

i. Review Process for funding of maintenance of Navigation Channel

Administrator Loomis said there are no updates other than what was in the packet.

President Shirk asked if private industry has been approached to cover the proposed site costs that were presented in the report prepared by Burns & McDonnell. Administrator

Loomis said no, that staff has been waiting for the report to be ready to distribute, since there are some other issues the District would like to discuss with industry.

She also commented that the District would like to request industry to support the request for the State to fund operation and management costs for the dredge site and if the State agrees, the expenses will either be fully paid by the State or shared.

Manager Hartmann asked about the determination of benefits project. Administrator Loomis noted she has not been in touch with Mr. Dodd since end of 2016. Managers asked for a more complete update of the project at the March meeting.

President Shirk commented on the dredge activity reconciliation to the city of Savage. She noted a couple corrections that should be made before the letter is sent.

She questioned the report and the length of time private material needs to dewater. She remembers approving 2-year dewatering and the report only notes one. Administrator Loomis said the current MPCA permits for the private dredge material state the material must be removed within one year. She noted if material will stay on the site for two years the permits will need to be amended.

Manager Hartmann had questions about the configuration of the dredge site.

Administrator Loomis showed pictures of the cell.

ii. Vernon Avenue Dredge Material Management site

See Item 6.B.i. discussion

iii. Private Dredge Material Placement

See Item 6.B.i. discussion

C. Watershed Management Plan

i. Major Plan Amendment

Administrator Loomis said the TAC meeting was well attended. The next meeting will be next Thursday from 11-1 at the Chanhassen Library. She noted this meeting will be about bluffs and steep slopes, so staff is expecting more attendance.

D. Legislative Action

i. 2017 Legislative Session

Administrator Loomis reported President Shirk testified this morning at the Senate Environment and Natural Resource Finance Committee hearing. She thanked President Shirk. A hearing has been requested in the House, however no date has been set. The second bill to address the upstream issue and one plan is being introduced in the House and the Senate this week.

She reported to Managers that Representative Loonan has been very helpful in getting both bills introduced in the House. He authored both bills and has been walking them around to get other authors to sign on.

ii. Freshwater Society Altered Hydrology Project

Administrator Loomis said there will be a stakeholders meeting the week of March 8th in Mankato. The date and time has not been set. She will check with Freshwater to see who is invited.

E. Website Redesign

Administrator Loomis reported that she had received President Shirk's comments on the website and reminded other Managers to provide their feedback.

F. Education and Outreach Plan

Administrator Loomis reported that she met with Ted Suss from Friends of the Minnesota Valley. She gave Managers an update of the River Watch program that the Friends and the LMRWD had agreed to participate on together. She said the 2017/2018 school year will have 6-8 schools for the River Watch sign up. She explained the schools would get seed money to start the program. She said a second idea emerged which would be to develop a display to use at county fairs and city festivals. There will be a proposal for the Managers at the March meeting.

i. Citizen Advisory Committee

No change since last update.

G. LMRWD Projects

i. Riley Creek Cooperative Project

Administrator Loomis said staff met with Hennepin County on another project, but briefly discussed this project, which has been delayed, because of the status of the Rust Patched Bumble-bee which was recently listed and threatened and endangered. She noted they would probably use the same contractor that the county uses.

ii. Seminary Fen ravine stabilization project

President Shirk asked when they can anticipate the second half of the grant. Administrator Loomis said she is hoping for an answer in the next month.

iii. Analysis of Dakota County Project

Administrator Loomis reported that a meeting is scheduled at the DNR in February.

iv. East Chaska Creek

Administrator Loomis reported that they will be meeting on this project next week. She reported the County will be reconstructing CSAH all the way from the TH 101 Bridge all the way to the city of Carver.

There was discussion about the grant that was submitted to BWSR in 2016 and that staff was not able to find the request in the report out from BWSR when grants were awarded. Managers asked staff to follow up with Steve Christopher, the LMRWD board conservationist at BWSR, to see if there is anything to learn from the fact the request was not successful.

v. Savage Fen Ravine Project

Administrator Loomis noted new staff has been hired at Savage and she will check with them to see if this project is still planned.

Manager Hartmann asked about the Bluff Creek project. Administrator Loomis said that project is no longer viable. She explained easements needed to construct the project could not be acquired and the project cannot be done without them. Riley Purgatory Bluff Creek Watershed District asked if the LMRWD would be interested in participating in another project on Bluff Creek. Since this project has already been levied for, the funds will remain restricted until needed for another project, at which time Managers will be asked to reassign the funds to the new project.

H. Project Reviews

i. City of Carver Comprehensive Plan Amendment

Administrator Loomis reported on a new subdivision and said she has not heard anything back on the comments.

ii. 12300 Riverview Road - Eden Prairie - Hueler Subdivision

Administrator Loomis said they have met with the city and developer on the proposed project and explained the LMRWD goals.

iii. 77th Street Underpass

Administrator Loomis explained this project has not been before the Managers before and that staff is working to develop a report to give Managers information about projects going on in the District that may not have risen to the level that requires action by the Managers.

This project is at Cedar Avenue and 77th Street and is being proposed by the City of Richfield [sic]. She noted this is north of 494. Administrator Loomis said they have had discussions because the storm water will be directed to a storm water pipe that runs along I494. Staff is concerned about the capacity of the pipe, because it is the pipe that drains the I494 & I35W interchange.

iv. MMPA (Minnesota Municipal Power Agency) Electric Generation Plant

No change since last update

v. Fort Snelling Upper Post/Hennepin County Road Project

Administrator Loomis said this has been a difficult site because of the historic preservation of the area. She informed Managers that staff has met with the County and in response to the letter the District sent to Jim Grube, the County will include additional treatment of stormwater into the project at the county's expense.

vi. Hennepin County Flying Cloud Drive/CSAH 61 reconstruction project

Administrator Loomis said they have a meeting next weekend.

vii. 2014-03152-RMM - Port Richards

No change since last update.

viii. CSAH 61 & TH 41 Transportation Improvement Project

No change since last update.

ix. TH 169/41/78/14 Intersection Improvements

No change since last update.

x. 35W Bridge Replacement

No change since last update.

xi. Xcel Energy Black Dog Plant

No change since last update.

xii. Eagle Creek Ridge - Shakopee

No change since last update.

I. Dean Lake - no change since last update

No change since last update.

J. MPCA Soil Reference Values

Administrator Loomis said the comment period is closed and the MPCA is waiting to respond to all the comments

7. COMMUNICATIONS

A. Administrator Report

Administrator Loomis reported the Riley/Purgatory/Bluff Creek Watershed District (RPBCWD) has investigated changes in the boundaries between them and the LMRWD. They looked at the actual hydrological boundaries. Staff will review the proposed changes and make recommendations to the Managers at a future meeting.

A group of Mountain bike enthusiasts have approached Freshwater and the LMRWD to ask them to help them prevent paving of trails along the Minnesota River.

The Eagle Creek WOMP Station report has been submitted to MCES.

The 2016 Financial Audit is complete and the report is being prepared.

There has been a ruling on the Des Moines Water Works lawsuit against upstream drainage authorities, which Managers may be interested in.

Administrator Loomis is looking to digitizing the District's records and said she will bring ideas on costs back for approval. President Shirk asked when the records can go to the historical society. Administrator Loomis said after ten years.

Administrator Loomis talked about a video of the Seminary Fen restoration and said that if the Managers wished she can get an estimate for the Managers. President Shirk recommended sharing the cost. Manager Hartmann said the video can go on the website.

The LMRWD has been invited to a meeting of the Shakopee City Council on February 21st.

The LMRWD received a report from Wenck regarding the bank pins that were installed in Area #3 in Eden Prairie.

Administrator Loomis reported on a kayak/canoe trip on the river the length of the district and she said they could get a boat and she is thinking about sometime in August.

Administrator Loomis reported on upcoming meetings. She noted the next district meeting is March 15th.

- B. President** - No report
- C. Managers** -
- D. Committees** - No report
- E. Legal Counsel** - No report
- F. Engineer** – No report

8. ADJOURN

President Shirk made a motion to adjourn. Manager Hartmann seconded the motion. Motion carried unanimously. President Shirk adjourned the meeting at 8:01pm.

Jesse Hartmann, Vice President

Attest:

Linda Loomis, Administrator