



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, July 15, 2020

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

Approved August 19, 2020

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

On Wednesday June 17, 2020, at 7:00 PM, President Hartmann called to order the meeting of the Board of Managers of the Lower Minnesota River Watershed District (LMRWD). The meeting was convened on-line due to the health emergency created by the COVID-19 pandemic.

The first item on the agenda was the Oath of Office for Manager Hartmann, who was reappointed to the Board by the Scott County Board of Commissioners at its February 18, 2020 meeting. The Oath of Office and the Manager's Bond signed by Manager Hartmann were read into the record by Administrator Loomis.

**Manager Raby made a motion to accept Manager Hartmann's Oath of Office and the Manager's Bond. The motion was seconded by Manager Salvato. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

President Hartmann asked for roll call to be taken. The following Managers were present: Manager Adam Frey, Manager Dave Raby President Jesse Hartmann and Manager Lauren Salvato. In addition, the following joined the meeting: Linda Loomis, Naiad Consulting, LLC, LMRWD Administrator; Della Schall Young, Young Environmental Consulting Group, LLC, Technical Consultant; John Kolb, Rinke Noonan, Attorneys at Law, Legal Counsel; and Lindsey Albright, Dakota County Soil & Water Conservation District.

#### 2. APPROVAL OF THE AGENDA

Administrator Loomis requested that the Board remove the meeting minutes of June 2020 regular Board meeting from the agenda.

**Manager Raby made a motion to approve the Agenda with the June 2020 regular meeting minutes removed. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

#### 3. CITIZEN FORUM

Administrator Loomis said she had not received any communications from anyone that wished to address the Board.

#### 4. CONSENT AGENDA

President Hartmann introduced the item.

~~A. Approve Minutes June, 2020 Regular Meetings~~

**B. Receive and file June 2020 Financial reports**

**C. Approval of Invoices for payment**

- i. DRB Consulting - first invoice for document management services
- ii. Braun Intertec Corp. - for inclinometer readings
- iii. Frenette Legislative Advisors - for May 2020 lobbying services
- iv. Freshwater Society - payment for 2019 Master Water Steward Program (D. Braun)
- v. Metro Sales, Inc. - payment on copier maintenance contract
- vi. MAWD - payment of 2020 Dues
- vii. Rinke Noonan, Attorneys at Law - April 2020 legal services
- viii. State of Minnesota Dept. of Administration - for advertisement for professional service providers in State Register
- ix. US Bank Equipment Finance - July 2020 payment on copier lease
- x. DRB Consulting - second invoice for document management services
- xi. Fortin Consulting - sponsorship of 2020 Salt Symposium
- xii. The Horton Group - payment of premium for Director's & Officers Insurance
- xiii. Rinke Noonan, Attorneys at Law - for May 2020 legal services
- xiv. Young Environmental Consulting Group - For May 2020 technical services

**D. Chimney Pines HOA Cost Share Project**

**E. Oak Savannah Cost Share Project**

**F. Larson 2020 Cost Share Application - 1033 Sunny Ridge Drive, Carver**

Manager Raby commented on the Larson cost share agreement. The question that he actually had was in regards to the Rathjen Cost Share project and was regarding reimbursing the applicant for equipment, like rakes, gloves, etc.. Administrator Loomis explained that she felt it was an eligible expense, because the equipment was purchased for volunteers that the applicant recruited to help prepare the site and plant.

**Manager Raby made a motion to approve the Consent Agenda. The motion was seconded by President Hartmann. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

#### 5. NEW BUSINESS

**A. 2021 Budget**

Administrator Loomis noted that the Budget was presented to the Board at a workshop prior to the Board meeting. She asked that the Board call for a public hearing at the August 19, 2020 Board meeting.

President Hartmann asked if that would give enough time for the public notice. Administrator Loomis said that it would.

**President Hartmann made a motion to call a public hearing on August 19, 2020 for the purpose of taking public comment on the proposed 2021 Budget. The motion was seconded by Manager Frey. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

**B. 2020 Metro Children's Water Festival**

Administrator Loomis said this is an annual event organized by the Metro Conservation Districts. She noted the LMRWD has sponsored this event since before she started with the District. Last

year the LMRWD made a contribution of \$1,650 to fund transportation of classrooms to the event.

She explained to the Board how this event has been run in the past. This year because of COVID-19 they are planning to do a virtual water festival. She said the organizers have asked to LMRWD to be a sponsor again this year.

Manager Raby asked about the proposed budget. President Hartmann noted a virtual event will cost much less. Administrator Loomis said she will check with the organizers and bring that information back to the Board.

Manager Raby thought this is a good event, but wants more information. Administrator Loomis recommended that the item be tabled until the August meeting.

**Manager Raby made a motion to table the 2020 Metro Children’s Water Festival to the August board meeting. The motion was seconded by Manager Frey. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

## 6. OLD BUSINESS

### A. City of Carver Levee

No new information to report since last update.

### B. Remote meeting participation

No new information to report since last update.

### C. Dredge Management

#### i. Vernon Avenue Dredge Material Management site

Administrator Loomis has sent a notice to the U.S. Army Corps of Engineers that the LMRWD is planning to make improvements to the dredge site this year, but has not received any response from the Corps. There have been some personnel changes at the Corps and she has not received any notice as to who has replaced the District's previous contacts.

#### ii. Private Dredge Material Placement

Terminal operators have been informed that material must be removed from the site by September 15, 2020.

### D. Watershed Management Plan

No new information to report since last update.

### E. 2020 Legislative Action

A special session began again on Monday. Administrator Loomis said she spoke with Lisa Frenette on Monday and she (Lisa) will continue to push for inclusion of the legislation for the LMRWD in any bill that gets passed. Ms. Frenette said if the Board would like more information or to hear directly from Ms. Frenette, she is available. Manager Raby asked if the LMRWD would be included in the bonding bill. Administrator Loomis said yes.

### F. Education and Outreach Plan

Ms. Young is putting together a work plan for the Board to consider.

### G. LMRWD Projects

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

No action is necessary on any LMRWD project. All updates are provided in the July Administrator report.

#### H. Project/Plan Reviews

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

##### i. Vierling Industrial

Administrator Loomis explained that the City of Shakopee has been notified that all projects will need a permit from the District until the City receives a municipal permit from the District. This is a project that came in after the City was so informed. The City asked that the permit be expedited as the project was already in progress when they were informed that they needed a permit from the District. This is a city project.

Manager Raby said the Technical Memo was clear and he has no questions. Manager Salvato asked about accommodating the request to expedite the permit approval and setting a precedent. Administrator Loomis said it was made clear to the City that the District will accommodate this request, but that in the future projects need to apply for permits in a timely manner so that there is not a need to rush the permit approval. LMRWD staff is recommending approval of this permit. She explained this project is in an industrial area that is included in a regional stormwater plan.

**President Hartmann made a motion to approve the Vierling Industrial permit. The motion was seconded by Manager Raby. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann, Raby and Salvato; the following voted against: None.**

#### I. MPCA Soil Reference Values - no change since last update

### 7. COMMUNICATIONS

**A. Administrator Report:** Administrator Loomis reported on the meeting of the Lower MN River North Watershed Based Funding meeting. She said they discussed a list of projects that other organizations in the group want funded. She said the next meeting is in August.

Administrator Loomis said she met with planning area 56 regarding the development of One Watershed One Plan for the northern half of the HUC 8 titled Lower Minnesota River. The group talked about who wanted to be included in the planning process. Many of the organizations in attendance wanted to be on a technical advisory group, but not part of the planning group. The group thought that maybe goals for the planning process should be identified that that might make it easier for everyone to decide whether or not they want to be part of the planning process. Administrator Loomis reminded the Board that it adopted a resolution to be part of this planning process.

Administrator Loomis told the Board that the US Army Corps of Engineers has changed its August River Resources Forum to a virtual event.

**B. Managers:** Manager Raby asked about getting a Dakota County Board representative. He asked if the Administrator has been in touch with Dakota County about filling the Manager position for Dakota County. She noted she has people for the citizen advisory committee.

President Hartmann asked if it would be possible to get names and addresses of residents of Dakota that live in the District. She said she would speak to the County and report back in August. Manager Salvato asked if it would be possible to reach out to the list of Master

Water Stewards to see if any of them live in the LMRWD and might be interested in being appointed to the Board.

- C. **Committees:** No report
- D. **Legal Counsel:** No report
- E. **Engineer:** No report

**8. ADJOURN**

**At 7:41pm, President Hartmann made a motion to adjourn the meeting. Manager Raby seconded the motion. Upon a vote being taken the following voted in favor of the motion: Frey, Hartmann and Raby the following voted against: None.**

**The next meeting of the LMRWD Board of Managers will be 7:00, Wednesday, August 19, 2020 and will be held at the Carver County Government Center, 602 East 4th Street, Chaska, MN. Electronic access will also be available.**

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Dave Raby, Secretary

Attest:

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Linda Loomis, Administrator