



Minutes of Regular Meeting  
Board of Managers  
Wednesday, December 18, 2013  
Carver County Government Center, 7:00 p.m.  
Approved \_\_\_\_\_

Managers and Staff Present:

Carver County	Kent Francis, President	Scott County	Carla Shutrop
Dakota County	Yvonne Shirk	Administrator	Linda Loomis
Hennepin County	Len Kremer, Treasurer		

Other Attendees Present:

City of Bloomington    Bryan Gruidl

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

On Wednesday, December 18, 2013, at 7:02 p.m. in the Board Room of the Carver County Government Center, 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. Manager Shutrop was not present when the roll call was taken.

2. **APPROVAL OF THE AGENDA**

Manager Kremer requested an item, Report from MAWD Conference be added to the agenda under Old Business. Managers determined the item could be discussed under item 6. D. Manager Shirk indicated she would like to add an item under the Administration. Managers determined to add Manager Shirk's request under 6. D. Administration of the Watershed District.

**Moved by President Francis and seconded by Manager Shirk to approve the agenda with the requested items added.**

3. **CITIZEN FORUM**

No Citizen Input

**4. CONSENT AGENDA**

Manager Francis introduced this item and moved approval of the consent agenda (Manager Schutrop arrived at 7:08 PM)

**After discussion it was the motion was seconded by Manager Shirk to approve the Consent Agenda including the minutes of the October 16, 2013, November Financial Reports, the Payment of Bills, Resolution Designating Linda Loomis to Authorize Payment of LMRWD Bills and the reimbursement request from the city of Bloomington. VOTE: Ayes 4; Nays 0 Motion carried**

**5. OLD BUSINESS**

**A. Long Meadow Outfall Project**

Bryan Gruidl, City of Bloomington was present to request the Managers consider financial participation in this project. This project addresses erosion coming from the central station area of the city of Bloomington. The normal procedure to request participation by the LMRWD has not been followed and both parties are aware. The city of Bloomington brought this request to the Watershed earlier in the process, but felt they could not hold up the construction of the project once it was bid waiting for the LMRWD to make a decision.

**Manager Kremer made a motion made to approve district participation in the Long Meadow Outfall project up to \$100,000 and give direction to the Administrator to have Attorney Malkerson draft a maintenance agreement and amend LMRWD Management Plan as needed to include the project. Motion seconded by Manager Shutrop. VOTE: Ayes 4; Nays 0 Motion carried.**

**B. Bluff Ravine Stabilization Project – Chaska**

Additional information was provided to the managers following a presentation made by Bill Monk from the city of Chaska at the November meeting of the Board of Managers. Administrator Loomis informed the Manager of a conversation she had with Brad Wozney at BWSR. Mr. Wozney advised the LMRWD Board to not take any action and await a decision regarding the additional grant request. He was not optimistic about the likelihood of receiving an additional grant money for this project.

**Managers gave direction to the Administrator to obtain deliverables itemized in agreement with Stantec.**

**C. Dredge Material Management**

Manager Kremer requested this item be added to the December agenda. At the November meeting the Managers were awaiting response from the USACE to take action. Communication has now been received from the USACE.

**After Discussion President Francis made a motion that Manager Kremer work with Attorney Malkerson and Administrator Loomis to develop an agreement between the LMRWD and L & S Marine; and to authorize the Administrator to work with**

**LMRWD consultant HDR to ensure site is being managed according to USACE guidelines. VOTE: Ayes 4; Nays 0. Motion carried**

**D. Black Dog Regional Trail**

This request came before the Managers at the September Board meeting. This request prompted the meeting with the USACE. The USACE does not want the LMRWD to abandon the site until a replacement is acquired. The USACE indicated they do not foresee any problem with the LMRWD granting an easement for a trail to the city of Burnsville.

**After discussion Manager Shutrop made a motion to grant an easement for a trail to the city of Burnsville subject to the following conditions; 1) the city acknowledge the trail may be closed periodically to allow for dredge material management; 2) a portion of the trail be constructed so as to allow equipment necessary for dredge material management to access site; and 3) the city of Burnsville assist the LMRWD in identifying and acquiring a replacement site for dredge material management. Manager Shirk seconded the motion. VOTE: Ayes 4; Nays 0. Motion carried.**

**E. Bonding Request for Dredge Material Management Site**

Manager Shutrop updated the Managers that she has reached out to SCALE and they have agreed to support the LMRWD in its efforts to secure bonding money from the State in the upcoming legislative session. Manager Kremer reminded everyone that the Budget for the nine foot channel has \$12,000 to pay for lobbying the legislature in order to secure a \$4,000,000 bond request to acquire one of three sites previously identified for dredge material storage. It was also discussed that Senator Carlson be requested to assist in discussions with MNDOT.

**The Managers directed the Administrator to set up meetings with the MAC and MNDOT before the legislative session starts to determine the likelihood of the ability of the LMRWD to acquire the sites. Cost to develop the sites will be explored once acquisition of a particular site has been agreed to.**

The Board directed that Ron Harnack should be retained again this year to assist the LMRWD in lobbying the Legislature. The Managers discussed informing Mr. Harnack that we would be working with him and Claire Robling from SCALE.

**Managers directed the Administrator to contact Ron Harnack and Claire Robling to discuss lobbying strategy.**

Managers discussed the River Tour in September. Managers determined to follow up with legislators that attended the event and make sure legislators that were invited but were unable to attend were provided with materials that were distributed at the Tour.

**Manager Shutrop offered to provide a list of legislators who attended and those who were invited but did not attend. President Francis offered to provide copies**

**of the materials provided to legislators at the Tour. Legislators who did not attend will be provided with material.**

## **6. NEW BUSINESS**

### **A. Report on Conversations with Brad Wozney from BWSR**

Manager Kremer reported Brad Wozney reminded him that the approval of the LMRWD Watershed Management Plan was conditional and the District has not yet met the conditions. BWSR requested the LMRWD amend the CIP that was part of the Watershed Management Plan. Managers discussed the status of the Strategic Resource Evaluation (SRE) that the District began in order to amend the CIP.

**Managers directed the Administrator to find out the status of the SRE and to see that the process that was agreed to is completed.**

Managers discussed the fact the LMRWD did not submit the required Annual Report for 2012.

**Managers directed the Administrator to make a request to BWSR to allow LMRWD to file 2012 Annual Report with 2013 report**

### **B. Review bid proposals for Municipal plan review for Lilydale's WRMP**

Manager Shutrop asked questions about the proposals and whether or not the cities should pay for the cost of the plan review. She wanted to know if there is not a more efficient or cost effective way to pay for the cost. Manager Kremer responded he thought the proposal were in line with what a plan review should cost based on the size of the city. Manager Kremer informed the other Managers that the Lilydale WRMP was prepared by Barr Engineering and he would abstain from the vote.

**Shutrop made a motion to accept the proposal from Momentum Environmental LLC need to exceed \$1,080.00. Manager Shirk seconded the motion. VOTE: Ayes 3; Nays 0. Motion carried (Manager Kremer abstained)**

### **C. Direct HLB Tautges Redpath, LTD. to prepare FY 2013 Audit and prepare financial reports**

President Francis reported that Carver County had requested the LMRWD utilize HLB tautges Redpath, LTD. to provide audit service to the district for the year 2013. Manager Shutrop questioned the cost offered in the proposal and asked what others pay for audit costs.

**President Francis made a motion to authorize Administrator to retain HLB Tautges Redpath, LTD. to conduct an audit of the LMRWD for 2013. Manager Kremer seconded the motion. VOTE: Ayes 4; Nays 0. Motion carried.**

### **D. LMRWD Insurance Needs**

Administrator Loomis informed the Managers that the LMRWD qualifies to purchase insurance through the LMCIT. The LMRWD must join the LMC in order to qualify. Administrator Loomis will check to see if it is necessary to become a member or if we

can qualify because we have joint power agreements with cities within the Watershed.

**After discussion the Managers authorized the Administrator to cancel the Workers Compensation and Auto Insurance and to continue researching less expensive insurance options for the District.**

**E. Administration of the Watershed District**

Managers discussed agenda packet format. Managers expressed difficulty navigating the meeting packet using Google docs. Managers discussed using Board Book software. Administrator Loomis said she would continue to explore options for electronically disseminating meeting information that balances the cost to the district with ease of use.

**7. COMMUNICATIONS**

- A. Administrator's Report** - Administrator Loomis provided an update to Managers of activities since beginning as the District Administrator.
- B. Chair** - President Francis updated the Managers about the separation agreement with former Administrator Schwalbe
- C. Commissioners** - No Report
- D. Committees** - No Report
- E. Legal Counsel** - No Report

**8. ADJOURNMENT**

**It was moved and seconded to adjourn at 8:47 p.m. VOTE: Ayes 4; Nays 0.**