



Item 5A  
LMRWD 3-19-2025

# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Minutes of Regular Meeting

### Board of Managers

Wednesday, February 19, 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, February 19, 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 Apollo Lammers, and Manager Lauren Salvato. Manager Vinatha Viswanathan was absent. Manager Kuplic, who was out of town, joined the meeting virtually but could not be counted towards the quorum as she was not in a publicly accessible location.

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 Joe Barten, Dakota County Soil & Water Conservation District. John Kolb, Rinke Noonan Attorneys at Law, LMRWD Legal Counsel; Commissioner Lisa Anderson, Carver County; Commissioner Jodi Brennan, Scott County; and Ben Burnett, Manager, Prior Lake/Spring Lake Watershed District; Joe Birkholz, Park Street Public, LMRWD Government Relations Consultant and Lee Peterson, LMRWD Citizen Advisory Committee member.

#### 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 and asked that item 7.D. Resolution to seek equitable distribution of Managers to the agenda. He asked if there were any other changes to the agenda. Seeing and hearing no further changes,

**President Barisonzi made a motion to approve the agenda with the revisions to the order of items and the addition of the invoices. Manager Lammers seconded the motion. Upon a vote being taken the motion was carried unanimously.**

#### 4. PUBLIC HEARINGS & PRESENTATION

##### A. Presentation by Dakota County SWCD

Joe Barten from the Dakota County Soil and Water Conservation District came forward and presented the results of the 2024 monitoring conducted in Dakota County and the Dakota Landscaping for Clean Water program.

President Barisonzi asked if they are also tracking for people who did not receive a grant. Mr. Barten said they have not found a good way to track for those who did not get a grant so they are only tracking for those who did receive the grant.

President Barisonzi said he would really like to know the total square footage that were impacted with this program. He asked if the shoreline is covering stormwater retention ponds. Mr. Barten explained that they talk about the difference between manmade, engineered stormwater ponds and actual shorelines.

President Barisonzi asked if any conversations have been had around doing anything specific with these stormwater retention ponds as it relates to those that have not been maintained or dredged since they were installed. Mr. Barten shared that they do not currently have any programs related to this. He said they have done training on this internally. He added that he sometimes has homeowners or HOAs reach out to him and ask what they should do with these ponds and he goes out for a site visit to educate them.

Administrator Loomis added that they have discussed this with each of their partner cities when they conducted the municipal coordination meetings. She noted that if the pond was required to be installed then it is there for a reason and needs to be maintained.

President Barisonzi said he would like to collaborate with those who have infrastructure working on this. He shared that in the city he lives in there are two kinds of stormwater ponds, the ones that have an outlet to the city which are maintained by the city, and those in neighborhoods that are owned by private HOAs that are not maintaining these ponds. He said he would like to see how these HOA ponds overlap the LMRWD's scope of work.

Administrator Loomis explained that several HOAs reached out last year because of concerns with aesthetics of their ponds and what to do with them. She shared that they have provided cost-share grants to some of these HOAs to help with the vegetative maintenance around them.

Manager Lammers asked if Eden Prairie or Bloomington provided any of these services. Administrator Loomis said yes.

Mr. Barten noted that over the last 10 to 15 years, city capacity and knowledge on stormwater management has increased greatly. He added that cities also have to play a role in enforcement for the private property owners, like HOAs.

President Barisonzi asked how many grants the LMRWD gave out with this program in Dakota County. Mr. Barten explained that there is a smaller percentage in Dakota County than any other WMO. Administrator Loomis added that it varies by year to year how many grants they are doing in Dakota County.

President Barisonzi asked if the Dakota County residents that are in the LMRWD are also in the bluff. Administrator Loomis said yes.

President Barisonzi said he would like to see some targeted marketing or a targeted workshop for those who are in this situation where they are in the LMRWD and the bluff. Mr. Barten said they can definitely do something like this.

President Barisonzi asked if they have ever done an educational workshop for people who live on the bluff lines. Administrator Loomis shared that when they first implemented these rules they did hold meetings with those who lived along the bluff but they did not use the meetings as a way to educate these homeowners on how to manage the bluff.

President Barisonzi asked if there are any lake associations in the LMRWD. Administrator Loomis said no.

President Barisonzi shared that he would like to have a hybrid workshop with the natural shoreline and bluff partners.

Manager Salvato suggested advertising for their educators mini grant through the STEM on Tap event as a way to get the teachers who would already be coming to this event.

President Barisonzi added that they could invite members of the CAC to this event as well.

Lee Peters, a member of the Citizens Advisory Committee, asked Mr. Barten if he was familiar with the South Washington salt substitute program and if they have considered this program. Mr. Barten said he is not familiar with this but can look into it.

## **5. CONSENT AGENDA**

President Barisonzi introduced this item.

### **A. Approve Minutes January 15, 2025**

### **B. Receive and file January 2025 Financial report**

### **C. Approval of Invoices for payment**

- i. Clifton Larson Allen (CLA) - Financial services through January 2025
- ii. Rinke Noonan, Attorneys at Law - December 2024 general legal services & Area #3
- iii. TimeSavers Off-site Secretarial – preparation of December 2024 meeting minutes
- iv. Daniel Hron – March 2025 office rent
- v. US Bank Equipment Finance – February 2025 copier lease payment
- vi. Young Environmental Consulting Group, LLC –January 2025 Technical, and Education and Outreach services
- vii. Naiad Consulting, LLC – January 2025 administrative services, mileage, and expenses
- viii. Bolton & Menk, Inc. – Surveying services related to Area #3
- ix. Bolton & Menk, Inc. – Engineering services related to Vernon Avenue
- x. 106 Group – January 2025 Invoice for Area #3 services
- xi. Scott County SWCD – Q4 2024 monitoring, technical and education services
- xii. Park Street Public – February 2025 Government Relations Services
- xiii. 4M Fund – November 2024 fund service charges

### **D. Report from the Citizen Advisory Committee**

### **E. Minutes of Board Committees**

- Personnel Committee – February 3, 2025
- Finance Committee – February 5, 2025

- Personnel Committee – February 12, 2025

**President Barisonzi 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 Lammers made a motion to approve renewal of permits as recommended. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously**

### **B. Ike's Creek Restoration Project**

President Barisonzi introduced this item.

Manager Salvato asked if the LMRWD provides any funding for this project. Administrator Loomis said no.

**Manager Lammers made a motion to approve LMRWD No. 2024-020 permit for Ike's Creek restoration Project subject to receipt of a copy of the NPDES Construction stormwater permit, contact information for the contractor(s) undertaking land-disturbing activities, contact information for the individuals(s) responsible for erosion control inspections and maintenance, a copy of the approved MN DNR permit, Final construction plans signed by a professional engineer and a final Stormwater Pollution Prevention Permit. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously**

### **C. Interstate 35W (I-35W) SP 1981-140 Project Permit (LMRWD No.2023-025)**

President Barisonzi introduced this item.

**Manager Lammers made a motion to approve a permit for Interstate 35W (I-35W) SP 1981-140 Project Permit (LMRWD No. 2023-025) contingent upon receiving of a copy of the NPDES Notice of Coverage document, contact information for the contractor(s) undertaking land-disturbing activities and contact information for the individual(s) responsible for erosion control inspections and maintenance. Manager Salvato seconded the motion. Upon a vote being taken, the motion carried unanimously**

## **7. ACTIONS ITEMS**

### **A. Administrative Services Update**

President Barisonzi introduced this item.

**Manager Salvato made a motion to reopen the Administrator position until filled. The motion was seconded by Manager Lammers. Upon a vote being taken, the motion carried unanimously.**

President Barisonzi requested to table the proposal for administrative assistance from Young Environmental until it can be discussed at the Personnel Committee.

Manager Lammers asked how much time would be saved for Administrator Loomis if they went with the administrative assistance proposal from Young Environmental. Administrator Loomis noted that it would not save her much time, it would just free her up to work on other things that she is not currently getting to.

President Barisonzi noted that this proposal does not seem to meet the intent as discussed by the Personnel Committee and it needs to be revisited.

**President Barisonzi made a motion to table the proposal for administrative assistance from Young Environmental to the Personnel Committee Meeting. The motion was seconded by Manager Salvato. Upon a vote being taken, the motion carried unanimously.**

**B. 2024 Annual Report Update**

President Barisonzi introduced this item.

For information only – no action was taken.

**C. Salt Symposium Sponsor**

President Barisonzi introduced this item.

**Manager Salvato made a motion to sponsor the 2025 Salt Symposium at the Bronze (\$500) Level. The motion was seconded by Manager Lammers. Upon a vote being taken, the motion carried unanimously.**

**D. Resolution Requesting Equitable Distribution of Managers**

President Barisonzi introduced this item.

Manager Lammers shared that Scott County has the largest population, tax base, and amount of square miles in the district. He suggested petitioning BWSR to do a redistribution of Managers to account for this.

President Barisonzi said he is not in favor of this motion as it is premature and in the context of presentations from Scott County to the Board, he thinks it is a questionable decision without deeper conversation. He noted that if Scott County could reach out to the other counties and gain their support then he thinks this could be revisited.

Manager Salvato asked if they need to approve this motion for Scott County to petition BWSR. Manager Lammers said no but noted he would like all counties to be informed of this.

Manager Salvato said she would like to see the other options and does not see it necessary to take action.

**Manager Lammers made a motion to request an equitable redistribution of Managers from BWSR. The motion was seconded by Manager Salvato. Upon a vote being taken the motion failed.**

**8. BOARD DISCUSSION ITEMS**

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

President Barisonzi introduced this item. He asked if there was a budget in mind for this and where the budget would be coming from. Ms. Young said it would be discussed as part of a proposal when they bring that forward.

**Manager Salvato made a motion to authorize staff to complete the post-event summary report through the deliverables outlined in Table 1 (of the Technical Memorandum) and to issue a Request for Proposals to onboard a media relations/PR firm to add capacity in developing and implementing the Public Engagement and Communication Strategy Document. The motion was seconded by Manager Lammers. Upon a vote being taken, the motion carried unanimously.**

**9. FOR INFORMATION ONLY**

**A. 2025 Legislative Update**

Joe Birkholz, Park Street Public, gave legislative updates to the Board. He shared that there are a number of bills that include some of the LMRWD's legislative priorities; however, they have not gone to hearing yet but he will keep the Board updated as they progress.

Manager Salvato asked about the nature of the calcareous fen proposal. Administrator Loomis shared that they are requiring the DNR to come to a definition of calcareous fens and set boundaries. Mr. Birkholz added that there are three parts to the bill, first being that a Commissioner cannot deny an application based on the potential effects of a calcareous fen unless they first provide the permit applicant with a report on the fen, second is requiring the DNR to adopt rules to define calcareous fen, and lastly, a report on the ecological benefits on calcareous fens. He said this bill is not likely to receive a hearing in the Senate and has not yet been introduced in the House.

President Barisonzi asked about House File 8 and if this would impact the LMRWD. Mr. Birkholz said he can do a deep dive of this bill and provide an update.

President Barisonzi said they do not need to spend time on this unless it moves to another Committee. He noted his biggest concern is the impact it will have on the Wetland Conservation Act. Mr. Birkholz shared that he believes it would have minimal impacts on this Act but he will review further.

**B. 2025 Minnesota River Tour Update**

President Barisonzi introduced this item and shared the day of this event as August 14.

Manager Salvato shared that she will be able to attend this event due to work travel.

For information only – no action was taken.

**C. Study Area #3**

Administrator Loomis introduced this item. She shared that legal counsel has been in touch with the Eden Prairie City Attorney who is reluctant to try to accommodate the LMRWD in the re-platting and rezoning without the consent of the seller. She noted they were recommended to reach out to the County to see if they could offer any guidance on this situation. She said she is awaiting a response on guidance.

Ms. Young noted that this will set the stage to get them to 90% completion.

Manager Lammers asked if they will need to have funds available once this gets to the 90% mark. Administrator Loomis said they will need to speak to the consultant about this and she will report back.

For information only – no action was taken.

**D. LMRWD Permit Program Summary**

No action required.

**10. COMMUNICATIONS**

- A. **Administrator Report:** Administrator Loomis shared that it was recommended to them that the LMRWD present the work they have done on the calcareous fens at the upcoming Minnesota Groundwater Conference and she authorized the Young Environmental team to put together a presentation for this conference. She added that she attended the Minnesota Association of Watershed Management Administrators meeting this morning where they discussed the new stormwater manual that is being developed by the MPCA. She shared that they received a notice from Chanhassen that they are declining to acquire an LGU permit which will be on the

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agenda in March. She explained that this means they will be the ones permitting for projects done in Chanhassen.

- B. **President:** President Barisonzi recognized and expressed gratitude for the work of Manager Lammers. He noted that Manager Lammers stepped up and has made lasting impacts to the Board. He stated Manager Lammers will be missed on the Board.
- C. **Managers:** Manager Lammer shared that this is his last month as Manager on the Board and thanked everyone for their great work.
- D. **Committees:** No report
- E. **Legal Counsel:** No report.
- F. **Engineer:** No report

**11. ADJOURN**

**Hearing no further business, President Barisonzi adjourned the meeting at 8:31 PM.**

**The next regular meeting of the LMRWD Board of Managers will be at 7:00, Wednesday, March 19, 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