



MINUTES OF THE BOARD OF DIRECTORS  
 October 24, 2018

Attendance		Present	Absent
Dan Jones, Chair	City of White Bear Lake	X	
Jim Lindner, Vice Chair	City of Gem Lake	X	
Rob Rafferty, Secretary-Treasurer	City of Lino Lakes		X
Ed Prudhon	White Bear Township	X	
Marty Long	City of North Oaks	X	
Terry Nyblom	City of Vadnais Heights	X	
Stephanie McNamara	Administrator	X	
Brian Corcoran	Water Resources Mgr.	X	
Dawn Tanner	Program Development Coord.	X	
Nick Voss	Education & Outreach Coord.	X	
Tyler Thompson	GIS Watershed Tech.	X	

Others in attendance: Jason Hill, VLAWMO Attorney, Kennedy & Graven (stand-in for Troy Gilchrist), Paul Duxbury, VLAWMO TEC representative

**I. Call to Order**

The meeting was called to order at 7:02 pm by Chair Jones.

**II. Approval of Agenda**

A motion was made by Lindner and seconded by Prudhon to approve the meeting agenda. Vote: all aye. Motion passed.

**III. Approval of Minutes from August 22, 2018**

A motion was made by Prudhon and seconded by Long to approve the minutes from the August 22, 2018 Board of Directors Meeting. Vote: all aye. Motion passed.

**IV. Visitors and Presentations**

**A. Welcome Dawn Tanner – VLAWMO’s new Program Development Coordinator**

Dawn joined the staff team in September to fulfill VLAWMO’s Program Development Coordinator position. She earned her Master’s and PhD at the U of M, where she also taught at as an adjunct professor before finding the position here at the watershed. Her specialty area of study and background is in conservation and ecology, but she was drawn to her new position by her longtime interest in water quality, and for the opportunity to make measured improvements here in the Watershed.

**B. Lambert Creek (Co. Ditch 14) Attorney Direction – Jason Hill, Kennedy & Graven**

VLAWMO’s regular attorney, Troy Gilchrist, was unavailable, but an alternate attorney, Jason Hill, spoke to the Board on the issue of operation and maintenance of the Ditch and its branches under state statute and how it relates to, and is affected by, VLAWMO’s JPA and 2017-2026 Water Plan. McNamara gave an overview of the last meeting and why we are discussing the information on the Ditch. Hill explained that after a Ditch is transferred to the transferee, the ditch will be operated under the law that the organization operates under, as addressed in its JPA. In VLAWMO’s case, it operates under State Statute 103B.

**1. Discussion of ACSIC for Co. Ditch 14**

After Hill's direction and explanation, the Board discussed whether to hold a public hearing to approve Co. Ditch 14 & its branches under their current 2018 ACSIC condition, or to hold off, for the purpose of maintenance & operation of the system. It was discussed that if VLAWMO's attorney advised it is necessary, in his legal opinion, to operate Ditch 14 and its branches under 103E, as well as hold a public meeting for the ACSIC of the Ditch System, so the Board would heed his opinion and not move to hold a public meeting or operate under Statute 103E. Jones stated that the Watershed needs to adopt a policy regarding maintenance and specific language for the difference of how branch ditches are maintained and who maintains them.

**2. Discussion of repair recommendations**

The Board also further discussed the repair options to dredge Co. Ditch 14 and how to budget for the project after reviewing the estimate provided by staff from the experienced private contractor, who met onsite with staff to get a better idea of access and conditions. Corcoran presented the estimate. Board discussed that the dredging maintenance option would make little difference on how the Ditch currently operates and our current method of checking and clearing debris on a yearly basis. Board discussed that they would be interested in staff pursuing benchmarks to be able to tell if the ditch is getting worse or improving. Jones asked for a motion to pursue the ditch dredging of Co. Ditch 14. Nyblom expressed that the Watershed has a duty to reduce flooding in the affected homeowners' backyards, and the Board discussed that dredging, as outlined in the Houston Report, would make very minimal difference to their flooding situation and to pursue yearly debris removal, as necessary, and to budget for this. Nyblom asked Corcoran if it was possible to dredge the section of Ditch 14 directly in front of Pennington Place and spread spoils out on the affected backyards. Corcoran addressed that area is delineated wetland, and the legality of that is questionable, and could possibly worsen conditions not dredging the entire stretch of Co Ditch 14.

Nyblom made a motion to undertake dredging maintenance, as recommended by Houston Engineering. Lindner seconded. Vote: 1 aye, 4 nay. Motion does not pass.

Nyblom made a friendly motion amendment to his first motion to dredge ditch in front of Pennington Place and spread spoils onto yards of residents to build up their yards. No second, motion fails.

**3. Information regarding Lambert Lake maintenance**

McNamara explained, just upstream from where the recommended dredging could occur, a weir structure was constructed in 2005 primarily for the benefits of improving water quality, but with the added benefit of dropping out sediment, keeping more from going downstream and filling the ditch at a slower rate. McNamara and Tanner also discussed the issue of phragmites within the basin and also the potential to work species management into the plan. Linder mentioned the possibility of working grant money into the project for treatment of phragmites. Nyblom stated he recently visited the weir and some of the sheet piling was beginning to fail. Direction from Board to pursue information on maintenance costs, repair, expansion possibilities, and possible addition of this matter to the Water Plan amendment. Board asked for information by the April meeting. Board asked staff to seek any and all options for maintenance and/or improvement. Corcoran asked if staff has permission to seek engineering. Jones asked staff to use their judgement if the project

repair/improvements would benefit the area. Jones would like to see staff pursue grant money for management of phragmites, as well.

**V. Operations & Administration**

**A. TEC Report and Financial – October**

The VLAWMO Technical Commission Report to the Board was presented by TEC Commissioner Paul Duxbury and the October financial report was discussed by McNamara. Long mentioned exploring giving more power to the TEC to approve larger monetary decisions, or some surveys. Jones mentioned this could be explored at the next policy and personnel meeting.

**B. Education & Outreach – Tanner Experience presentation**

**1. Fall 2018 Update**

Turf management meeting, Connect the Drops, Master Water Stewards and AIS/Picture Post training in North Oaks have all occurred. Voss mentioned the watershed game can be used to fulfill MS4 requirements for the JPA communities.

**2. December Water Matters content – direction**

Jones asked for interest from the Board to seek more Water Matters content. Jones presented the option to have 2 Water Matters per year. Long presented the idea of doing WM twice a year on off Board months. Jones presented having the first Water Matters in May for inviting Burns & MacDonald for presenting the E coli study results. This was agreed upon to plan the first Water Matters in May 2019.

**VI. Business**

**A. Goose Lake**

**1. Overview of assessments and best practices**

McNamara gave a rundown of the current works in the Goose Lake subwatershed. VLAWMO has secured the Watershed Based Funding grant to fund a subwatershed H&H study, design of 3 BMPs to 60%, and full design & construction of one of those 3 projects. The work plan is currently in the review and acceptance process by BWSR. The grant for an alum treatment on East Goose Lake was submitted at the end of August and its approval will be found out in December.

**2. Vegetation Management Plan**

Along with the potential for alum treatment on East Goose Lake, Tanner has been working with the DNR to begin the process of having the DNR compose an aquatic vegetation management plan for the Lake, as aquatic vegetation is expected to experience large growth in the Lake if the water is clarified by an alum treatment.

**3. Goose Lake subwatershed modeling and BMP – Grant agreement Res. 08-2018**

McNamara presented a resolution that would execute the grant agreement with the State and authorize execution of the grant attached in the Board packet. **Staff is recommending approval of Resolution 08-2018, executing the grant agreement between VLAWMO and the State of Minnesota for the 2018-2019 Watershed Based Funding grant funds.**

**Discussion: Jones does not want alum treatment carried out on either lake until boating restrictions are looked into and considered.**

A motion was made by Lindner and seconded by Prudhon to approve Resolution 08-2018 to execute the grant agreement for the Watershed Based Funding grant and enter into contract with the State of Minnesota. Vote: all aye. Motion passed.

**B. Storm Sewer Utility Rates – Res. 09-2018**

As the 2019 budget was passed at the June Board meeting, and the SSU fee rates resolution was passed at the August Board meeting, this is the final step in the annual process to complete and certify the Storm Sewer Utility rates for 2019. Both staff and VLAWMO’s SSU consultant have prepared the final parcel lists for both Ramsey and Anoka counties to be certified for 2019. The full parcel lists were sent in the Board ePacket and are available upon request.

**Staff is recommending approval of resolution 09-2018, certifying the 2019 Storm Sewer parcel lists and rates.**

A motion was made by Long and seconded by Prudhon to approve Resolution 09-2018, certifying the 2019 Storm Sewer Utility Rates parcel lists for charge in 2019. Vote: all aye. Motion passed.

**C. Birch Lake – 4<sup>th</sup> & Otter**

**1. Project updates**

Thompson updated the Board on the Project’s progress. After leaf-off, final surveying has been completed pro-bono by the City of White Bear Lake’s survey crew and has been delivered to Barr Engineering for continued final design of the Project. Final design is anticipated this winter, and then a bidding for construction will follow late-winter, early-spring. Staff discussed the parcel ownership with City of White Bear Lake staff in a meeting last week.

**Discussion:** Jones asked McNamara what direction is needed from the Board on parcel acquirement or sale to the City of WBL. McNamara asked that the Board give a formal recommendation on the parcel.

A motion was made by Jones and seconded by Long to aid the City of White Bear Lake in acquiring Ramsey County parcel 153022420114. Vote: all aye. Motion passed.

**2. MN Conservation Corps grant application**

Along with project construction, site clearing and post-construction stabilization and planting are included in the Project. Tanner has prepared an application for a Minnesota Conservation Corps crew to perform the majority of this work, decreasing costs for the project, and utilizing a work source the Watershed has had excellent experiences with on several occasions in the past. **Staff is recommending the Board allow staff to submit the MNCC grant for consideration.**

A motion was made by Long and seconded by Lindner to approve submittal of the MNCC grant application for work on the 4<sup>th</sup> & Otter site. Vote: all aye. Motion passed.

**VII. Discussion**

**VIII. Administration Communication**

McNamara mentioned MAWD is bringing up for vote the ability for member WMOs to vote in MAWD. If this passes, McNamara is looking for direction from the Board to pursue being a member. Board will anticipate news of the ability to allow WMOs to vote, and pursue from there based on cost.

**XI. Adjourn**

A motion was made by Lindner and seconded by Long to adjourn at 9:17 pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Tyler Thompson.