



MINUTES OF THE BOARD OF DIRECTORS – June 2020 REGULAR BOARD MEETING
 June 24th, 2020

Attendance		Present	Absent
Jim Lindner, Chair	City of Gem Lake	X	
Marty Long, Vice Chair	City of North Oaks		X
Rob Rafferty, Secretary-Treasurer	City of Lino Lakes	X	
Ed Prudhon	White Bear Township	X	
Dan Jones	City of White Bear Lake	X	
Patricia Youker	City of Vadnais Heights	X	
Phil Belfiori	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: Gary Eagles (North Oaks Company); Emily Jennings (SEH Engineering, Inc.); Jack Graser, Diane & Melvin Rich (City of White Bear Lake residents).

I. Call to Order

The meeting was called to order at 7:00 pm by Chair Lindner.

II. Approval of Agenda

The agenda for the June 24, 2020 Board meeting was presented for approval, Chair Lindner asked for any additions or corrections. Thompson asked to add item VI. B. Metro-INET JPA direction. Lindner allowed the addition to the agenda, as-amended.

A motion was made by Rafferty and seconded by Jones to approve the June Board meeting agenda, as amended. Vote: all aye. Motion passed.

III. Visitors and Presentations

A. Public Visitors – non-agenda items

Jack Graser, President of Goose Lake Townhomes Association, addressed the Board that there is some concern among townhome residents about the loss of large trees for the boat ramp location and what type of material will be used for the access, along with gate placement. Belfiori addressed that these questions and concerns will be addressed later in the meeting. With no other visitor comments, Chair Lindner closed item III.

IV. Consent Agenda

Chair Lindner asked if any Board members wished to speak on the project updates; no comments made. Belfiori noted the VH COVID-19 Preparedness Plan.

A. Approval of Minutes: May 27, 2020

The minutes from the May 27th, 2020 Board meeting are placed on the consent agenda for approval, as presented.

B. COVID-19 Preparedness Plan

The City of Vadnais Heights COVID-19 Preparedness Plan was included in the June Board meeting packet for approval. No comments or discussion.

C. Project Updates

Staff prepared updates for projects and programs in the June Board meeting packet. No comments or discussion.

A motion was made by Prudhon and seconded by Youker to approve the June Board meeting consent agenda, as presented. Vote: all aye. Motion passed.

V. **Business**

A. **Administration**

1. **2021 Budget, Res. 03-2020**

Belfiori started off by thanking the 2021 budget /finance subcommittee, then presented a summary of the recommended VLAWMO 2021 budget for consideration. Belfiori noted that the recommended budget was consistent with the consensus recommendation from the 2021 Budget /Finance Subcommittee and the direction provided by the majority of Board members at the April Board meeting budget discussion. He then noted that the 2021 budget comes while the economic realities due to the unrepresented pandemic are still unfolding and that these changing economic realities come at a time when VLAWMO has set the stage for the next several years of generally moving towards a more project implementation focus while still maintaining a strong foundation of nonstructural programs. He stated that the VLAWMO is also attempting to increase the uncommitted fund balance to over 50% as was discussed at the April Board meeting. He referenced that the State's Clean Water Legacy grant programs are likely seeing double digit cuts in funding.

Belfiori presented an overview of the consequences from implementation of the recommended 2021 budget (with no increase in SSU) including a reduction in CIP/Project implementation of large scale high impact regional projects in 2022 and beyond and a slowing of implementation of many of the critical partnership based projects identified in the Board approved 2017 Watershed Management plan.

Belfiori then provided an overview of the recommended 2021 budget highlights including a targeting of CIP /Project budgets in two Subwatershed funds (Goose Lake and Lambert Creek) given the ongoing and pending Projects, maintaining other core administrative programs at roughly 2020 levels, and maintaining core watershed management programs budgets at approximately 2020 budget levels. He also noted that the Board packet information closely tracks projected 2020 fund balances and stated that if no increase in SSU is proposed, fund balances will need to be more closely tracked to allow for more precise year end and year to year budgeting. He identified that after the 2021 Budget /Finance Subcommittee meeting, the Personnel Subcommittee met and did reach consensus on a recommendation on the adjustments in employee payroll and benefits based on the Board approved salary policy.

Discussion: Board members discussed the current economic realities and how the proposed recommended budget could affect the long term ability to implement many of the partnership based projects identified in the approved Watershed Plan. Prudhon asked what percentage of the budget went up for policy and personnel. Belfiori answered that the Personnel Subcommittee consensus recommendation would allow up to an average of 3.5% increase based on the Board approved 2018 policy. Jones followed up with additional background on the Personnel Subcommittee consensus recommendation and how it is consistent with the 2018 approved Board Policy. Lindner addressed that flat-lining the SSU will create big decisions in future budget years, and advised we're budgeting the best we can based on current economic conditions. Jones addressed he doesn't agree with the "flat" no increase in SSU given it further delays projects down the road and then he discussed the possibility of reductions in other program budgets to then allow for an increase in 2021 CIP implementation funding. Prudhon identified that a roughly 7% increase was approved within the last few years and Rafferty noted that no

increases had taken place for many years, as VLAWMO was drawing down its fund balance. Youker noted that maintenance on the Ditch 14 system is an important project item for Vadnais Heights and would appreciate the ability to have VLAWMO as a larger partner in Ditch 14 maintenance. Rafferty noted that if a municipality is looking to partner on a project that is ready to go, VLAWMO should consider investing to partner on important projects. Jones proposed going for a \$5 increase for the residential SSU for projects and improving employee health insurance and benefits. Prudhon mentioned that with different referendums that passed and with economic hardships right now, a SSU increase for 2022 should be considered. Jones mentioned the possibility of cutting programming budgets, such as the cost share grant program. Belfiori overviewed the cost share grant program and the relatively high cost-benefit it provides while also noting that completing larger projects may also be more important to VLAWMO's mission. Rafferty noted value in keeping programs alive while cutting their budgets to make room for projects that are ready for implementation.

Jones made a motion and Rafferty seconded to increase the proposed single owner residential Storm Sewer Utility fee from \$50.50 to \$55.50, opening the item for discussion. Jones also identified that he thought that this proposed increase in the SSU rate could go towards providing for some revenue to start to pursue a regional maintenance project on Ditch 14.

Youker made a friendly amendment motion for a 5% increase in the SSU rate for the 2021 budget. Both Jones and Rafferty stated they agreed to this friendly amendment. A motion was then made by Jones and seconded by Rafferty for the approval of Resolution 02-2020, as amended for a 5% increase in SSU rate, for the approval of the 2021 VLAWMO budget. Vote: all five Board members in attendance voting Yea. Motion passed.

**Resolution 02-2020 (Amended per approved motion at the 6/24/20 meeting)
Of the Vadnais Lake Area Water Management Organization (VLAWMO)
Approving the 2021 Budget**

Resolution 02-2020 was moved by Director Jones and seconded by Director Rafferty:

Whereas, the Board of the Vadnais Lake Area Water Management Organization has considered the 2021 Budget as recommended by the 2021 Budget/Finance Committee and the attendant information. The 2021 budget and footnotes are attached to this Resolution, and

Whereas, Total revenue for 2021 is projected at \$\$2,029,059 of which \$935,340 is from the VLAWMO Storm Sewer Utility (5% increase in the VLAWMO Storm Sewer Utility from 2020) and the remainder of the revenue being from a MPCA Loan for the Lambert Pond Project, a MPCA 319 Lambert Project Grant, Fund balance carryover from 2020, BWSR Watershed Based Fund grant, local partnership revenue, and fees/investment income.

Whereas, the total expenditures for 2021 are projected at \$2,029,059 which will be paid utilizing: 1) \$1,134,380 of VLAWMO funds/carry over funds from 2020, and 2) \$894,679 of loan, grant and partnership funds.

Therefore be it resolved that the 2021 Budget, dated 6-24-2020 is approved.

The question was on the adoption of the resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
<i>Dan Jones</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ed Prudhon</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rob Rafferty</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Marty Long</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Patricia Youker</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Jim Lindner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

_____ Board Chair Date

_____ Attest Date

B. Projects

1. Lambert Lake Meander, Res. 03-2020

Tanner presented the findings of fact for the Lambert Lake Meander EAW, as staff has continued to work closely with SEH and the DRN on, which was deemed necessary following the February 2020 VLAWMO Board meeting. Staff conducted an NHIS inventory of species, and species of concern information was communicated to the USFWS, and guidance has been requested for how best to proceed and accommodate requirements during project construction. A formal letter of concurrence from the DNR has been included with the EAW, and it has been determined, based on the recommendation from the Project Engineer, that the meander will be able to be completed with a single mobilization for winter construction. The EAW was completed with consultation and review provided by SEH. Notice was published in Press Publications on 5/20/20, and in the Environmental Water Quality Board Monitor on 5/18/20, with the comment period running from May 19th to June 17th. Received comments are included in the Finding of Fact and have been incorporated into Resolution 03-2020. Plans for the Lambert Lake Meander are nearly complete, but due to additional assistance needed from SEH for the EAW, and permit coordination with the DNR and the USACE, and project planning for the possibility of a 2-stage construction, SEH has estimated another \$11,900 to complete permitting, project final design, and bidding oversight. Staff is requesting approval for an additional \$11,900 in engineering funds. Project construction estimates are also coming in higher than anticipated due to increased sheetpile depth. The MPCA Clean Water Partnership loan does allow for applying for additional funding, but staff will wait until the bidding process is complete before applying for additional funding, if necessary. Lab work on the treatment cells with the UMN researchers also began in early June, with delay caused by needing to be designated as essential workers, and prototype design work is underway in the Twin Cities.

Discussion: Tanner noted that many different options were proposed and talked about with SEH for cost reduction of the project. Jennings rose for questions. Lindner asked if used sheetpile would be acceptable for the project. Jennings noted that a geotechnical engineer would need to review the material to make sure it fits specs, and answered that used sheetpile would be allowed if it met integrity spec. Lindner asked the likelihood of used sheetpile availability. Jennings noted that perhaps excess materials from a job that weren't used may be available, but it is unlikely. Prudhon asked what the difference in used sheetpile age would be to be considered acceptable for use. Jennings answered that as long as the product met specs, it would be useable.

A motion was made by Jones and seconded by Youker for the approval of Resolution 03-2020 ratifying the Finding of Fact and Conclusions resultant of the EAW process. Vote: all aye. Motion passed.

A motion was made by Jones and seconded by Prudhon to approve an additional \$11,900.00 in project funding for engineering and bid administration. Vote: all aye. Motion passed.

Resolution 03-2020

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

Approving the Finding of Fact for the Vadnais Lake Area Water Management Organization (VLAWMO) Bacteria, Nutrient, and Sediment Reduction Project Environmental Assessment Worksheet (EAW)

Resolution 03-2020 was moved by Director _____ and seconded by Director _____:

Whereas, the Board of the Vadnais Lake Area Water Management Organization (VLAWMO) has reviewed the Environmental Assessment Worksheet (EAW) and comments submitted by MN DOT, USACE, MPCA, and Minnesota State Historic Preservation Office, and accompanying responses included in the Finding of Fact prepared by the VLAWMO, and

Whereas, the VLAWMO has the legal authority to manage the County Ditch 14 (Lambert Creek), which is the channel flowing through the wetland basin known as Lambert Lake, and

Whereas, current and past studies support that the Lambert Lake Project, as generally described in the EAW, will provide beneficial results to the wetland resource, downstream water quality, and flood management for the local community, and

Whereas the current project builds upon and improves prior projects constructed at the site and will not adversely impact the wetland,

Therefore, be it resolved that the VLAWMO finds the Lambert Creek Project will have no significant adverse environmental impact and an Environmental Impact Statement is not deemed necessary.

The question was on the adoption of the resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
<i>Dan Jones</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ed Prudhon</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rob Rafferty</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Marty Long</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Patricia Youker</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Jim Lindner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

_____ Board Chair Date

_____ Attest Date

2. East Goose Lake Boat Ramp Agreement

Belfiori opened up the conversation and overviewed the project, and the access being on public land being important for liability perspective and for completing lake management activities on East Goose Lake. Corcoran presented a Memorandum of Agreement (agreement) between VLAWMO and the City of White Bear Lake in regards to construction and installation of a limited-access boat launch on East Goose Lake, as the City owns Right of Way on the Highland Avenue offshoot to the south shore of East Goose Lake. Pursuing a non-public boat launch access was included in Board direction from the April 2020 VLAWMO Board meeting as a key effort to implement an adaptive lake management plan to improve East Goose Lake's water quality over the coming years. The boat launch would be used sparingly, and would allow access for lake surveys, rough fish removal, water quality monitoring and treatment, and vegetation management. VLAWMO would be responsible for operations & maintenance, and is anticipating between \$6,000-\$9,000 for grading and constructing the launch. Private property has been used in the past for these activities, per the generosity of landowners, though liability is also a concern, and a limited-access launch on public property mitigates this issue. All proper permitting agencies have been contacted and are moving forward. Staff is recommending approval of the attached MOU for the East Goose Lake boat launch access. Corcoran noted that the City of White Bear Lake is the only agency requiring permitting, and overviewed the flex-mat. Corcoran overviewed only 2 large trees are anticipated at being removed, along with smaller buckthorn bushes. Access would be restricted with a gate or chains.

Discussion: Lindner clarified that this would not be a public access but limited-use boat access on public easement. Corcoran clarified yes. Rafferty asked for clarification where Highland Ave ends. Prudhon asked about signage. Corcoran noted the only sign would be a small sign on the chain. Jones asked why VLAWMO needs a ramp on East Goose Lake. Corcoran noted that all public waters in VLAWMO are public property and there are several easements in the Watershed that have been gotten over the years (Grass, Lambert, and Pleasant Lake). The main concern is that private access in the past can't be relied upon forever, as well as being a liability. Prudhon asked if the project is being put out for bid. Graser asked about 2 trees and if branch trimming will be necessary. Corcoran addressed that we want it to be as little impact and visibility as possible, but to have enough space to conduct management activities.

A motion was made by Jones and seconded by Rafferty for the approval of the Memorandum of Understanding with the City of White Bear Lake for the East Goose Lake Boat Launch Access with any non-material changes and upon advice of Counsel. Vote: all aye. Motion passed.

C. WCA

1. Anderson Woods South Replacement Plan

North Oaks Company is proposing a 21.43-acre 9-lot single-family residential development known as Anderson Woods South. The project will include a street and utilities. The site does not include any existing structures. Stormwater management practices will provide treatment of runoff before discharge to wetlands after development.

Anderson Woods South will require 0.1925 acre of permanent impact to one wetland. The need for a safe, efficient and functional site access street consistent with land use guidance and accepted engineering practices renders proposed wetland impacts unavoidable. The project has been designed to minimize wetland impacts to the extent practicable and includes construction practices to reduce or eliminate secondary wetland impacts. Permanent wetland impacts will be replaced by withdrawing 0.3850 acre of wetland credit from the North Oaks Company wetland bank, Account #170. This wetland bank is owned by

the Applicant and located within the same County, Major Watershed, and Bank Service Area as the wetland impact. Staff and the Technical Commission are recommending for the Board to approve of the proposed impacts of 0.1925 acres permanent wetland impact and replacement at 2:1 ratio via wetland bank credits 0.3850 acres. Corcoran noted all the proper surveys and proceedings were followed for wetland sequencing, as part of the Wetland Conservation act. Project alternatives were explored but all were deemed infeasible. **Discussion:** Youker asked if the water was as high this year as when it was surveyed. Corcoran answered, though regardless of water levels, all 3 indicators of a wetland must be met to be considered a wetland. Prudhon asked about the length of the cul-de-sac. Gary Eagles answered and that North Oaks does not have an ordinance for cul-de-sac length. A motion was made by Youker and seconded by Prudhon for the approval of the Anderson Woods South Replacement Plan, as proposed. Vote: all aye. Motion passed.

VIII. Discussion/Updates

A. Blue Thumb Resilient yard webinar

Agenda item postponed.

B. Metro-INET JPA Update

Thompson outlined that at the February 2020 Board meeting it was mentioned that Metro-INET was seeking verbal confirmation that its member organizations are invested in moving forward with Metro-INET as a Joint Powers Agreement (JPA). It was not identified in the February Board minutes under discussion if the Board is invested in moving forward. Staff is asking for verbal consensus from the Board in their interest, moving forward, with entering into a JPA with Metro-INET.

Discussion: The Board gave their general consensus on interest in moving forward with and exploring being a JPA member of Metro-INET.

IX. Administration Communication

None.

X. Adjourn

A motion was made by Rafferty and seconded by Prudhon to adjourn at 8:45 pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Tyler Thompson.