



MINUTES OF THE BOARD OF DIRECTORS – August 24, 2022 REGULAR BOARD MEETING

Attendance		Present	Absent
Jim Lindner, Chair	City of Gem Lake	x	
Tom Watson	City of North Oaks		X*
Rob Rafferty	City of Lino Lakes	x	
Ed Prudhon	White Bear Township	x	
Dan Jones, Vice Chair	City of White Bear Lake	x	
Patricia Youker, Secretary-Treasurer	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	
Lauren Sampedro	Watershed Tech & Program Coord.	x	

*= with prior notice

Others in attendance:

Paul Duxbury, VLAWMO TEC

I. Call to Order

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

II. Approval of Agenda

The agenda for the August 24, 2022 Board meeting was presented for approval.

A motion was made by Director Jones and seconded by Director Youker to approve the August Board meeting agenda.

Vote: All aye. Motion passed.

III. Approval of Minutes

The minutes from the June 22, 2022 Board meeting were placed on the agenda for approval, as presented. No comments from the Directors.

A motion was made by Director Youker and seconded by Chair Lindner to approve the June 2022 Board meeting minutes. Vote: Youker: aye, Lindner: aye, Rafferty: abstain, Jones: abstain, Prudhon: abstain. Motion passed.

IV. Visitors and Presentations

A. TEC Report and Financial Report

Commissioner Duxbury described the August 2022 TEC report to the Board of Directors as included in the August Board packet.

Discussion: Director Rafferty inquired about a reference point for how many carp are in the lake compared to the 21,000 lbs that were harvested from Pleasant Lake. Tanner explained that the

21,000 is ~1000 fish. There are currently two estimates for the carp population in Pleasant Lake. One is 273 (note that this is corrected from the statement made by Tanner at the meeting) kg/ha of carp in the lake, which comes to ~130,000 lbs. Tanner noted that 130,000 pounds of carp were harvested in a commercial harvest prior to the current removal effort (~10-20 years ago). The lake had far less vegetation at that time. She said that because the vegetation is healthy in the lake we suspect that the first estimate was high compared to the amount of carp currently in the lake. The second estimate was lower and put an upper goal for harvest at ~1000 fish. This estimate was done as part of WSB's winter effort and included an abbreviated protocol, which is likely a low estimate. A post-harvest estimate is currently scheduled for late summer/early fall to provide an updated biomass estimate. This will help guide the goals for pounds to remove in 2023.

B. Public Visitors – non-agenda items

None.

V. Consent Agenda

Chair Lindner asked if any Board members wished to speak on any of the consent agenda items; (none).

Consent agenda items on the agenda and included in the August Board packet were as follows:

- A. Consider solicitation for bi-annual engineering services for 2023/24 🐦
- B. Consider City of Vadnais Heights WCA application 🐦
- C. Consider MAWD request for 2023 resolutions 🐦
- D. Consider review of MAWD draft strategic plan 🐦
- E. Project updates
 - 1. Birch EWM update
 - 2. East Goose ALM update
 - 3. Wilkinson BMP update
 - 4. Pleasant Lake carp update

A motion was made by Director Prudhon and seconded by Director Youker to approve the consent agenda. Vote: Lindner: aye, Youker: aye, Rafferty: aye, Jones: aye, Prudhon: aye. Motion passed.

VI. Business

- A. Consider contract with Peterson Companies for construction of Biochar Project and consider amended scope for SEH project inspection services: Res. 06-2022 🐦

Corcoran outlined the bid process that occurred in July 2022. Two quotes were received and reviewed by VLAWMO staff and SEH, with the bid recommendation determined as Peterson Companies on August 11th. Corcoran summarized the bidding process noting that the contract and scope of services are included in this month's Board packet, and that they were first drafted at the February 23, 2022 Board meeting. Funding for the effort comes from MPCA 319 grant funds, BWSR Watershed-based Implementation Funding, and the approved 2022 VLAWMO budget.

Staff request the approval of the following Board actions:

1. Approve awarding of the contract for the Biochar project at Whitaker Pond to Peterson Companies Inc. for the construction price of \$132,350;
2. Authorize SEH to sign and transmit the Notice of Award, and Administrator to sign the construction contract and issue the Notice to Proceed on advice of SEH and Counsel and when prerequisites for issuance has been met by the contractor;
3. Authorize Administrator to sign change orders increasing the contract price in an aggregate net amount not exceeding 15 percent of the contract price (\$19,852); and
4. Approve the attached construction and observation amendment in the amount of \$4,000 to the 2-4-2022 SEH scope of services agreement.

Discussion:

Director Youker asked if VLAWMO has used Peterson Companies in the past, and whether the construction difficulties from the 2021 Lambert Lake Pond and Meander project are also a concern for the Whitaker biochar project. Corcoran responded that VLAWMO has not contracted with Peterson Companies in this way, but they have done this type of work for other cities and have provided general consulting information for VLAWMO in the past. Tanner provided that the construction for the Whitaker biochar is different due to it not requiring frozen wetland soils to be constructed. The weather and temperature factors have more flexibility for the Whitaker biochar than they did for the Lambert Lake Pond and Meander project.

Director Rafferty provided that Peterson and Co. has completed successful projects in Lino Lakes.

Prudhon inquired if there's a consequence in place for the project to be completed by the deadline outlined in the contract. Corcoran and Belfiori noted that they will seek advisement from Counsel per the proposed resolution language and provided necessary elements in the contract language.

A motion was made by Director Rafferty and seconded by Director Jones to approve Resolution 06-2022:

Vote: Lindner: aye, Rafferty: aye, Jones: aye, Prudhon: aye, Youker: aye. Resolution passed.

Resolution 06-2022

Of the Vадnais Lake Area Water Management Organization (VLAWMO)

Approving award of contract for Biochar Project (Project) ; approve the notice of award; authorizes the VLAWMO Administrator to sign contract upon receipt from contractor; authorize project construction contingency and approve construction observation agreement with SEH

Resolution 06-2022 was moved by Director Rafferty and seconded by Director Jones:

Whereas, the Board of the Vадnais Lake Area Water Management Organization (the “Board”) is proceeding with the Lambert Lake VLAWMO Bacteria, Sediment, and Nutrient Reduction Project as agreed upon in the grant and loan contracts agreed upon and signed with MPCA in 2019;

Whereas, the Board of the VLAWMO has received a grant from the MN Board of Water and Soil Resources to implement a subwatershed improvement Project which as been targeted for a water quality improvement project in the Lambert Creek subwatershed;

Whereas, the Biochar Project are referenced as “Whitaker Pond Improvement Project” in the formal request for quotes, plans and project specification;

Whereas, the Board has reviewed the plans and a summary of specifications during the June, 2022, Board meeting; authorized solicitation of quotes for Project during the June 2022, Board meeting;

Whereas, in accordance with applicable legal requirements, VLAWMO solicited quotes from six contractors for the construction of the Project on June 29, 2022. Staff received two quotes for project construction on July 21, 2022.

Whereas, S.E.H has submitted a recommendation of award memorandum dated August 11, 2022 in which identified that they reviewed the two quotes received and issued a recommendation to hire Peterson Companies, Inc. in the lump sum amount of \$132,350. In this same memo SEH also recommended a 15% contingency available to cover unforeseen conditions during construction in the amount of \$19,852.

Whereas, staff also recommends approval of the SEH scope amendment for construction observation services for the amount of \$4,000

Therefore be it resolved that the VLAWMO Board:

1. Approve awarding of the contract for the Biochar project at Whitaker Pond to Peterson Companies Inc. for the lump sum construction price of \$132,350;
2. Authorize SEH to sign and transmit the Notice of Award, and Administrator to sign the construction contract and issue the Notice to Proceed on advice of SEH and Counsel and when prerequisites for issuance has been met by the contractor;
3. Authorize Administrator to sign change orders increasing the contract price in an aggregate net amount not exceeding 15 percent of the contract price (\$19,852); and
4. Approve the attached construction and observation amendment in the amount of \$4,000 to the Feb. 4, 2022 SEH scope of services agreement.

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>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ed Prudhon</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rob Rafferty</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tom Watson</i>	<input type="checkbox"/>	<input type="checkbox"/>	X
<i>Patricia Youker</i>	X	<input type="checkbox"/>	<input type="checkbox"/>

Jim Lindner

X

_____ Board Chair Date

_____ Attest Date

B. Consider authorizing local/agency review of minor watershed plan amendment 

Tanner explained that one of the reasons for completing a plan amendment now is that VLAWMO has completed all of the projects outlined on the current budget table and the projects need to be updated to support future grant eligibility. VLAWMO strives to complete the minimal amount of changes to the plan while remaining eligible for grants as projects are selected for implementation by partners. A more thorough overhaul to the Plan will begin in 2024.

VLAWMO staff requested that the Board authorize the proposed changes and updates to the Plan and authorize staff to begin the notification, review, and comment process as detailed by BWSR.

Pending comments from review authorities, it is anticipated that a required public meeting will be noticed and held as required by BWSR and that the Board will consider the final version of the amended Plan later in 2022.

Discussion:

None

A motion was made by Director Jones and seconded by Director Youker to authorize the proposed changes and updates to the Plan and authorize staff to begin the notification, review, and comment period, as specified by BWSR. Vote: Lindner: aye, Rafferty: aye, Prudhon: aye, Jones: aye, Youker: aye. Motion passed.

C. Consider SSU rates for 2023: Resolution07-2022 

Administrator Belfiori introduced the proposed utility rates for 2023. The approved 2023 budget provides that there’s a roughly 6.6% increase for 2023. He also presented a comparison with other watersheds in the vicinity.

The timeline moving forward is to identify any changes in the database to accommodate 2023 rates from August-October. The October 2022 Board meeting will include a full list of parcels to be certified for the Board’s consideration.

Discussion:

Chair Lindner commented that VLAWMO utility rates are consistently below the neighboring entities.

A motion was made by Director Rafferty and seconded Director Jones to approve resolution 07-2022. Vote: Rafferty aye, Prudhon: aye, Youker: aye, Lindner: aye, Jones: aye. Resolution passed.

**RESOLUTION NO. 07-2022
Of the Vadnais Lake Area Water Management Organization (VLAWMO)**

A RESOLUTION APPROVING THE STORMSEWER UTILITY RATES FOR 2023.

Resolution 07-2022 was moved by Director Rafferty and second by Director Jones.

WHEREAS, the 2023 Budget of the Vadnais Lake Area Water Management Organization (VLAWMO) has been approved by the VLAWMO Board of Directors and

WHEREAS, Storm Sewer Utility (SSU) Rule of the Vadnais Lake Area Water Management Organization, has been applied to the properties within the boundary,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION, The SSU Rates for 2023 will be as follows:

Classification	Total Amount	R. E. F.	Rate
Residential 1-3 Units	\$641,051.40	1.00	\$61.80/ Unit
Residential 4 or more Units	\$42,050.27	2.72	\$89.64/ Acre
Commercial	\$158,932.47	4.23	\$89.64/ Acre
Industrial	\$136,784.48	3.30	\$89.64/ Acre
Institutional	\$92,743.03	3.30	\$89.64/ Acre
Golf Courses	\$14,742.16	0.74	\$89.64/ Acre
Agricultural	\$10,457.93	0.25	\$89.64/ Acre
Vacant Land	\$0	Exempt	\$0.00
Road/Railroad ROW	\$0	Exempt	\$0.00
Wetland/Public Waters	\$0	Exempt	\$0.00
Other Exempt	\$0	Exempt	\$0.00
Totals	\$1,096,761.74		

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>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ed Prudhon</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rob Rafferty</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tom Watson</i>	<input type="checkbox"/>	<input type="checkbox"/>	X
<i>Patricia Youker</i>	X	<input type="checkbox"/>	<input type="checkbox"/>

Jim Lindner

X

_____ Board Chair Date

_____ Attest Date

D. Consider spent lime feasibility study for Oak Knoll Pond partnership MOU with City of WBL 

Belfiori provided a background on spent lime research that was conducted at the Ash Street pond in Lino Lakes in 2021. The next stage in that research is to pursue transition to a larger pond to research in an incremental approach the new spent lime technology for water quality improvement. It is proposed by the engineering partners to transition from the Ash Street pond study to the larger Oak Knoll Pond in White Bear Lake. Belfiori explained that before this study is to continue, landowner and site access assessments are to occur. A request to move forward for implementation would be brought to the Board in 2023 if the project is deemed feasible by the Engineer as a result of this study. Tonight’s request is to authorize a scope of work for this feasibility study and a MOU with the City of White Bear Lake to split the cost of study development.

Director Jones inquired as to what the source of water is into Oak Knoll Pond. Belfiori responded that the pond is primarily fed by stormwater and receives little to no groundwater input. Director Jones asked where the pond drains to and Belfiori responded that it drains into East Goose Lake to the north. Director Jones also inquired as to how spent lime was proposed as an alternative alum treatment. Belfiori responded that research on things such as pH, biology, chemistry, and duration of benefit are still underway, and that this study will assist in that understanding. Director Jones asked about the potential for cost savings compared to alum treatment due to the wide availability of spent lime. Belfiori responded that alum as a raw mineral is increasing in cost over the last several years. The potential exists; however engineering and labor costs would still remain, thus an accurate cost savings estimate isn’t available at this time.

Chair Lindner commented that this is a first step in understanding how the project works.

Director Prudhon asked whether there’s any recreational restrictions after a spent lime treatment is applied. Belfiori responded there are no restrictions to his knowledge, but project engineers recommended considering wind during the application to reduce carrying the spent lime to landowners’ nearby plants.

Director Rafferty asked whether there’s a cost to dispose of spent lime slurry at water treatment plants, Director Jones confirmed this is so.

Discussion:

A motion was made by Director Youker and seconded by Director Jones to approve the proposed scope of work for the spent lime project study and to approve the MOU in partnership with the City of White Bear Lake. Vote: Lindner: aye. Rafferty: aye, Prudhon: aye, Youker: aye, Jones: aye. Motion passed.

VII. Discussion/Updates
None

VIII. Administration Communication

Discussion:
None

VII. Adjourn

A motion was made by Director Rafferty and seconded by Director Jones to adjourn at 7:44 pm.
Vote: all aye.

Minutes compiled and submitted by Nick Voss.