



MINUTES OF THE BOARD OF DIRECTORS

Meeting was held at: St. Paul Regional Water Service, Administration Bldg. 2<sup>nd</sup> floor conference room, 1900 Rice Street, Roseville, MN

April 22, 2015

ATTENDING:

Absent	Gem Lake
Rob Rafferty	Lino Lakes
Marty Long	North Oaks
Marc Johannsen	Vadnais Heights
Dan Jones	White Bear Lake
Ed Prudhon	White Bear Township

Kristine Jenson	VLAWMO Program Manager
Brian Corcoran	VLAWMO Water Resources Manager
Vanessa Strong	VLAWMO Communications & Education Programs Manager

Also in attendance: Tom Peterson, TEC Representative; Jenifer Sorensen DNR; Chris Mann North Oaks; Bob Larson North Oaks; Diane Gorder North Oaks

**I. Call to Order**

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

**II. Approval of Agenda**

Board asked to move Public Comment (Item X) to before New Business (Item V) and to move Item V.E. to Item V.A and shift the others down. In the future, discussion of the NE Metro Water Supply can become an Old Business agenda item.

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

**III. Approval of Minutes from February 25, 2015**

A motion was made by Long and seconded by Jones to approve the minutes from the February 25, 2015 Board of Directors Meeting. Vote: all aye. Motion passed.

**IV. Technical Commission (TEC) Report to the Board**

**A. Activity Summary**

Peterson reviewed activities that have occurred since February's Board meeting. Items included:

1. CIP – Bullheads will be harvested for the final installment of our contract on Goose Lake. Deep Lake Channel scheduled for fall; developing JPA for Sucker Lake Channel project.
2. Monitoring – Enhanced chloride monitoring on Birch in partnership with BLID. Spring chloride monitoring;
3. Planning – Annual Report ready to and Water Plan update. Draft Gem Lake & Black Lake SLMP's complete.
4. Outreach & Education – Dates are set for spring workshops; new Community Blue educ. & Landscape 2 grants are drawing interest.
5. Water Plan – Think big for future CIP projects in next 10yr plan

**B. April financial report**

The Board reviewed the April Financial Report.

**V. Public Comment** Jenifer Sorensen from the DNR introduced herself and said she is replacing Molly Shodeen as metro area hydrologist. Molly is retiring in June.

**VI. New Business**

**A. Discussion of impact to VLAWMO main chain of lakes by NE Metro Water Supply Report**

At the February Board meeting, Stephanie produced a memo with questions to consider regarding the possibility of augmenting water resources in the area via the Mississippi River and the effects it may have on the chain of lakes within VLAWMO. The Board had a good discussion and wanted to keep this item on the agenda for future meetings. At this point, staff would like the Board to consider whether VLAWMO should generate an official statement or position on the subject to submit to the appropriate agencies regarding the topic. This could be something the Policy and Personnel Committee crafts which could be brought to the Board for approval at the June meeting.

**Discussion:** Long stated City of North Oaks thinks VLAWMO is the right spokesperson for the communities in the watershed on the potential impacts of this project and agrees that a feasibility study must be done to address the possible impacts to the system with increased water volumes.

Jones stated potable water and augmentation of White Bear Lake are two different things and need to be separated. Wants to know who owns what and is concerned by VLAWMO investing money into projects that may be affected by changes in increased water volume through the system. Wants to know if augmentation of White Bear Lake will affect anything within VLAWMO, directed staff to investigate any possible issues.

Johannsen agreed potable water and augmentation should be separated and concerned about investing in the system now knowing that the system may change in the future and we don't have control over it. Stated there are just too many unknowns yet to generate an official statement or position on the subject. Wants to continue to monitor the situation and wait to see what the legislature does. Wants to make sure whatever plan is developed that it is fair to everyone involved and does not restrict anyone. Mann stated her concern about the precedence of this project statewide and thinks the lawsuit should go forward.

**B. Water Plan Update**

The current 10-year Water Plan will expire December 31, 2016. We will need to update that plan with the substantive assistance of our Stakeholders (Joint Powers Agreement (JPA) members, local and State agencies, local residents and citizen groups) before that time. This is an intense process that takes 1.5-2 years to complete so it's time to get started. Concurrently VLAWMO will need to work with the JPA member municipalities to review and renew the Joint Powers Agreement under which we operate. The VLAWMO JPA will expire at the same time as the current Water Management Plan.

**1. Timeline for Update**

Kristine reviewed the timeline for the water plan update. The process involves our Board, TEC and stakeholders to develop the priority concerns and projects for the next 10 years. We are hoping to avoid a lot of special meetings but they may be needed in order to keep up with the timeline. Our current plan expires on 12/31/2016 and our timeline is actually pretty tight to meet this deadline. If all goes according to our ambitious timeline, we'd have the Plan approved in October 2016.

**2. Notice of Intent to Update the Plan – Res. 01-2015**

To officially start the Water Plan Update, the Board needs to pass a resolution stating our intention to do so. Resolution 01-2015 has the necessary language to do complete this step.

**RESOLUTION 01-2015**

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

**April 22, 2015**

The Board of Directors of the Vadnais Lake Area Water Management Organization met in a regular meeting at the St. Paul Regional Water Service Administration Building on Wednesday, the 22<sup>nd</sup> day of April, 2015 at 7:00 o'clock p.m.

The following members were present: Rob Rafferty Lino Lakes; Marty Long North Oaks; Marc Johannsen Vadnais Heights; Dan Jones White Bear Lake; Ed Prudhon White Bear Township  
The following members were absent: Bob Uzpen Gem Lake

Resolution 01-2015 was moved by Director Jones and seconded by Director Long:

**RESOLUTION NO. 01-2015**

**A RESOLUTION NOTIFYING ALL APPROPRIATE LOCAL AND STATE PLAN REVIEW AGENCIES AND OTHER INTERESTED PARTIES THAT VLAWMO INTENDS TO REVISE AND UPDATE ITS COMPREHENSIVE WATER MANAGEMENT PLAN FOR THE YEARS 2017-2026, AND THAT IT WILL ALSO FACILITATE THE REVIEW AND RENEWAL OF THE ENABLING JOINT POWERS AGREEMENT.**

WHEREAS, the Vadnais Lake Area Water Management Organization (VLAWMO) is required to adopt a 10-year Comprehensive Water Management Plan (Plan) consistent with Minnesota Statutes Chapter 103B, 103D and 471.59, and

WHEREAS, the current Water Management Plan will expire December 31, 2016, and

WHEREAS, VLAWMO intends the new Plan to be inclusive and consistent with the relevant ordinances, rules, policy, programs and plans of its member municipalities and other applicable local and State Plan Review agencies,

THEREFORE BE IT RESOLVED, that the Vadnais Lake Area Water Management Organization will immediately provide notice to the identified list of Plan Review Agencies of its intent to update the VLAWMO Water Management Plan and request of those Agencies a summarized resource assessment,

BE IT FURTHER RESOLVED the Plan Review Agencies shall include all those identified by Minnesota Rules 8410 and all local agencies shall include at a minimum all member municipalities, County agencies and neighboring watershed management organizations, and

BE IT FURTHER RESOLVED that VLAWMO will advise its member municipalities that a review and

revision of the VLAWMO Joint Powers Agreement will be done concurrent with the Plan update.

The resolution was declared passed and adopted by the VLAWMO Board of Directors.

Vote: all aye. Resolution Passed.

**3. Concurrent JPA Update**

Background: The JPA enables our watershed and must be signed by all of our member municipalities. The current JPA expires the same time as the Water Plan, December 31, 2016.

The last time it was drafted in 2005 – 2006 involved a fair amount of discussion as there was substantial reorganization of the watershed. This time may not require as much time or discussion but there may be a few changes beyond changing the expiration date.

The new JPA will be added as an appendix to the new Water Plan. The Board of Water & Soil Resources (BWSR) has approval authority over the VLAWMO Water Plan but will only review the new JPA to assure consistency with State requirements.

There are at least a couple of changes VLAWMO and its members may want to consider.

1. The JPA must include the description of the geographic area of jurisdiction. A legal description used to be required. Now a good GIS map may be used. I would suggest changing to the GIS map. Last time we hired an engineering firm to make the legal description based on our map. The one time we tried to use the description to clarify a section of boundary with Ramsey Washington Metro WD, that portion of the description had inaccuracies.
2. The JPA still lists assessing the member communities as a main source funding for the watershed although the Storm Sewer Utility was appended when passed. The funding section needs

cleaning up and VLAWMO & its members may elect to remove the assessment option or modify it to allow for project benefit based assessment.

Johannsen asked that staff put together a list of possible JPA changes for each community to consider for the June Board meeting.

Recommendation: direct the Policy & Personnel to review the JPA and make a list of suggested changes. The changes could be sent to the VLAWMO attorney for redrafting the JPA. After Board consideration of a draft JPA, it could be forwarded to our members for review and comment.

Johannsen stated that staff and the Policy & Personnel Committee can review the JPA and bring recommendations for it at the June meeting.

#### **4. Consideration of Consultant Proposals**

Background: As previously discussed VLAWMO operates under a Comprehensive Water Management Plan which expires December 31, 2016. Our staff will be very involved facilitating stakeholder meetings, writing content, preparing materials. However consulting help is needed to augment staff in a variety of areas including engineering, public involvement, processing data and other technical assistance.

Requests for Proposal were sent to eight firms that do water planning type work and have worked with different entities. VLAWMO received Proposals from three, probably in part due to the relatively modest budget for this 18+ month effort of up to \$50,000. Other watersheds have contracted for this work with ranges of cost from \$30,000 or less to \$150,000 or more.

The three firms we received bids from, Burns & McDonnell, HDR and Wenck, VLAWMO has worked with successfully in the past. Staff has interviewed all three. We feel that probably every one could do a good job and they were all within the budget range of \$30 - \$50k. We offered the option of providing a la carte items (e.g. attending extra meetings, GIS or formatting assistance). We attempted to determine which proposal best met the consulting needs identified.

**Recommendation:** The proposal from Wenck Associates came as the low bid at \$41,433 and even with two recommended extra services (about \$6000) remains the low bid. **It is recommended to approve the proposal from Wenck with direction to staff that total costs will not exceed \$48,000 without approval by the Board.**

Discussion: Long stated the not to exceed amount should be \$50,000, amount originally budgeted for plan, directors agreed.

A motion was made by Prudhon and seconded by Jones to hire Wenck as the consultant for the Water Plan Update with total costs not to exceed \$50,000. Vote: 4 aye, Long abstain Motion passed.

#### **C. Annual Report approval for distribution**

Vanessa presented the annual report which is sent to BWSR and stakeholders. Vanessa worked with a consultant, HDR, to reformat the annual report and the Board was able to look at a draft of it at the February Board meeting. At this time, staff would like the Board to accept the Annual Report and direct its distribution to appropriate State and local agencies.

A motion was made by Long and seconded by Jones to accept the 2014 Annual Report and directs staff to distribute it to the appropriate State and local agencies. Vote: all aye. Motion passed.

#### **D. Whitaker Stormwater Project – LCCMR request**

Recommendation: Staff requests the Board direct staff to pursue a grant from the MN Environment and Natural Resources Trust Fund for a stormwater project near Whitaker pond. The grant application materials are largely completed by our partners at Burns & Mc Donnell. At this point no commitments or funds are involved beyond applying for the grant.

Why: Whitaker pond & its forebay serve a 650 acre stormwater drainage area. The pond alone is significantly undersized for the drainage. This is a function of the available space. The forebay installed five years ago, expanded the capacity of the stormwater treatment system but there is still export of nutrients and sampling of the Dillan ditch outlet is a frequent bacteria hot spot. More needs to be done to address the nutrients in the stormwater which exceed the state standard of 130 mg/l. Bacteria exceeds the acute state standard; in other words it will spike to high levels sporadically.

What: The goals of this project are to reduce bacteria and nutrient loads to Lambert Creek and to conserve groundwater by storing and using surface water runoff for irrigation. To accomplish this, Whitaker Pond, its upstream forebay, and the wooded area to the west of Whitaker Pond would be modified by 1) constructing a treatment wetland to reduce bacteria loads to Lambert Creek during low flows, 2) constructing a subsurface retention basin to store treated water for irrigation use at Columbia Park and 3) restoring the wooded area to the west of Whitaker Pond to use as an infiltration area to reduce nutrient loads.

Staff has determined that the goals of this project and the implementation of a constructed treatment wetland targeted at bacteria reduction and a stormwater reuse system make it an excellent candidate for a Legislative-Citizen Commission on Minnesota Resources (LCCMR) Environment and Natural Resources Trust Fund (ENRTF) grant. The ENRTF grant, if awarded, would fully fund design, construction and post-construction monitoring of the project. Staff requests that the Board of Directors approve submittal of the grant application to the LCCMR.

Anything that happens here will, of course require the partnership of our municipal partners, White Bear Township and White Bear Lake. Nothing will happen without their approval and direction. A motion was made by Johannsen and seconded by Jones to direct staff to pursue a grant opportunity via the LCCMR for a stormwater project at Whitaker Pond. Vote: all aye. Motion passed.

**E. Introduction of 2016 draft budget**

Kristine informed the Board that it is time to prepare the budget for 2016. What was sent out with the Board packets is the budget with the 2016 column empty. Stephanie will be meeting with staff to get their input for budget items and the Finance Committee will be meeting next week to further flesh out the budget. A proposed budget will be sent to the Board prior to the June meeting which is when the Board will need to approve the 2016 budget. If you have any input on the budget, please contact Stephanie as soon as possible.

**VII. Report from the Chair** Johannsen stated that he enjoyed the tour of the St. Paul Water Utility and would like it if we could arrange something like this once per year in conjunction with a Board meeting.

**VIII. Administrator's Report** None.

**IX. Director's Report** None.

**X. Next Meeting – June 24, 2015**

**XI. Adjourn**

A motion was made by Rafferty and seconded by Jones to adjourn at 7:58 pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Kristine Jenson and Brian Corcoran.