



MINUTES OF THE BOARD OF DIRECTORS
 August 24, 2016

In Attendance		Absent
Marc Johannsen	Vadnais Heights	
Bill Walsh	White Bear Lake - alternate	
Ed Prudhon	White Bear Township	
Rob Rafferty	Lino Lakes	
Marty Long	North Oaks	
Jim Lindner	Gem Lake - alternate	
Stephanie McNamara	Administrator	
Kristine Jenson	Program Manager	
Brian Corcoran	Water Resources Manager	
Nick Voss	Education & Outreach Coordinator	

Others in attendance: Paul Peterson (TEC Chair), Antone & Mary Gregory (VH residents), Mike Brandt (Kimley-Horn), Todd Ullom (Sambatek)

I. Call to Order

The meeting was called to order at 7:00 pm by Chair Johannsen. A quorum is present for the meeting.

II. Approval of Agenda

Steph asked to move Item V.I. to the top of the New Business agenda
A motion was made by Prudhon and seconded by Rafferty to approve the agenda as amended. Vote: all aye. Motion passed.

III. Approval of Minutes from June 22, 2016

A motion was made by Rafferty and seconded by Prudhon to approve the minutes from the June 22, 2016 Board of Directors Meeting. Vote: 4 ayes. Motion passed. Walsh & Lindner abstained

IV. Technical Commission Report to the Board

A. Activity Summary

Peterson shared the following: the TEC recommended approval of the Kohler Streambank project, Whitaker Wetlands contract, Wilkinson-Goose feasibility RFP, and Goodwill Replacement Plan.

B. August Financial Report

Stephanie said that our budget is on target for this time of the year. We have gotten our first payment for the year from the Storm Sewer Utility. Prudhon asked how the new bookkeeper is working out. Stephanie said it is getting quicker each month as she learns the ropes.

V. New Business

A. Update on 2017-2026 Watershed Management Plan Process

The final 90-day review and comment period closed on August 19. The BWSR Central Committee will meet on September 8 and VLAWMO staff will be on hand to give a presentation about the new Plan and ask for them to recommend approval of the Plan to the BWSR Board. Mary Peterson, our BWSR Board Conservationist will also be there to present the Plan to the Committee. The BWSR Board meets on September 28. Staff will be at that meeting but likely won't have to make a presentation again. Stephanie stated the Joint Powers Agreement is complete and all the signatures have been obtained.

B. Water Standards Policy

Brian stated that the Water Policy was updated recently to coincide with the updated Water Plan. The draft of the update to the water policy was distributed to the Board and will be going to our municipalities for comment. Some highlights include a change in wetland buffer widths to be consistent with the Wetland Conservation Act (WCA), an increase in the rate control from 0.5inch runoff to 1.1inch runoff which includes development, redevelopment, and drainage alterations (including roads) creating new impervious areas greater than 10,000 square feet (sq. ft.) and more detailed policy on streambank and shoreline alterations including a shoreline & streambank erosion intensity calculator. The standards are meant to meet current recommendations and be able to mesh with what already exists with the communities. Stephanie said we will be asking municipal engineers and staff for comments and then it will be brought to the October Board meeting for consideration.

C. Whitaker Treatment grant contract

VLAWMO went out for bid for lead engineering services on the Whitaker wetland project. VLAWMO received bids from Burns & McDonnell and WSB Inc. B&Mc budget includes preliminary and final design and permitting, construction management and construction of treatment cells, effectiveness monitoring, education & outreach and final report and dissemination. WSB Inc. budget does not include construction cost or monitoring costs. Neither of these budgets include the cost of Tim LaPara's work from the U of M who has estimated \$30,000 for the pathogen study on the treatment cells the LCCMR requires.

The TEC recommends the Board approve the engineering services contract with Burns & McDonnell. Discussion: Rafferty how the extra \$30,000 will be handled. Stephanie stated that until we have construction bids, we won't know if our grant will have enough money to cover it. The U of M work is was a requirement of receiving the grant and may cost up to \$30,000 over 3 years – mainly to pay for interns and analysis of possible pathogens in the Whitaker system.

A motion was made by Lindner and seconded by Long to approve the engineering services contract with Burns & McDonnell. Vote: all aye. Motion passed.

D. Koehler Streambank restoration contract

This reach of the Lambert Creek is just south or downstream of Koehler Road in Vadnais Heights and includes one of VLAWMO's monitoring flumes. A portion of the area has a problem with erosion for year for years. A high volume of surface runoff feeds into the creek just below (downstream) of the flume. Technical staff at VLAWMO and Ramsey Conservation District has determined that a different approach is needed to correct the erosion and stabilize the area. A drop structure and pipe have been added to the design to capture the erosive stormwater runoff. Otherwise much of the design is similar to what has been used successfully upstream at flume 2. Plantable BioD blocks build a stable terraced stream bank in the steepest areas, with erosion blanket, seed and plant plugs in the rest of the area. The tree canopy would be opened up to assist growth of the new native plants.

Two bids have been received from reputable firms, both of whom VLAWMO has worked with in the past. The low bid is from Outdoor Labs for \$98,466.98. Landscape Architects bid was \$132,187. The engineers estimate for this project is \$65,000 which means our lowest bid is \$33,466 over what was anticipated. VLAWMO has currently committed \$15,000 toward the project with \$50,000 coming from a State Clean Water Fund grant. It has been determined that the state funding requires prevailing wage rates to be used. This is driving an increase in labor costs on a labor intensive project. The scope of the project could be reduced to decrease expense. However, because of access issues (the creek flows through residential back yards) and active erosion that has only been worsened by this year's storms it is felt that the job should go forward and all the streambank should be stabilized at one time. The City of Vadnais Heights is interested in expanding the project to stabilize other areas in need downstream to Oak Creek Drive. They would use the same contractor. Some of the area Vadnais Heights would do may not need as much work as the area around the flume but this would significantly extend the size of the stabilization project. Partnerships on this

project have garnered both \$50,000 in State funding with Ramsey CD and a greatly expanded scope with the City of Vadnais Heights committing to stabilization of another 900 lineal feet of Lambert creek.

Funding for this project could come from the budgeted line item with additional funds coming from the Sucker channel project which has been postponed until 2017.

Staff, after consulting with the design team at Ramsey Conservation District and the City of Vadnais Heights is recommending accepting the lower bidder, Outdoor Labs in a contract not to exceed \$99,000. Staff will work with the contractor to secure savings where possible. Additional funds will be transferred from the Sucker Channel restoration project.

Discussion: Rafferty asked who the engineer was on this design. Brian stated that we worked with Ramsey Conservation District who had an engineer from Washington Conservation District.

Rafferty raised the concept of thinking “outside the box” when it comes to receiving bids. Bids seem to have been varied for the same project. There was discussion about how we can put out a wider reach for the RFPs. Prudhon suggested we discuss this issue with our attorney to make sure we are doing things in a transparent manner. Kristine stated that there are rules for putting things out for bid and Stephanie stated that we can talk to the attorney to assure we are following the rules. Staff also noted that the work being done is specialized so it is important to get skilled, experienced contractors. Pre-qualifying contractors can save their time and VLAWMO’s.

A motion was made by Lindner and seconded by Rafferty to accept the bid and enter into a contract with Outdoor Labs for a total of up to \$99,000. Vote: all aye. Motion passed.

E. Boundary Change Update

The BWSR Board is meeting on August 24-25, 2016 and will be considering our Boundary Change petition. There were no comments from the public regarding the change and it is expected to be approved by the BWSR Board. We will update you at the next meeting. Because this is a non-controversial item for the BWSR Board, we have included the 96 parcels in the 2017 SSU rate calculations. The income from these parcels is roughly 0.86 of 1% of our budget for 2017 so it is felt that even if a hiccup occurred in our being able to assess the parcels, it shouldn’t have a significant impact on our budget.

F. Storm Sewer Rates for 2017

The annual SSU rates are based on the budget approved by the Board each June for the following year. The Storm Sewer Utility is based on the amount of impervious surface generally associated with different land use types and provides the major financial support for watershed activities. As discussed at the June Board meeting when the 2017 Budget was passed, the SSU rates will go up. This year we anticipate the SSU will provide a sustaining level of income for the anticipated projects and programs identified in the new Water Plan. In other words, we are not drawing down our reserves to cover operating expenses. Grants have helped defray some of the costs and allowed VLAWMO to do more than is reflected in annual budget. But they are an unreliable source of income. The proposed 2016 SSU annual rate is \$36.84/unit or \$53.40/acre. This is an increase of 27.38% from last year. Single family residential units will increase by \$7.92/year or about \$0.66/month. On nonresidential property the rate increased \$11.52/acre or \$0.96/month. The additional parcels from the boundary change helped absorb some of the increase. Again, our budget is no longer being subsidized by drawing down reserves. The SSU is at a sustainable level. The budgets anticipated in 2017-2026 Water Plan anticipate a fairly modest annual increase. This rate includes a 0.8% buffer to account for subsequent changes.

Discussion: Lindner asked why railroads were exempt. Stephanie stated that the Board decided on this because railroads were seen as a comparison to roads and we don’t assess roads. Long and Rafferty expressed the pain factor of the larger increase. Stephanie explained that the fact that we aren’t using reserves to cover expenses, the increase was necessary in order to accomplish the

items that are in the Water Plan. Long and Rafferty discussed the need to make sure we spend money well and in a transparent manner. Johannsen reminded that the Board that they had approved our 2017 Budget at the last meeting. It was noted at the time that an increase in Storm sewer fees would be needed. Johannsen stated that we approved the draft plan and the 2017 budget and if the Board decides they can't be behind it, then it will require special meetings to make changes to meet deadlines. Rafferty stated he understands Johannsen's statements but he is expressing concern about our bids we have been receiving and the bid process which is spending additional VLAWMO money when the bids come in too high. Johannsen stated that he agrees to the concern that the engineer estimate was \$30,000 less than the low bidder and that the two bids were so different. Long recognizes that he should have noticed the change in the SSU rate earlier. Long stated that we need to do a better job with the bidding process to get more consistent bids.

Recommendation: Approval of Resolution 06-2016 setting the Storm Sewer Utility Rates for 2016.

RESOLUTION 06-2016

Of the Vadnais Lake Area Water Management Organization (VLAWMO)
August 24, 2016

The Board of Directors of the Vadnais Lake Area Water Management Organization met in a regular meeting at the Vadnais Heights City Hall on Wednesday, the 24th day of August, 2016 at 7:00 o'clock p.m.

The following members were present:

Johannsen, Long, Prudhon, Rafferty, Walsh, Lindner

The following members were absent: none

RESOLUTION NO. 06-2016

A RESOLUTION APPROVING THE STORMSEWER UTILITY RATES FOR 2016.

WHEREAS, the 2017 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 2016 will be as follows:

Classification	Total Amount	R.E.F.	Rate
Residential 1- 3 units	\$377,462.64	1.00	\$36.84 / Unit
Residential 4 or more	\$22,840.89	2.72	\$53.40 / Acre
Commercial	\$119,721.39	4.23	\$53.40 / Acre
Industrial	\$62,005.06	3.30	\$53.40 / Acre
Institutional	\$53,470.04	3.30	\$53.40 / Acre
Golf courses	\$8,783.58	0.74	\$53.40 / Acre
Agricultural	\$6,310.73	0.25	\$53.40 / Acre
Vacant/Road/RR/Water	\$0	Exempt	\$0.00

Resolution 06-2016 was moved by Long and seconded by Rafferty. Vote: all aye. Motion passed.

G. Wilkinson and Goose feasibility analysis RFP

In the new Water Plan, a priority is to address the high nutrient levels in our watershed by first focusing on the Goose Lake basins and Wilkinson Lake. These waterbodies were picked because they both act as headwaters to other waterbodies. For instance, before we can address any potential issues in Deep Lake, we must first reduce the nutrients in Wilkinson Lake since it directly feeds Deep. In order to ascertain the best possible projects or programs for nutrient reduction, VLAWMO budgeted \$25,000 to hire a consultant to develop a feasibility report. The consultant would analyze the available data for both lakes, determine where gaps in data may exist, understand the unique characteristics of the lakes, and develop a list of programs or projects which provide the greatest nutrient reduction possibilities along with cost estimates for implementation. The \$25,000 is budgeted with 2017, however staff feels the time is right to begin the process in order to have valuable information prior to future grant application deadlines. The draft RFP is included with this memo for your review.

The TEC recommends the Board approve the RFP to start the process of finding a consultant to help with this endeavor.

Discussion:

A motion was made by Prudhon and seconded by Lindner to direct staff to distribute the RFP for the Wilkinson and Goose Lake Feasibility Analysis and report the response back to the Board at the October meeting. Vote: all aye. Motion passed.

H. Administrative Review

The Policy and Personnel committee met and completed a review and have recommended that Stephanie receive a step increase prorated to her anniversary date.

A motion was made by Prudhon and seconded by Lindner to approve the step increase for Stephanie. Vote all aye. Motion passed.

Rafferty asked why we have the step increase system. Stephanie said it was based on a market assessment in order to bring staff salaries to a competitive level. Johannsen stated that prior to 2014, staff were under paid compared to counterparts in the watershed world.

I. Goodwill WCA Replacement Plan

Brian presented the background regarding this public. This project has gone through numerous plan revisions in order to reduce the amount wetland impact and provide as much mitigation on site as possible. There will be a little over 18000 SF of impact but the plans are to mitigate 14000 SF on site. The remainder will be met through wetland banking credits at a 2:1 ratio.

A wetland replacement plan has been submitted. A summary of the information is as follows: The site is a 4.34 acre property with two delineated wetlands. One is type 3 (PEMF) shallow marsh and one is type 1 (PEM1A) seasonally flooded wetland. The site is located south of County Road 96, west of Interstate 35E and east of Centerville Road (across from Culver's). The developer is proposing a Goodwill retail store. In order for development of the property, the northern end of the shallow marsh wetland will be impacted (filled). Impact will be 18,427 SF. This impact does not qualify for a De Minimis, or no-loss exemption. There are concerns that on-site mitigation success will be an issue after 5yrs and the developer will ultimately have to buy banking credits outside of watershed due to the quality of mitigation site. The current VLAWMO policy is to mitigate on site. WCA sequencing was addressed and no viable sites within the watershed were available for wetland mitigation. VLAWMO also does not have any banking sites within the watershed for a developer to buy credits.

BWSR and the Army Corps prefer banking credits and have approved of the banking credit plan at a 2:1 ratio. VLAWMO also wanted to see some onsite mitigation along with additional stormwater treatment. In the process of twelve different plans and many meetings VLAWMO, the developer/applicant and the City of White Bear Lake have agreed on a proposed plan. This includes the 2:1 purchase of banking credits, 14,406 SF of onsite mitigation, reduction of parking stalls, reduction of impervious area, addition of stormwater treatment pond, grass swale for stormwater

pretreatment before entering storm pond, underground stormwater treatment that will also treat stormwater from property to north of site and tree trenches.

Staff recommends the TEC recommend approval to the Board of the replacement plan.

Discussion: Prudhon asked how the drainage will flow on the site. Brian stated that most of the stormwater runoff will remain on site.

Lindner asked who is in charge of the maintenance on the weir that will be on site. Brian stated that the City is including in their agreement that the site manager. Linder asked who would be checking on the maintenance. Brian stated that it falls to the City to oversee the maintenance because VLAWMO is not a permitting authority. Prudhon asked how they would be able to access the weir for maintenance. Brian stated they would come off of Centerville Road to access it.

The TEC recommended approval of the Replacement Plan.

Discussion:

A motion was made by Prudhon and seconded by Lindner to approve the Goodwill WCA Replacement Plan as presented on 8/24/16. Vote: all aye. Motion passed.

VI. Report from the Chair – Johannsen stated that he will not be running for re-election this year and will therefore be off the VH City Council at the end of the year and a new representative from the City Council will sit on the VLAWMO Board.

VII. Administrator's Report

Stephanie asked Nick to fill the Board in on the VLAWMO education survey results which he did.

VIII. Director's Reports – Long and Prudhon stated that they are running unopposed so they will be continuing on the Board. Lindner stated that he has talked to Uzpen about replacing him on the Board due to the mobility issues Uzpen is dealing with and he will let them know what is decided for a long term basis.

IX. Next Regular Meeting – October 26, 2016

X. Public Comment

Anton Gregory came forward to discuss the status of County Ditch 14 which goes behind their home. He says that there is flooding in the backyards and they feel it is from the ditch filled with debris and they feel nobody has done anything. He wants to know what the plans for maintenance of this ditch.

Brian stated the area was historically a wetland and lake and he has seen in the past that homeowners have dumped yard waste in the area and that trees have fallen and the City has been asked to remove trees.

Brian stated the land in the area is very flat and we have had more rain and heavier rains which causes more water in the backyards.

We have checked upstream and downstream from the site and it appears to be flowing freely but if Gregory stated that even though it is called Lambert Creek, it is a manmade structure and therefore needs maintenance.

Brian stated he isn't sure if doing anything like dredging would help. It is a wet area with a high water table and is flowing. Stephanie stated that 3 projects have been installed upstream of their property which is Rafferty directed Brian to go out to meet with the homeowners to listen to their concerns, especially since they took the time to come to the Board meeting. Rafferty stated some education needs to be done as well. Brian stated that education is important but the problem is bigger than telling people to not dump grass clippings.

Johannsen asked Brian to meet with the homeowner and he said he would bring it up to City staff to look into it. Johannsen asked Brian to bring his update at the next meeting. Stephanie stated that it may likely be a complex answer and that consultants may be needed to better assess the situation and come up with ideas for remedies.

XI. Adjourn

A motion was made by Long and seconded by Rafferty to adjourn at 8:14pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Kristine Jenson.