



MINUTES OF THE BOARD OF DIRECTORS – FEBRUARY 23, 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	

Others in attendance:

Joe Bischoff, Barr Engineering
 Emily Jennings, SEH

I. Call to Order

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

II. Approval of Agenda

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

A motion was made by Rafferty and seconded by Youker to approve the February Board meeting agenda. Vote: All aye. Motion passed.

III. Approval of Minutes

The minutes from the December 8, 2021 Board meeting are placed on the agenda for approval, as presented. No comments from the Directors.

A motion was made by Watson and seconded by Youker to approve the December, 2021 Board meeting minutes. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

IV. Visitors and Presentations

A. TEC Report and Financial Report

Belfiori described the TEC report to BOD and February financial report as submitted in the Board packet. Belfiori highlighted initiatives in biochar, aquatic plant management, and the Wilkinson Lake subwatershed project and to consult the Board packet for more details.

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 were listed on the agenda and included in the February, 2022 Board packet as follows:

- A. Consider authorizing the Board Subcommittee to approve hire of Watershed Tech. and Program Coordinator Position
- B. Consider Authorizing payment of Tyler Thompson severance
- C. Update on UMN Biochar payment and MPCA change order
- D. Consider scope for 2022 Carp Management on Pleasant with Carp Solutions, Inc.
- E. Consider Annual Report consideration of draft and submittal to BWSR et. al
- F. Consider Sucker/East Vadnais SLMR
- G. Consider W Vadnais Carp/Rough-fish efforts in 2022 with Carp Solutions, Inc. (partnership with RWMWD)
- H. Consider 2022/23 service agreement with Ramsey Conservation Dist.
- I. Consider Minutes from 1/26 strategic planning workshop
- J. Consider LMC liability coverage waiver form
- K. MDA Invasive Species Treatment Grant Awarded
- L. Consider Designation of Legal Publication – Press Publications and VLAWMO website
- M. Consider 2022 Board Meeting Dates

A motion was made by Rafferty and seconded by Jones to approve the Consent Agenda. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

V. Business

A. Administration

1. Election of Board, Subcommittee officers and appointment of TEC chair/officers

A motion was made by Jones to nominate Lindner for chair, and was seconded by Rafferty. Vote: Lindner: abstained, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

A motion was made by Youker to nominate Jones for vice chair, and was seconded by Watson. Vote: Lindner: aye, Watson: aye, Jones: abstained, Rafferty: aye., Youker: aye. Motion passed.

A motion was made by Rafferty to nominate Youker for secretary-treasurer, and was seconded by Jones. Vote: Lindner: aye, Watson: aye, Jones: aye, Rafferty: aye, Youker: abstained. Motion passed.

Subcommittee: Lindner motioned to keep the finance, policy, and personnel subcommittee the same as 2021. It was seconded by Watson. Vote: Lindner: aye, Watson: aye, Jones: abstained, Youker: aye. Motion passed.

2022 Technical Commission appointments: Watson motioned to approve the 2022 TEC appointments as recommended from the TEC at the January 12th, 2022 Technical

Commission meeting. It was seconded by Youker. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

Discussion:

Jones noted an appreciation for Jesse Farrell for stepping into the TEC chair position.

B. Project Reports and Updates

Staff prepared updates for projects and programs in the February Board meeting packet.

1. Consider resolution for VLAWMO Board position on the Aquatic Plant Management and letter to City of White Bear Lake.

Discussion:

Belfiori conveyed the options that the Board of Directors has to choose from concerning aquatic plant management, organized by option A and Option B, as provided in the Board packet. Alternate options or variations of options A and B were also expressed as welcome. Phil outlined the three levels of aquatic management per the packet outline, and reminded the Board that these levels are categories that were developed based on policies and approaches of other watershed districts and water management organizations in Minnesota.

Belfiori noted that as of December, 2021 the Board had yet to specify a direction on aquatic plant management (APM). General consensus from December, 2021 appeared to favor option A, and both options presented preclude management for recreational benefit.

Rafferty inquired about how recreational benefit might combine with other management motives such as ecological improvements. Bischoff explained that APM efforts may have side benefits for recreation depending on the type of recreation and lake condition. Rafferty also expressed the possibility of not pursuing APM every year depending on the commitment of partnership, and expressed that he would understand not being able to pursue APM every year, but supports VLAWMO and its partners to have measures in place that help enable consistency.

Jones inquired why option B's first bullet point as listed in the Board packet doesn't specify an aspect of partnership in the text. Bischoff explained that option B already includes a partnership component for being associated with level 2. The text outlined in option B extends into the possibility to also lead management efforts.

Watson asked how carp and zebra mussels factor into the proposed plan, Bischoff explained that it only applies to aquatic plant management. Watson also expressed concern for ongoing costs but acknowledged that the issue is tied to water quality, to recreational use of lakes such as swimming, and is unavoidable. Watson also expressed a concern that aquatic invasive species costs and demand for their management is growing across the State of Minnesota, and that there is a certain operating capacity that organizations such as VLAWMO can handle ongoing.

Lindner commented that VLAWMO is positioned to take the lead on APM, and had expressed support for option A in the December, 2021 meeting but since then has considered the value of option B enabling leadership options for VLAWMO. Lindner explained the dynamics of certain lake groups being focused on individual lakes because of

property ownership or associations, but these benefits don't extend to lakes that lack the presence of a neighborhood or homeowners group to serve as leaders. Lindner expressed an interest to have VLAWMO weigh its options and partnerships ongoing each year regarding APM, factoring APM in with other demands and projects.

Jones expressed support for option B for the purpose of a strategy that is more versatile to all lakes in the watershed.

Belfiori outlined the Letter to the City of White Bear Lake as included in the Board packet and powerpoint presentation, reiterating the recommendation to select A or B while also providing any opportunity to amend the options as they currently read.

A motion was made by Rafferty to 1) proceed with option B, as presented, to serve as VLAWMO's aquatic plant management policy, and 2) To approve resolution 01-2022 to authorize the letter to the City of White Bear Lake dated Feb 24th, 2022, seconded by Youker. No further discussion.

RESOLUTION

RESOLUTION NO. 01-2022

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

A RESOLUTION REGARDING VLAWMO'S ROLE IN AQUATIC PLANT MANAGEMENT

Resolution 01-2022 was moved by Director Rafferty and second by Director Youker.

WHEREAS, in 2021, the Board hired Barr Engineering Co. (Barr) to assist the Board in considering policies regarding VLAWMO's role in the management of aquatic plants in lakes within its jurisdiction;

WHEREAS, Barr prepared a memorandum dated December 1, 2021 ("Summary of aquatic plant management roles of select Watershed Management Organizations and Cities") that summarized aquatic plant management (APM) roles of several watershed management organizations (including VLAWMO) and cities in the Twin Cities Metropolitan Area, summarized VLAWMO's current APM-related goals and strategies in its Comprehensive Watershed Management Plan (Plan) and past APM activities, presented a range of APM roles from "Level 1" to "Level 5", and provided high level cost estimates for each APM "level";

WHEREAS, the Plan, as amended, includes the following goals and strategies to address Priority Issue 5: Aquatic invasive species (AIS) management:

Goal 5-1: In cases where AIS management overlaps with water quality improvement efforts, especially in shallow lakes (for example rough fish and curly leaf pondweed management), VLAWMO will look for opportunities to improve water quality as they align with the priorities of the VLAWMO Capital Improvements and Programs Plan.

Strategy 5-1-1: Implement rough fish management (such as harvesting or fish migration barriers) and curly leaf pondweed treatment, where applicable

Goal 5-2: Support other LGUs and partners in AIS management.

Strategy 5-2-1: Where appropriate, VLAWMO may act as a partner and fiscal agent to lake associations or other interest groups to manage AIS.

Strategy 5-2-2: Where appropriate, VLAWMO may partner with other agencies or lake associations to provide education on AIS. These partnerships will be described and approved by the Board and each opportunity will be evaluated to ensure consistency with VLAWMO's priorities, goals, strategies and statutory responsibilities.

WHEREAS, the Plan and VLAWMO actions establish VLAWMO's current APM role as "Level 2"—aquatic plant monitoring, education, and in-lake APM of curly-leaf pondweed (CLP) for water quality benefit, and technical support and/or cost-share for in-lake APM of other AIS in addition to CLP;

WHEREAS, the Board discussed APM roles at their December 8, 2021 Board meeting, where the directors shared their opinions on the appropriate level of APM;

THEREFORE, BE IT RESOLVED by the Vadnais Lake Area Watershed Management Organization Board of Directors that VLAWMO confirms its role in aquatic plant management as "Level 2" with the potential to move to "Level 3" which includes:

- **Lead or partner** to conduct aquatic plant monitoring and/or education
- **Lead or partner** for in-lake treatment/removal of Curly-leaf pondweed for water quality benefits as they align with the priorities of the VLAWMO Capital Improvements and Programs Plan.
- **Technical support** and/or **partner** for management of other aquatic invasive species (AIS) besides Curly-leaf pondweed
- **Lead** in-lake treatment/removal of other AIS to support ecological health and/or water quality on a project-by-project basis
- **Lead or partner** on native-plant introduction to support a desirable native-plant community as determined by best available science

"Level 2/3" precludes APM for recreation benefit.

Assumes that financial participation will be decided based on available budgets.

THEREFORE BE IT FURTHER RESOLVED, the Board of Directors approves the letter to the City of White Bear Lake City Manager dated Feb. 24, 2022 and authorizes its transmission to the City.

WHEREUPON the above resolution was adopted at a regular meeting of the VLAWMO Board of Directors this this 23rd day of February 2022.

The question was on the adoption of resolution 01-2022 and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
<u>Dan Jones</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ed Prudhon</u>	<input type="checkbox"/>	<input type="checkbox"/>	X
<u>Rob Rafferty</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Tom Watson</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Patricia Youker</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Jim Lindner</u>	X	<input type="checkbox"/>	<input type="checkbox"/>

James Lindner, Chair _____ Date _____

VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION

2. Consider resolution related to Proposed Wilkinson/319 BMP Project

Tanner explained that the proposed resolution includes three components: The easement, MPCA grant contract, and the Barr engineering eagle memo and scope of work. Tanner provided summaries of each component as presented in the February, 2022, BOD packet in addition to the resolution for consideration. Tanner stated that the project summary was presented to VLAWMO TEC on Feb 9th, 2022, and that the TEC authorized proceeding with the project as planned.

Discussion:

Easement: Watson asked if there were any changes in the easement details since it was last presented, Tanner confirmed that no changes were made.

Barr Engineering eagle memo and scope of work: USFWS approve of the project going forward and request additional monitoring of the eagle nest that is near the project area during construction.

A motion was made by Watson and seconded by Jones to approve resolution 02-2022 as presented in the February, 2022, Board packet.

RESOLUTION NO. 02-2022

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

A RESOLUTION APPROVING THE FOLLOWING FOR THE WILKINSON LAKE BMP PROJECT (Project): AGREEMENT GRANTING TEMPORARY EASEMENT; MPCA 319 GRANT AGREEMENT; AND CONSIDERATION OF ENGINEERING SCOPE OF WORK FOR REMAINING SITE INVESTIGATION

Resolution 02-2022 was moved by Director Watson and second by Director Jones.

WHEREAS, in 2013, VLAWMO led coordination of the MS4 entities in development of the Vadnais Lake Area WMO Total Maximum Daily Load (TMDL) and Protection Study, and 2014 Implementation Plan that included Wilkinson Lake;

WHEREAS, load reductions required to meet the TMDL are high and regional multipurpose projects are necessary to meet water-quality goals and improve Wilkinson Lake;

WHEREAS, Wilkinson Lake BMPs are identified within the implementation section of the of the approved VLAWMO Watershed Management Plan (2017-2026), funding has been planned for these years, and load reductions in Wilkinson Lake remain a high priority;

WHEREAS, priority locations for BMPs have been identified from multiple feasibility studies leading toward development of the current project and identified the current proposed, which is strategically located to treat the maximum area of upstream watershed before discharge into Wilkinson Lake, including receiving stormwater from five of the seven TMDL identified responsible parties for MS4 reductions (White Bear Township, City of White Bear Lake, North Oaks, Ramsey County, and MnDOT;

WHEREAS, in 2019, the VLAWMO Board of Directors (“Board”) participated in the in-person interview as part of the MPCA selection process for the 319/small priority watershed grant program and authorized approval of VLAWMO’s selection as a small priority watershed for 319 grant funding;

WHEREAS, in 2020/2021, the Board authorized submission to MPCA/EPA following final approval by MPCA of the Nine Key Element document (NKE) which was prepared by VLAWMO staff with coordination from MPCA;

WHEREAS, in 2021, the Board authorized the Memorandum of Understanding (MOU) and Maintenance Agreement with North Oaks Company/North Oaks Farms (NOC/NOF) for the Wilkinson BMP Project and location in North Oaks that is property of NOF;

WHEREAS, in 2021, the Board authorized the partner grant that St. Paul Regional Water Services (SPRWS) authored with VLAWMO staff to the Minnesota Department of Health to match funds in VLAWMO’s Wilkinson subwatershed budget for a total cost of \$20,000 (\$10,000 in grant funds and \$10,000 in cash match) to continue preparation for the Wilkinson BMP Project, and VLAWMO has used those funds to develop and secure an easement, including engineering support, legal guidance, and property boundary survey for the Project;

WHEREAS, in 2021, the Board authorized the Project Workplan and Budget for the current grant round of funding, understanding that the total project budget is \$534,510 (\$320,706 in grant funds and \$213,804 in cash match);

WHEREAS, the Minnesota Land Trust (signed 11/23/2021) and NOC/NOF (signed 12/7/2021) have fully authorized and signed the proposed project easement documents in the current (February 2022) Board packet, which was reviewed by VLAWMO legal counsel and provides access to the project site for construction and maintenance;

WHEREAS, NOC having signed the proposed project easement documents, staff asked MPCA in December 2021 to begin to prepare the MPCA project grant agreement for Board consideration;

WHEREAS, the MPCA project grant agreement, which contractually binds VLAWMO to implementation of the Project utilizing funding from 60% grant funds and 40% local cash match, has been prepared, was approved by MPCA/EPA, and is included in the February

2022 Board packet;

WHEREAS, in February 2022, a summary of the items that would be included in the February Board packet was presented to the TEC, and the TEC provided a recommendation to proceed with the items included in this Resolution; and

WHEREAS, the Board desires to move forward with the project and to approve the agreements and other documents needing approval at this stage in the development of the project.

NOW, THEREFORE, BE IT RESOLVED, by the Vadnais Lake Area Watershed Management Organization Board of Directors as follows:

1. The Board approves the Agreement Granting Temporary Easements for the project and authorizes and directs the Board Chair and Secretary to execute it on behalf of VLAWMO.
2. The Board approves, conditioned on the final execution and recording with the County of the Agreement Granting Temporary Easements, the MPCA project grant agreement and authorizes and directs the Board Chair and Administrator to execute it on behalf of VLAWMO.
3. The Board approves the proposed scope of work from Barr Engineering, and VLAWMO staff are directed to continue site investigation and Project development.

RESOLUTION

The question was on the adoption of resolution 02-2022 and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
<u>Dan Jones</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ed Prudhon</u>	<input type="checkbox"/>	<input type="checkbox"/>	X
<u>Rob Rafferty</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Tom Watson</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Patricia Youker</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Jim Lindner</u>	X	<input type="checkbox"/>	<input type="checkbox"/>

James Lindner, Chair _____ Date

VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION

3. Consider Lino Lakes North of Amelia proposal and partnership MOU

Belfiori outlined the Lino Lakes partnership and key elements of the proposed feasibility study, as outlined in the Board packet.

Discussion:

Watson asked Belfiori to clarify what is entailed by the environmental commission, Belfiori confirmed that Lino Lakes has an active environmental commission that will be involved in the project.

Jones inquired about the implications and responsibility concerning the ditch included in the scope. Belfiori confirmed that the specified ditch is a private ditch. Belfiori mentioned that if

the area were to be developed, more pressure would be placed on this ditch. The feasibility study analyzes what will be feasible in terms of switching the ditch into a city-operated public stormwater drainage system.

A motion was made by Youker and seconded by Jones to authorize approval of the MOU between VLAWMO and City of Lino Lakes for financial partnership not to exceed \$15,000 for development of Lake Amelia Subwatershed Management Plan /Feasibility Study. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

4. Consider Amended Biochar contract for design services with SEH

Tanner reviewed the background of this effort from Feb, 2021 to today, including the identification of the Whitaker Pond site as a potential alternative location for a biochar installation, with input from SEH. Other parts of the project were the Lambert sheetpile and meander, both of which were completed in 2021.

Tanner highlighted the SEH memo included in the Board packet.

Corcoran outlined the SEH scope amendment for engineering design, including the three tasks, their anticipated schedules, what was added and their associated costs as outlined in the Board packet.

Discussion:
None

A motion was made by Rafferty and seconded by Youker to approve revised SEH Biochar Project engineering and design scope of work dated Feb 4, 2022 for the amount of \$34,175. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Youker: aye. Motion passed.

VII. Discussion/Updates

Discussion:
None

VIII. Administration Communication

Discussion:
Jones asked about hiring process for VLAWMO's vacant staff position, Belfiori confirmed that interviews will start on Friday.

VII. Adjourn

A motion was made by Jones and seconded by Lindner to adjourn at 8:05 pm. Vote: all aye.

Minutes compiled and submitted by Nick Voss.