



MINUTES OF THE BOARD OF DIRECTORS – APRIL 27, 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	

**Others in attendance:**

Troy Gilchrist  
 Bob Larson  
 Paul Duxbury  
 Ezra Koetz  
 Liz Cook

**I. Call to Order**

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

**II. Approval of Agenda**

The agenda for the April 27, 2022 Board meeting was presented for approval.

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

**III. Approval of Minutes**

The minutes from the February 23<sup>rd</sup>, 2022 Board meeting were placed on the agenda for approval, as presented. No comments from the Directors.

A motion was made by Director Watson and seconded by Director Jones to approve the February Board meeting minutes. Vote: Prudhon: Abstained. Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye. Motion passed.

**IV. Visitors and Presentations**

Administrator Belfiori introduced Lauren Sampedro as VLAWMO’s new staff member, serving as Watershed Technician and Program Coordinator.

Sampedro described her background and expressed excitement to begin working with the Board, staff, and the greater VLAWMO community.

**A. TEC Report and Financial Report**

Commissioner Duxbury described the April 2022 TEC report to the BOD as included in the April Board packet.

Director Watson inquired about the April financial report and noted a detail in the remaining budget line to be reconciled with the TEC report to Board document.

**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 April 27, 2022 Board packet as follows:

- A. Consider WHEP MOU pilot project w/ Tamarack NC and Ramsey County 🐦
- B. Update on Carp project
- C. City Hall wooded wetland and Ramsey County Park restoration progress update

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

**V. Business**

**A. Administration**

**1. Consider 2021 Audit – Presentation Liz Cook CLA**

Belfiori introduced Liz Cook to provide an overview of the 2021 audit. Cook described the pieces within the audit report including financial reporting, legal compliance, internal controls, pension liability, payables, and passed adjustments. The fund balance increased in 2021.

A motion was made by Director Rafferty and seconded by Director Jones to accept the 2021 Financial Report and audit documents and direct them to be distributed to the appropriate state and local agencies. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Prudhon: aye, Jones: aye. Motion passed.

**2. Public drainage policy – Authorize distribution of draft to member communities for review**

Corcoran recited the assignment given to staff by the Board in 2021 to draft a VLAWMO public drainage management policy. He reviewed the geography of County ditch 14 and 13, the technical Minnesota State statute that VLAWMO operates under as the ditch authority (103B), and a background history of the ditch system. He also described both VLAWMO's

responsibilities and the roles of public partners in the maintenance and management of the ditch system.

The draft policy has been created with assistance from Houston Engineering and Attorney Troy Gilcrest. The purpose is to formalize the existing policy with a more detailed and clarified outline of that policy.

The policy provides clarity on how VLAWMO manages the public drainage system and the roles, interactions, and responsibilities both VLAWMO and cities/member communities play in management.

Staff requested board distribution of the draft public drainage management policy to VLAWMO member communities for review and comment. After comments are received the draft public ditch authority policy will be brought to the VLAWMO Board of Directors for final consideration, and pending board approval, will be integrated into the VLAWMO Watershed Management Plan amendment process.

**Discussion:**

Director Jones inquired about how the policy is projected to perform during high water levels. He also inquired about the delineation between payment and authorization. Gilchrist noted that 103B lacks the structure and precision of statute 103E. It is for this reason that Gilchrist and staff recommended supplementing the guidelines provided in 103B with a policy. The policy works to identify and allocate resources and directions, and thus equips VLAWMO with a foundation that is better able to meet a diverse array of possible scenarios. The policy also provides an increased opportunity for capital improvement projects and partnership efforts that are further reaching and more substantial in scope.

Director Lindner noted that responsibilities aren't dissolved or redirected by the policy, and that the policy doesn't directly solve issues, but provides a platform and a guideline in which to take care of ditch issues.

Director Watson asked how the policy interacts with public roadways and easements. Gilchrist noted that other easements and private drainage systems not associated with the specific Ditch 13 and 14 systems don't apply to the draft policy, and also don't fall under VLAWMO's jurisdiction. Other systems are either private or city conveyance systems, but apart from Ditch 13 and 14 there are no other public drainage ditch systems under VLAWMO's jurisdiction.

Director Prudhon asked how the sequence of events goes between the draft policy getting approved and sending to the cities and White Bear Township. Administrator Belfiori outlined the sequence of eliciting comments, implementing the policy, and lastly becoming an addendum to the VLAWMO Watershed Management plan as policy.

A motion was made by Director Prudhon and seconded by Director Rafferty to authorize distribution of draft public Ditch Authority policy to member communities for review and comment. Vote: Lindner: aye. Watson: aye, Jones: aye, Prudhon: aye, Rafferty: aye. Motion passed.

**3. Consideration of five-year partnership projects table**

Administrator Belfiori outlined the 5-year partnership project table as included in the April Board packet. He noted that this task was needed as a part of the “second half” of the 2017-2026 VLAWMO comprehensive watershed management plan. This need was exacerbated by the changes and shifts that occurred in numerous projects that were initiated early in the watershed management plan (2016, etc.). Belfiori noted that that this draft has at least five additional steps before approval, including multiple comment periods issued for partners, Technical Commissioners, and Board members.

Administrator Belfiori noted the new addition of a proposed groundwater quantity cost-share program per the results of the January 2022 special planning Board workshop, which arose from Board input. This strategy incentivizes the use of tools such as low-use irrigation systems and stormwater reuse.

Administrator Belfiori outlined four possible scenarios for the Board to take on budgeting and the use of the Storm Sewer Utility Fee (SSU), as outlined in the April Board packet. He described how each scenario performs financially according to the projected projects outlined between 2022 and 2027. He described how the preliminary budget functions as a high-level road map to assist in generating projects and partnerships. The four scenarios looked at implementation of 100% and 75% of the total projects listed on the 5 year partnership project table.

Belfiori explained that things to consider in this planning and budgeting process over the next several years include inflation, the uncertain implementation status of upcoming projects such as East Goose Lake Adaptive Lake Management, W. Vadnais TMDL, Public ditch management and repairs, and the status of other Total Maximum Daily Load (TMDL) studies for specific lakes.

**Discussion:**

Director Watson inquired about how work and priorities from other entities such as the Saint Paul Regional Water Services interacts with, contrasts from, or compliments the items outlined in the draft 5-year project table. Belfiori noted that the draft 5-year table functions as a high-level vision document, but doesn’t authorize specific project budgets and plans. The plan amendment that results from this 5-year planning table eventually becomes a tool to initiate project planning and spending under watershed management plan Capital Improvement Project (CIP) tables. The 5-year planning table is a visioning document that doesn’t authorize budgeting or spending.

Director Watson expressed an interest in reconciling priorities between VLAWMO, cities, the North Oaks Homeowner’s Association, and other prospective project partners.

Director Prudhon inquired about how the amount of \$20,000 was selected as a budget for the groundwater quantity cost-share program. Belfiori and Sampedro described research conducted about water saving sprinkler heads and projects conducted at the City of Woodbury and some other communities that steered this cost estimated noted. . Director Rafferty added that Lino Lakes also budgeted \$20,000 for cost-share water conservation strategies.

Director Jones expressed a concern that an SSU does not respond the same as property tax increases when market values are going up as they are in recent year, and thinks that

this poses an issue for VLAWMO's income. Chair Lindner recapitulated that it poses structural issue questions for how VLAWMO keeps up with property value increase, property tax increase, and inflation. Director Watson contributed that even fuel cost for vehicles contributes to the costs of project construction, thus stressing budget demands further.

Chair Lindner added that the Board continues to have budget conversations each year to assist in confronting these challenges and the highly fluctuating variables facing public agencies and the market in general. Belfiori noted that project plans are changing so fast that it's difficult for estimates to be made during the planning phase and still be accurate for the project initiation and construction phase. He also noted that the value of a fund balance is that it provides reserves in the face of surprises and when multiple spending needs occur at once, and that that is an especially valuable situation for a partner-based organization such as VLAWMO. Chair Lindner expressed that VLAWMO has a good track record of being keen on budgeting realistically while also dealing with needs and issues as they arise.

A motion was made by Chair Lindner and seconded Director Prudhon to approve that the attached five-year partnership project table generally captures a high-level long-range plan for partnership projects for VLAWMO. Vote: Lindner aye. Watson: abstained, Rafferty: aye, Prudhon: aye, Jones: aye. Motion passed.

#### **4. Discussion of rough draft preliminary 2023 budget**

Administrator Belfiori presented a rough draft preliminary 2023 budget which included possible CIPs for each subwatershed, programs and administrative. He also outlined a rough draft total revenue and a range of total expenditures assuming a 5-10% SSU increase. He explained ranges for estimated fund balance for year end 2022 and 2023 based on assumptions of full budget being spent. He asked if the Board had any concerns or comments on the rough draft budget as was presented and included in packet.

##### **Discussion:**

Director Watson remarked that a joint City of North Oaks and North Oaks Home Owner's Association building is not likely to happen in the next 3-5 years, and this can therefore be removed in the preliminary 2023 budget.

Administrator Belfiori then inquired whether there was BOD support to include TEC input and feedback in this budget planning process and the Board members responded by consensus that they would like the TEC chair involved in the 2023 Budget Subcommittee meeting discussion which would be scheduled for June 6, 2023.

#### **5. Consider position on boundary with City of Shoreview**

Administrator Belfiori explained that a boundary adjustment possibility was first highlighted in 2012 with the Rice Creek Watershed District (RCWD). He stated RCWD recently proposed a revised hydrologic watershed boundary to reconcile its hydrologic and legal boundaries in Ramsey County. VLAWMO staff and SEH have determined the proposed changes are generally accurate. He further explained that the proposed revisions include some areas in the City of Shoreview and staff and the City initially recommend maintaining the existing political boundaries within Shoreview. Belfiori said staff are recommending the Board of

Directors consider maintaining the existing legal boundary with the City of Shoreview consistent with VLAWMO's Watershed Management Plan.

**Discussion:**

Prudhon asked how many property owners are impacted by this adjustment. Belfiori highlighted the subdivision in focus on the map and estimated 40-50 properties.

A motion was made by Director Watson and was seconded by Director Jones to approve maintaining the existing RCWD /VLAWMO political boundary within and in the area of the City of Shoreview consistent with the approved 2017-2026 Watershed Management Plan, with the City of Shoreview. Vote: Lindner: aye, Prudhon: aye, Watson: aye, Rafferty: aye, Jones: aye. Motion passed.

**B. Projects**

**1. Consider engineering RFP for design of Wilkinson BMP**

Tanner explained the RFP for engineering, and provided updates on recent tasks such as soil borings, lab testing, and analysis, which were attached in the April 2022 Board packet. A deep-water wetland is proposed with ponding elements and may include an outlet structure and/or weir. An overflow bypass is requested to be considered by the engineer, but this may not be feasible due to the presence of wetland soils at the site.

VLAWMO staff proposed a deadline of May 25, 2022 for submission of proposals. Staff will rank the proposals and provide a recommendation to the Policy and Personnel Subcommittee, which will provide a recommendation to the full Board at the June regular meeting.

**Discussion:**

Director Watson asked Tanner to describe and reiterate the reasons for the companies selected, Tanner summarized the points that were included in the April 2022 packet.

Director Watson proposed adding in the motion to add HR Green as a 4<sup>th</sup> company to be notified.

A motion was made by Director Watson and seconded by Director Rafferty to authorize staff to finalize the RFP, evaluate, and score proposals received, with the amendment that HR Green is to be added to the consultants informed about the project. The motion additionally authorized staff to provide a recommendation to the Subcommittee and requested a recommendation from the Subcommittee to the full Board at the June regular meeting. Vote: Lindner: aye, Watson: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

**2. Consider Cost-share NOHOA Entrance raingarden**

Sampedro outlined the Landscape Level 2 cost-share application received by the North Oaks Home Owner's Association for a filtration basin at the South entrance to the North

Oaks community. The proposed basin is about 2,308 sq ft to be completed in conjunction with a road reconstruction project on Pleasant Lake Road. The project includes about 1,000 native plants outlined in the project design. The application was reviewed and approved by the VLAWMO Technical Commission on April 13<sup>th</sup>, 2022. Staff recommended approval of the Landscape Level 2 grant application at 75% of eligible project expenses, not to exceed \$15,000.

**Discussion:**

Director Watson asked about conditions or ordinances that potentially need to be satisfied in order to accomplish this project, and whether we're able to know if VLAWMO can be assured that the City of North Oaks has inspected the project plans for compliance. Sampedro responded that a reminder will be provided to the applicant to verify with the City that any ordinances relevant to the proposed project are satisfied and complied with.

Director Watson noted he would like the grant agreement to require the applicant to consult with the City of North Oaks to verify City permit compliance.

A motion was made by Director Watson and seconded by Director Rafferty to approve the application per staff recommendation. Vote: Lindner: aye, Watson: aye, Rafferty: aye, Jones: aye, Prudhon: aye. Motion passed.

**VII. Discussion/Updates**

**Discussion:**

None

**VIII. Administration Communication**

**Discussion:**

None

**VII. Adjourn**

A motion was made by Director Watson and seconded by Director Rafferty to adjourn at 8:56 pm. Vote: all aye.

Minutes compiled and submitted by Nick Voss.