



MINUTES OF THE BOARD OF DIRECTORS  
 March 23, 2016

In Attendance		Absent	
Marty Long	North Oaks	Rob Rafferty	Lino Lakes
Marc Johannsen	Vadnais Heights	Bob Uzpen	Gem Lake
Dan Jones	White Bear Lake		
Ed Prudhon	White Bear Township		
Stephanie McNamara	VLAWMO Administrator		
Kristine Jenson	VLAWMO Program Manager		
Brian Corcoran	VLAWMO Water Resources Manager		
Tyler Thompson	VLAWMO Water Resources & GIS Technician		

Others in attendance: Troy Gilchrist – Kennedy & Graven; Margaret Sletten-Behrens – Ramsey Conservation District

**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**

McNamara requested to move the Petition for Boundary Change to Item IV to ensure quorum for the vote.

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

**III. Approval of Minutes from February 24, 2016**

A motion was made by Jones and seconded by Prudhon to approve the minutes from the February 24, 2016 Board of Directors Meeting. Vote: all aye. Motion passed.

**IV. Petition for Boundary Change with Rice Creek Watershed District**

As discussed at the February Board meeting, VLAWMO would like to formally petition the Board of Water and Soil Resources (BWSR) to update our official boundary in order to capture the 96 parcels that were missing when the previous petition was submitted in 2009. The City of White Bear Lake and the Rice Creek Watershed District are prepared to present the petition to their Council and Board, respectively. Once we obtain their letters of concurrence, the petition package will go to BWSR for final approval. Staff has prepared the petition and BWSR has reviewed it to ensure it captures the proper information. Staff is recommending the Board approve Resolution 02-2016 formally petitioning BWSR to issue an order changing the boundary between VLAWMO and Rice Creek Watershed District.

**VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION  
 BOARD OF MANAGERS**

**RESOLUTION 02-2016**

**PETITION FOR AN ORDER  
 UPDATING THE BOUNDARY BETWEEN  
 THE RICE CREEK WATERSHED DISTRICT AND THE  
 VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION**

WHEREAS, a watershed is defined under Minnesota Statutes section 103B.205 (11) (2007) as a drainage area having boundaries which are substantially coterminous with those of an aggregation of contiguous minor watershed units possessing similar drainage patterns and which cross the borders of two or more local government units; and

WHEREAS, The VLAWMO is established and authorized under Minnesota Statutes 103D; and is a watershed management organization as defined under Minnesota Statutes section 103B.205 (13) (2007) and 471.59; and

WHEREAS, VLAWMO is a watershed district wholly within the “metropolitan are” as defined under Minnesota Statutes sections 103B.205 (8) and 473.121 (2) (2007); and

WHEREAS, The boundaries of a watershed district wholly within the metropolitan area may be changed pursuant to this section or chapter 103D; and

WHEREAS, On, March 23, 2016 the Board of Directors of the VLAWMO voted unanimously to update the boundary of the VLAWMO with the Rice Creek Watershed District using the process described in M.S. 103B.215;

NOW, THEREFORE, BE IT RESOLVED, the VLAWMO District petitions the Minnesota Board of Water and Soil Resources pursuant to Minnesota Statutes section 103B.215 to issue an order changing the boundary of the VLAWMO and the Rice Creek Watershed District as described in the “Petition of Vadnais Lake Area Water Management Organization for an Order Updating the Boundary Between the Rice Creek Watershed District and the Vadnais Lake Area Water Management Organization”.

**Discussion:**

Prudhon asked how the watershed is listed on tax statements. McNamara stated those parcels now see “Special Assessment” and when it changes, it will actually list VLAWMO but they will be paying less than they have under Rice Creek.

A motion was made by Long and seconded by Jones to approve Resolution 02-2016 to formally petition BWSR to change the watershed boundary. Vote: all aye. Motion passed.

**V. Updated Joint Powers Agreement Draft**

A draft of the updated JPA was provided to the Board. Gilchrist is assisting with the update and was present to discuss the changes made from the previous JPA. The Board may want to direct staff to hold a meeting to discuss the changes with member communities and/or elected officials.

Gilchrist introduced himself to the Board and explained that he is now handling VLAWMO’s legal needs. Our previous attorney Charles LeFevere retired and recently passed away. He represents many other watershed districts and communities.

Jones stated that the Section 4 part about successors to the Board should be looked at because it says that the Board member will stay on until a successor is on hand. Jones said that if he is not re-elected and nobody steps up to take the VLAWMO position, he wouldn’t be able to continue because he would no longer be an elected official.

Jones also stated that Section 6 should be reviewed and possibly revised regarding how many days before a meeting that packets are sent out – currently says it will be 10 days. Jones thinks we should strike that or change it to say the packets are sent out in a reasonable timeframe prior to a meeting.

**VI. Drainage Authority for County Ditches 13 & 14**

Gilchrist discussed the drainage authority question VLAWMO is facing. A memo was produced and provided to the Board prior to the meeting. VLAWMO was given direction from BWSR to go through a ditch transfer process in accordance with current State Statutes. Gilchrist feels this does not have to be done because he argues that the process followed in 1986 when Ramsey County transferred the ditches to VLAWMO was valid and if there were questions regarding the validity of the transfer, it would have happened 30 years ago rather than today. He communicated his findings and opinion to BWSR. BWSR contacted him this week to say that they agree that we do not need to go through the statutory process regarding this matter. So VLAWMO has been deemed the ditch authority.

**VII. Report from the Chair**

Johannsen had no report.

**VIII. Administrator's Report**

McNamara shared that VLAWMO was approached regarding the acquisition of a piece of property in White Bear Lake that is part of the Lande estate. The Lande representative approached VLAWMO stating that they would sell the property to VLAWMO at "reasonable price". Staff visited the property this week. The site is approximately 3 acres, half of which is wetland. Johannsen asked Stephanie to find out what the cost would be. Jones stated the City took a close look at the property and determined that they deemed it would be too expensive to get any access to the upland area. Jones said that maybe it could be bought and used as a billboard for VLAWMO to earn money. Jones asked if there is any option of a wetland bank. McNamara said staff deemed it unsuitable for a bank. Jones stated that the site may have pollution problems due to the old gun club leaving ammunition on the site. Johannsen asked Stephanie to inquire more regarding the cost. Jones stated he would not be supportive of paying for the site. He said that he'd only be supportive if it was gifted or we paid \$1 for it.

**IX. Director's Report**

**X. Next Meeting – April 27, 2016**

**XI. Public Comment**

**XII. Adjourn**

A motion was made by Prudhon and seconded by Jones to adjourn at 7:30pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Kristine Jenson