



MINUTES OF THE BOARD OF DIRECTORS
 April 27, 2016

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

Others in attendance: Kevin Knopik of Abdo, Eick & Meyer

I. Call to Order

The meeting was called to order at 7:01 pm by Chair Johannsen. A quorum is present for the meeting.

II. Approval of Agenda

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

III. Approval of Minutes from March 23, 2016

A motion was made by Prudhon and seconded by Long to approve the minutes from the March 23, 2016 Board of Directors Meeting. Vote: 3 aye; 1 abstained. Motion passed.

IV. Technical Commission Report to the Board (informal)

A. Activity Summary

1. CIP – prepping for 2016 projects
2. Monitoring – 2016 monitoring is underway. TEC has approved purchase of an automated sampler to use at Wilkinson Lake.
3. Planning – Draft Water Plan comment period ended on 4/26. Comments will be reviewed and incorporated into the Plan as necessary. The Board will have a chance to review changes at the May meeting in order to be prepared for the formal approval of the Plan in June.
4. Education & Outreach – the Annual Report is complete and a new EO staff member, Nicholas Voss, will be starting on May 2.

B. April Financial Report

V. New Business

A. Acceptance of 2015 Audit for filing – Kevin Knopik, Abdo, Eick & Meyer

Mr. Knopik presented the findings of the 2015 Audit. This year’s audit is similar to last year. Findings are the same. McNamara noted that the new Government Accounting Standard (GASB 68) went into effect that requires additional testing and reporting. It also required additional time and expense to complete the audit. We do not have a final billing on the audit at this time and therefore are not sure of how much over budget the audit fee will be. It may be in the neighborhood of \$700. *Discussion:* Prudhon asked why fund balance was so high, it was explained that VLAWMO has been very successful at getting grant funds for projects that money has been allocated for and that some projects have been postponed for future installation.

A motion was made by Prudhon and seconded by Rafferty to accept the 2015 Audit Report and submit it to the appropriate local government agencies. Vote: all aye. Motion passed.

B. Consideration of 2015 Annual Report for filing

McNamara stated that the 2015 Annual Report is complete. Tyler Thompson compiled the report using the template that was created for VLAWMO last year. The report will be submitted to BWSR, along with the 2015 Audit. The report also is sent to our agency partners

Discussion: None.

A motion was made by Rafferty and seconded by Long to accept the 2015 Annual Report and directs staff to distribute it to the appropriate government agencies and partners. Vote: all aye. Motion passed.

C. Appointment of TEC Chair

At the April 8 TEC meeting, it was recommended that the Board approve Paul Peterson to continue in the role as Chair.

It was moved by Prudhon and seconded by Rafferty to approve Paul Peterson as Chair of the Technical Commission for 2016. Vote: all aye. Motion passed.

D. Landscape Level 2 Grant Request

White Bear Montessori School (WBMS), located on County Road E in Gem Lake, has received grants from VLAWMO in the past. They received a Community Blue Grant for a 750 square foot raingarden in their parking lot, a Landscape Level 2 grant for a prairie restoration project on 1 acre of land on the eastern side of their property, and 2 small maintenance grants for those projects. They maintain their past projects wonderfully and create educational opportunities with the students and parents. VLAWMO has also awarded Landscape Level 1 grants to parents from the school who learned about raingardens via our past work with WBMS. WBMS will be rehabilitating the western side of their property and have come to VLAWMO for a Landscape Level 2 grant for their 2016 Play Space Project. This project involves redoing the playground and open space area. It includes 4 raingardens, totaling 920 square feet and a 400 square foot upland pollinator garden. All the water that drains to this part of the property would be captured by the raingardens. Any overflow would be sent via a pipe to the existing raingarden in the parking lot. WBMS is working with the University of Minnesota to train its teachers this summer about monarch education and they will be incorporating that program in their classrooms. They are working with a well-respected landscape designer who has done thorough due diligence on this project and has met with Kristine repeatedly to go over the plans. The project is planned for installation this summer. They hope to have it completed by mid-July. The entire project is estimated to cost over \$130,000. Eligible expenses for the Landscape Level 2 grant total \$43,250. They have received a \$12,000 grant from Ramsey Conservation District. The TEC discussed the project at their last meeting and they recommend the Board approve a grant in the amount of \$20,000. The LL2 Grant requires a 25% match from WBMS which they are prepared to meet. A copy of the grant agreement VLAWMO has prepared was included with the Board packets that were sent out last week.

Discussion: Prudhon asked if the Montessori School had any future plans of expanding, he was worried that these projects would be removed in the future if school were to expand. Staff has no knowledge of possible future expansion.

It was moved by Rafferty and seconded by Prudhon to approve Grant L2-2016-01 to White Bear Montessori School for their 2016 Play Space project in the amount of \$20,000. Vote: all aye. Motion passed.

E. Draft Comprehensive Watershed Management Plan

1. 60 day comment period

The comment period for the Water Plan ended yesterday (4/26/16). We received comments from the MN Pollution Control Agency, the MN Dept. of Natural Resources, the City of White Bear Lake, Ramsey County, the City of North Oaks, the Metropolitan Council, and the Board of Soil and Water Resources. Overall, we were commended on the Water Plan and some very

useful comments were made that we will formally address. The majority of the comments are directed towards making the Water Plan more understandable. However some larger updates will be needed such as adding language in reference to our status as the drainage authority for County Ditches 13 & 14 and to ensure language is consistent with State Statutes and Rules. Direction from the Board may likely be needed on some of the comments which would require a special Board meeting in May so that we can have a final draft ready for State submittal at the June Board meeting.

2. Capital Budget Update

The budget included with the current draft of the Water Plan will need to be updated based on further staff input as well as from some of the comments we received. This may significantly impact the estimated annual budgets and we would like to have the Board review the budget at the special May meeting as well.

Discussion: Johannsen asked for an update on the Sucker Channel project. Staff explained that they had a meeting with the county and due to the amount of engineering and added cost for what the county would like done at the site the county verbally agreed to take the lead on the project. VLAWMO has offered to still due the native restoration at the site. The county is going to do more engineering for the project. VLAWMO said their original portion of the money for the project is still available. Johannsen stated if there is no commitment on installing the project by next year VLAWMO will remove the current funds set aside for the project, Board agreed. Johannsen also suggested that staff approach Blake Hoffman, Ramsey County Commissioner, about this project and moving it forward.

F. Joint Powers Agreement – Resolution 03-2016

Troy Gilchrist, VLAWMO legal counsel has worked with staff to update the JPA for your final review. There are not huge changes from the last Joint Powers Agreement (JPA) but here are a few highlights for your use at your respective City Council or Town Board meetings.

- The dates have changed: 1/1/2017 to 12/31/2026 (10 years again)
- There is a little clean-up of the language regarding a Board Director vacancy. The language was a little confusing regarding directors completing a term if they were no longer elected officials. This came up a couple of years ago.
- Secretary and Treasurer are now a joined office of Secretary-Treasurer with the duties combined.
- The Annual meeting, including the election of Officers may now be held in April. This will allow our communities to update their VLAWMO Board appointments, if necessary, and allow VLAWMO time to complete the previous year audit and annual reports for inclusion at the Annual meeting. The Annual report sets the work plan for the next year.
- Statutory references have been updated in a variety of places throughout the JPA.
- The ditch authority language is updated to reflect recent opinion that VLAWMO could make the case to management the ditches is under Minnesota Statute 103E (ditch law) or 103B (storm sewer conveyance system).
- The VLAWMO Policy book has been established now so the JPA language reflects its existence and defines the process for updates.
- In the Financing Section VIII, a subdivision on disbursements was added with the language reflecting our actual audited practice.
- One thing that was discussed but NOT changed was the Board of Director term lengths. They have been left at three years. While most, if not all of our members appoint annually, keeping the three year terms within the JPA seemed to be a way of encouraging consistency on the Board. As you know, learning about VLAWMO (perhaps even recognizing some of the acronyms we work with) takes a little while. Changing appointments every year would not be good for VLAWMO or our members.

RESOLUTION 03-2016

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

April 27, 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 27th day of April at 7:00 o'clock p.m. The following members were present: Johannsen, Rafferty, Prudhon, Long

The following members were absent: Uzpen, Jones

Resolution 03-2016 was moved by Director Long and seconded by Director Prudhon:

RESOLUTION NO. 03-2016

A RESOLUTION ACCEPTING THE DRAFT VLAWMO JOINT POWERS AGREEMENT FOR DISTRIBUTION TO ALL MEMBER COMMUNITIES FOR REVIEW AND RATIFICATION.

WHEREAS, The Vadnais Lake Area Water Management Organization (VLAWMO), created pursuant to Minnesota Statutes, Section 471.59, is dependent upon the sincere desire of each Member to work cooperatively to meet the requirements of the Metropolitan Surface Water Management statute, Minnesota Statutes, Section 103B.201 et seq. (and Chapter 103D - Watershed Law), and WHEREAS, the current Joint Powers Agreement (JPA) will expire December 31, 2016, and WHEREAS, VLAWMO has completed a new (JPA) to be consistent with the relevant current state statute, existing policy and practices and extends the duration to December 31, 2026, THEREFORE BE IT RESOLVED, that the Vadnais Lake Area Water Management Organization recommends the Joint Powers Agreement as amended and attached.

BE IT FURTHER RESOLVED that VLAWMO will advise its member municipalities that a review and approval of the VLAWMO Joint Powers Agreement is requested within the next two months.

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

1. Ditch Authority

McNamara reported that she has continued to discuss the State Statutes VLAWMO will need to operate under regarding our ditch authority. This will need to be clarified in order to ensure VLAWMO is not in violation of any rules.

Discussion: None.

G. Boundary Change Update

The Boundary Change request has been approved by the City of White Bear Lake and is being considered tonight at the Rice Creek Watershed District Board meeting. We are expecting them to approve the request as well. Once we have their concurrence, we will be able to forward the petition to the Board of Water and Soil Resources for final approval and hopefully it will be completed before we send the final draft of the Water Plan to BWSR this summer.

Discussion: None.

H. Request for Special Board meeting on May 25, 2016

In order to continue moving forward with the Water Plan update, JPA update, Boundary Change update and the upcoming budget, staff requests a special Board meeting for May 25, 2016. Items that would be considered include:

- 10-Year Water Management Plan comments and responses.
- Consideration of any substantive changes to the Water Plan.
- Consideration of ditch authority requirements and management of Lambert Creek and County Ditch 13.

Discussion: Board agreed to a Special Board meeting on May 25, 2016 at 7pm.

I. E.coli source monitoring study – year 3 proposal

A proposal has been received from Burns & McDonnell to continue to assist staff with an E.coli monitoring study in 2016. The total for their proposal is up to \$30,760 and we have money in the budget for this. The number of samples and complexity of the 2016 program is a bit unknown due

to starting the wet weather tracking. The TEC recommended approval to the Board at the April 8th 2016 meeting. The continued goal of this project is to identify sources of indicator bacteria in the Lambert Creek Watershed which can be used to develop and implement BMPs to meet the requirements of the bacteria TMDL. We will be concentrating on the Oakmede and Cty Rd F sub-drainages.

Burns & McDonnell 2016 Proposal

Task #	Task Description	Cost
Task 1	Update Monitoring Plan	\$6,240
Task 2	Molecular Analyses	\$10,000
Task 3	Data Analysis and Report Preparation	\$10,848
Task 4	Report Presentation	\$3,672
	Total	\$30,760

Task 2- Molecular analyses are up to \$10,000. Depending on the culture results it is very possible we may not need all \$10,000 for the tests.

Task 4- Report Presentation is \$3,672, it will be up to the TEC and BOD whether or not they would like Steve to present the findings. Staff recommends having Steve present all finding of both dry and wet weather results at the completion of the wet weather studies.

The monitoring should be similar to the last few years except that we will monitoring wet weather conditions.

Staff and TEC recommend approval by the Board of this proposal.

Discussion: Long asked if we should continue with the E. coli study and stated he had heard from the University that others doing this type of study have stopped. Staff explained that Lambert Creek is on the State’s impaired list for E. coli and a TMDL has be completed and approved. Staff explained the dry weather portion of the study has been completed and the wet weather portion needs to be done to get a full understanding of what, if anything, is causing the impairment. Staff explained that once the wet weather testing is complete the results of the whole study can be brought to the policy maker’s to discuss next steps for both VLAWMO and the MS4’s affected by the impairment. Depending on the results of the study policy maker’s will have to give direction on how they would like the MS4’s to move forward if it is found that there really is not a reasonable/cost effective solution to address this impairment. Pruhdon asked if VLAWMO went out for bid for this study. Staff explained that we did not and the reason being is the consultant we are working with on this study is the only consultant known to have the experience and knowledge working with E.coli and E. coli sourcing and has been very successful on similar projects in other areas of the country both identifying the source of the impairment and also implementing cost effective BMP’s to reduce the impairment.

It was moved by Long and seconded by Prudhon to approve the Year 3 Wet Weather E.coli monitoring proposal from Burns & McDonnell in the amount of \$30,760. Vote: all aye. Motion passed.

J. Request for Proposal regarding Whitaker Treatment Wetlands engineering, reporting, and project oversight assistance

The State Legislature is still in session of course so the funding for the Whitaker Treatment system Wetlands is not finalized, but if we can assume that it does happen, VLAWMO could be looking at entering into a contract with the State in July. That contract will be with the DNR for \$500,000 in grant funding to complete the project you had outlined to you earlier.

To complete this large scale project VLAWMO will need to enter into at least four agreements:

1. With an engineering firm to complete the design, produce construction documents, help VLAWMO oversee installation of the wetlands, assist with engineering questions and

changes as they occur over the 3 year life of the project and write the report of the findings.

2. With a construction company that will work with VLAWMO and our engineer to complete the installation as designed.
3. With the University of Minnesota to add the supplemental pathogens monitoring as specified in the approved project work plan.
4. With White Bear Township to use the southern end of Columbia Park for treatment wetland construction

If all goes well at the legislature, we could anticipate doing preliminary soils work this fall with installation this coming winter. We would like to start the process of securing the engineering firm with the contingency that if there is no funding from the State LCCMR grant we will not proceed at this time. By the time you meet at the end of June we should know about grant funding. If we send out the RFP now to at least 3 qualified engineering firms, staff could be bringing you a draft agreement at your June meeting. The engineering agreement could be effective when the contract with the state is signed.

Recommendation: direct the staff to send a request for proposal to at least 3 qualified engineering firms to complete the design, produce construction documents, oversee installation of the wetlands, assist with engineering questions and changes as they occur over the 3 year life of the project and write the report of the findings. The lowest fully qualified bid proposal will be brought to the June 22nd Board meeting for consideration.

Discussion: Pruhdon stated staff presented the project at their township board meeting and the Township agreed to allow the use of a portion of Columbia Park for the project.

It was moved by Pruhdon and seconded by Long to direct staff to send out a request for proposal to at least 3 qualified engineering firms to complete the tasks described above and bring the lowest qualified bid proposal to the June 22 Board meeting for consideration. Vote: all aye. Motion passed.

VI. Report from the Chair

Johannsen gave an update on the White Bear Lake augmentation process. There is a bill currently pending in the Legislature that would use state funds to do water quality testing and feasibility studies on the impact the augmentation may have on the surrounding lakes and communities. At this point it does not look like there are funds for construction of the project.

VII. Administrator's Report

McNamara stated that VLAWMO has hired a new Education and Outreach person. His name is Nick Voss, he is from White Bear Lake and he will be starting May 2nd.

VIII. Director's Reports: None

IX. Next Regular Meeting – June 22, 2016; Special Board Meeting – May 25, 2016

X. Public Comment

XI. Adjourn

A motion was made by Rafferty and seconded by Pruhdon to adjourn at 8:22pm. Vote: all aye. Motion passed.

Minutes compiled and submitted by Brian Corcoran.