

Middle St. Croix Watershed Management Organization

Bayport Public Library

November 12, 2015

Present: Brian Zeller, Lakeland Shores; Nancy Anderson, St. Mary's Point; John Fellegly, Baytown Township; Dan Kylo, West Lakeland Township; Cindie Reiter, Lake St. Croix Beach; Doug Menikheim, Stillwater; Chuck Dougherty, Oak Park Heights; Joe Paiement, Lakeland; Nancy Truax, Lake St. Croix Beach alternate member; Tom Richardson, MNSPECT; Mike Isensee, Administrator; Katherine McLellan, GreenCorps member at WCD and MSCWMO.

Call to Order – Regular Board Meeting

The meeting was called to order at 7:00pm.

Approval of Minutes

A motion to approve the October 8, 2015 minutes was made by Mr. Kylo, seconded by Mr. Fellegly. The motion was carried.

Treasurer's Report:

- a. Report of savings account, assets for November 12, 2015
- b. Approve payment of bills for November 12, 2015

The treasurer's report was presented. The remaining checking account balance is \$207,545.45. First State Bank CDs are valued at \$32,094.13. The ending balance in the RBC savings account is \$43,553.46. Bills to be approved this month are: \$76.50 Carmen Simonet Designs; \$2,967.00 Emmons & Olivier Resources (MIDS); \$157.42 Minuteman Press; \$1,513.50 Rehder & Associates; \$1,678.00 Washington Conservation District (administration); \$5,224.87 Washington Conservation District (technical services); \$2,551.25 Washington Conservation District (Lake McKusick); \$6,987.50 Washington Conservation District (Lily Lake); \$7,231.25 Washington Conservation District (Lake St. Croix); \$17,167.00 Washington Conservation District (MIDS). Bills total to \$45,554.29. 2015 Contributions received are: \$1,281.84 Lakeland Shores; \$33,645.14 Stillwater; \$15,884.68 West Lakeland; \$10,840.04 Lakeland; \$6,607.25 Bayport (first half dues only); \$17,410.68 Oak Park Heights; \$488.32 Afton (first half dues only); \$4,254.71 Lake St. Croix Beach; \$11,104.48 Town of Baytown; \$875.60 St. Mary's Point. Contributions total to \$102,392.74.

There was a discussion of how to account for grants that are passing through the MSCWMO's accounts. Mr. Zeller inquired about the 2015 budget total, which was recorded as being higher than he had recalled. Administrator Isensee explained that this was due to additional revenue from project reviews, inspections at the Miller Farms, inspections at Oak Park Heights, and from technical assistance provided at Lakeland. Mr. Zeller suggested that this revenue should be listed on a separate line, to clarify the sources of the increase in the 2015 budget. Administrator Isensee agreed that this would be beneficial.

Cindie Reiter moved, seconded by John Fellegly, to approve the treasurer's report and pay the bills presented. The motion carried.

Public Comment:

Administrator Isensee and Mr. Zeller discussed an initiative to introduce a concept in which the MSCWMO would provide a technical review of variances to communities. The ultimate decision regarding the variance would be left to the community, but the technical review process would provide increased consistency in the implementation of riverway standards. Mr. Zeller said that the next step for this concept is to notify the communities in the MSCWMO and gather feedback, and that to that end, a

letter would be sent from the Board members to the communities on the topic. At some point a funding source would also need to be identified for this approach. Ms. Reiter asked if this would increase costs for the applicant, and Mr. Zeller replied that he did not think that it would, because the technical review would improve awareness of and streamline the variance process, thereby decreasing expenses from the designers. Mr. Zeller also pointed out that the technical review could avert future efforts by the DNR to seek certification authority. Ms. Reiter expressed concern that individual communities would not be willing to give the MSCWMO input into the variance process, because sometimes variance decisions are influenced by personal opinions in communities. Mr. Paiement noted the technical review results of the variance request would be very useful for local decision makers. Mr. Zeller pointed out that a benefit of the technical review would be that it would minimize the role that emotions played in variances and improve uniformity. Mr. Richardson (MNSPECT) stated that building inspectors want consistency between communities, and would be supportive of a technical review process for variances. Mr. Zeller added that in the upper St. Croix area, the St. Croix River Association is spearheading a similar effort.

Administrator Isensee brought up the subject of the fee that Ms. St. Ores had been assessed as a result of not filling out her public disclosure information on time, and stated that the fee was removed. There was a discussion about the changes in state legislation for financial disclosure of elected and appointed officials.

Mr. Fellegy reported that Baytown Township voted not pay the increase in requested MSCWMO fees for the upcoming year.

1. Old Business

a. 2016 MSCMWO Meeting Dates

The discussion of meeting dates for the MSCWMO Board meetings was continued. Board members had voted on their meeting date preferences in a poll prior to the meeting. This revealed that shifting to a 6:00 p.m. meeting start time and keeping the meetings on the second Thursday of the month was preferable for the group.

Motion by Mr. Zeller, seconded by Mr. Kylo, to approve the 2016 MSCWMO Regularly Scheduled meeting as the second Thursday of each month at 6:00 p.m. The motion carried.

b. Proposed MSCWMO Legal Boundary Changes with Valley Branch Watershed District

Administrator Isensee introduced the topic of a boundary change between the Valley Branch Watershed District (VBWD) and the MSCWMO, in which some area would be added to the MSCWMO and some would be removed from the MSCWMO. This boundary change utilizes the MN DNR's 2011 LiDAR data, which more accurately represents the topography of the area and the watershed boundaries. It was decided that the cities and residents should be informed of this change. Ms. Reiter expressed concern about the transition for the residents in the area switching from one watershed to another. Administrator Isensee noted the process proposed by VBWD included information of the changes and a public hearing scheduled for the affected properties. The method of avoiding double taxation for property owners in MSCWMO communities and revisiting the MSCWMO funding formula were discussed.

c. Perro Creek Source Control Efforts Summary

Ms. McLellan reported on her work in the City of Bayport to create and send a mailing to all the residential property owners bordering Perro Creek reminding them not to dump fall yard waste into Perro Creek. Ms. McLellan stated that in a survey of the Creek following the mailing, she did not see leaves piled or dumped into the Creek. Mr. Zeller said that this demonstrated an improvement in

treatment of the Creek by homeowners over the years, and that it would be beneficial for this type of mailing to be sent to homeowners every fall.

2. New Business

a. 2016 Washington Conservation District Contract for Services Agreement

Administrator Isensee introduced the 2016 Washington Conservation District Contract for Services Agreement, which allocates funding for administration, technical services, water monitoring and grants for the MSCWMO. The funding allocations, per the 2016 MSCWMO final budget approved in September 2015, are as follows:

Administration Total: \$31,775.00

Technical Assistance Total: \$85,334.00

MSCWMO Technical Assistance: \$41,150.00

Grants Technical Assistance: \$44,184.00

Water Monitoring Total: \$46,411.00

MSCWMO Monitoring: \$16,411.00

Grants Monitoring: \$30,000.00

Total 2016 Services Agreement: \$163,530.00

Mr. Zeller asked how this contract compared to the previous year; Administrator Isensee stated that it was approximately \$20,000 more than the previous year.

Motion by Mr. Menikheim, seconded by Ms. Reiter, to approve the 2016 Washington Conservation District Services Agreement for a total not to exceed \$163,530.00. The motion carried.

b. 2016 Liability Insurance Renewal

The MSCWMO is required to annually review and renew liability insurance and elect to waive or not waive the limits on tort liability. Based on past recommendations from the MSCWMO attorney, it is recommended that the board not waive tort liability limits.

Motion by Ms. Reiter, seconded by Mr. Zeller, to not waive the monetary limit on municipal tort liability. The motion carried.

c. Lake St. Croix Direct Discharge South Subwatershed Analysis Grant

Administrator Isensee presented a grant opportunity for subwatershed analysis in the southern region of the MSCWMO. The MSCWMO has the opportunity to obtain \$10,000 to conduct prioritized subwatershed analysis for catchment areas and subwatersheds located in the MSCWMO south of Bayport. The grant funds require MSCWMO matching funds totaling \$5,000. If approved, work would begin in 2016 and be completed in 2017. The outcome of this effort will be a completed subwatershed analysis that will rank stormwater quality improvement projects by cost/benefit. Water quality improvement practices will be identified in areas directly discharging to Lake St. Croix. This work will guide future project prioritization. This effort is identified in MSCWMO Watershed Management Implementation Plan to be completed in 2017. The first step of this project involving GIS work would be completed by Ms. McLellan at no cost to the MSCWMO. The second step would be to study pollutants in specific catchments and prioritize the areas most in need of management. Mr.

Zeller asked where this would fit into the MSCWMO budget. Administrator Isensee said that it would be categorized as technical services.

Motion by Mr. Fellegy, seconded by Ms. Reiter, to approve \$5,000 matching funding to conduct a subwatershed analysis for the southern areas directly discharging to Lake St. Croix in the MSCWMO. The motion carried.

3. Plan Reviews/Submittals

a. Ellingson Residential Review, 515 Lakeside- Bayport

Administrator Isensee updated the Board on the status of the Ellingson New Home construction project located at 515 Lakeside Drive S. in Bayport. The MSCWMO received revised plans on October 29th and November 4th for the project. Technical staff completed the final review and transmitted the results on Friday, November 6, 2015. The proposed project meets all applicable performance standards of the 2006 MSCWMO Watershed Management Plan.

b. Smith Residential Review, 464 Quinlan- Lakeland

Administrator Isensee notified the Board that the MSCWMO received plans and application materials on October 5, 2015 for the New Home construction project located at 464 Quinlan Avenue South in Lakeland. The project includes a land disturbing activity of over 10,000 square feet and qualifies for a full review by the MSCWMO. Revised materials were received on November 4, 2015. Technical staff completed the final review and transmitted the results on Friday, November 6, 2015. The proposed project meets all applicable performance standards of the 2006 MSCWMO Watershed Management Plan.

4. Administrator's Report

A written report was submitted.

5. Adjourn

Mr. Fellegy moved to adjourn the meeting, seconded by Mr. Zeller. Motion carried and meeting adjourned at 8:23 pm.