

Regular Meeting of the Middle St. Croix Watershed Management Organization
Bayport Public Library, Bayport, MN
Thursday, September 12, 2019
6:00PM

Present: Brian Zeller, Lakeland Shores; Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; John Fellego, Baytown Township; Ryan Collins, Stillwater; Beth Olfelt-Nelson, St. Mary's Point; Dan Kylo, West Lakeland Township; Anne Perkins, Afton; Cameron Blake, WCD; Administrator Matt Downing.

Other: Dawn Belera, Lake St Croix Beach; Chris Smith, Lake St. Croix Beach

Call to Order

The meeting was called to order at 6:00PM by Manager Zeller. Introductions were made.

Approval of Agenda

A motion to approve the September 12th agenda was made by Manager Runk and seconded by Manager McCarthy. Motion carried.

Approval of Minutes

A motion to approve the August 8th, 2019 minutes was made by Manager Zeller and seconded by Manager Collins. Motion carried.

Treasurer's Report

The treasurer's report was presented by Administrator Downing. The remaining checking account balance is \$259,150.60. First State Bank CDs are valued at \$38,549.15. The ending balance in the RBC savings account for August 2019 is \$64,387.50.

Bills to be approved this month are: Emmons & Oliver: \$1,267.50; Emmons & Oliver: \$1,859.00; Washington Conservation District (Administration- July): \$2,378.50; Washington Conservation District (Technical Services- August): \$11,433.25; Washington Conservation District (Technical Services- July): \$12,275.93; Washington Conservation District (Administration- August): \$3,324.00; Total: \$32,538.18.

The board discussed the unpaid balance from Washington County regarding the 3rd St cash-in-lieu of treatment agreement. Administrator Downing informed the board that he has continued to ask for information regarding when the payment will be made, and that he has requested for the total payment again. He said he has received three responses from staff indicated that they were discussing this internally. Administrator Downing said he gave county staff a deadline of this board meeting date and has still not received clarity on the timing of the payment.

Manager Zeller asked Administrator Downing to forward him documentation on the payment amount of approximately \$118,000. He said he would reach out to Wayne Sandburg at public works. Manager Kylo arrived at 6:03PM. Manager Runk asked Manager Zeller if they should reach out to Commissioner Kriesel. Manager Zeller explained that he believed the cash-in-lieu agreement was made by county staff at the engineering level. He recalled the hesitancy of the MSCWMO board in accepting cash-in-lieu in the first place. Manager Zeller reiterated that he

received a call from Commissioner Kriesel that reflected this possible miscommunication and misunderstanding among the county on this issue.

Manager Runk moved to accept the Treasurer's report and bills, Manager McCarthy seconded, and the motion carried.

Old Business

Manager Olfelt-Nelson asked if Administrator Downing had received the second half of the community contribution from St. Mary's Point. He will check on this.

Finalize 2020 Budget

At the August 8th MSCWMO meeting, the board approved the draft 2020 budget and directed that it be sent to the member communities for review. All of the communities were sent a copy of the 2020 draft on August 13th. Administrator Downing has not received any comments from the communities regarding the proposed changes. Manager Zeller noted that there has been a fair amount of treasurer turnover in the communities in the lower valley. Administrator Downing will double check that everyone has everything they need to know about the 6.97% increase in budget. Manager Runk motioned to finalize the 2020 MSCWMO Budget. Manager McCarthy seconded this, and the motion carried.

2020 WQ Monitoring

Administrator Downing presented the estimate for 2020 water monitoring services. The suggested changes propose to collect the data that will be most valuable to the MSCWMO for making future management decisions, while accounting for a limited monitoring budget. Even with the recommended reductions, the WCD proposal would be \$2,705 over the budgeted 2020 amount for monitoring. Ideally, the MSCWMO would seek to partner with the City of Bayport as was done in 2019 to cover a portion of the lab costs associated with the Microbial Source Tracking on Perro Creek.

The board discussed the Perro Creek microbial source testing in depth. There was discussion about the sampling strategy. Manager Zeller asked if instead of 4 sampling events they could approve the water monitoring budget with 2 sampling events with the understanding that Bayport could pay for the remaining 2 sampling events if this is deemed to be necessary. Administrator Downing explained that his concern with this suggestion is the turnaround time for the tests, and that this may not be conducive to a decision mid-season. Manager Zeller suggested approaching Bayport now so that they will be prepared to pay for the additional sampling events next season. The board agreed on the monitoring recommendations with an adjustment on the MST item from 4 samples at 4 sampling events to 4 samples at 2 sampling events. Manager Fellegly moved to approve the 2020 monitoring estimate as revised, with Administrator Downing to approach the City of Bayport to pay for the last two MST sampling events. Manager Kylo seconded this motion, and the motion carried.

County Board Budget Workshop

Administrator Downing requested a manager to attend the county board budget workshop at October 15th. He explained that the workshop called for a project highlight and that he tried to be diplomatic in the notes regarding the Stillwater Country Club project that is covered in part by the delayed fee-in-lieu of treatment payment from the county. Manager Zeller volunteered to attend and said he felt confident that the MSCWMO's small budget, grant utilization, and

implementation with leveraged funds will be viewed favorably. Administrator Downing will update Manager Zeller on the timing of the workshop when he receives that information himself.

Lily Lake Bioretention Basin/Alum Treatment Grant Application

Administrator Downing informed the board that last year's application was denied due to a technicality, but that he had confirmed that this year's application was submitted correctly. Manager Zeller asked again if Administrator Downing knew of any shovel ready projects. Administrator Downing said he had not identified any, but that there was an issue with one of the two Lily Lake raingardens that were going to be installed this year. Manager Zeller recommended he reach out to respective parties regarding stormwater and erosion issues at the Lakeland Beach Road near the beach. He believes this would be Dave Simons at SEH who Lakeland uses as their engineer. Manager McCarthy asked Administrator Downing about the Lake St. Croix bluff stabilization project/grant application at the catholic church on 3rd St.

Stillwater Country Club Final Payment Request

Manager Runk motioned to approve the final payment of \$190,045.20 to Shoreline Landscaping for the Stillwater Country Club Filtration Basin project. Manager Collins seconded this, and the motion carried. Manager Zeller motioned to hold the MSCWMO October 10th regular board meeting at the Stillwater Country Club at 6pm. Manager McCarthy seconded this, and the motion carried. The board discussed having a tour of the SCC project. If the location is available at this time, there will need to be a notice posted to the MSCWMO website at least 3 days ahead of time.

Finnegan-update, no board action needed

The Finnegan home at 333 Quixote Ave N in Lakeland Shores proposes a home office and porch addition on the north side of the home as well as a deck. A variance request has been submitted to the City of Lakeland Shores and the City advised the applicant on July 8th that the project requires MSCWMO plan review. A MWCWMO review application was received on August 1st, 2019. The project is within the St. Croix Riverway and adds over 500 square feet of impervious surface and therefore requires stormwater management. Additional application materials such as updated impervious areas and rain garden grading plans and cross sections have been requested from the applicant on August 19th, 2019 but materials have not yet been received to complete the review. Manager Zeller noted that this is a unique property with a historical man-made ravine. He said he recommended they consult the WCD on erosion control concerns.

Zvago- update, no board action needed

This project was formerly submitted as the Ecumen Stillwater Senior Living Center in 2017 and approved with conditions but never completed. The project has since changed ownership and has resubmitted a new plan review application and updated required submittal items on July 17th, 2019. The plan review recommendation was sent on August 13th, 2019 to amend the plans to correct seven items and resubmit the plans for further review. Revisions and a resubmittal has not yet been received. Administrator Downing noted he had not heard back from this developer and neither has the local WCA authority Jay Riggs, WCD.

Moeller-review

The existing retaining wall at 2199 River Rd S in St. Mary's Point was severely damaged from the spring flooding on the St. Croix River and requires replacement. An application for MSCWMO project review was received on August 8th, 2019 and a review was completed. The project will involve minor grading within 40 feet of the bluff line and within the St. Croix River buffer to reconstruct the retaining wall. Staff recommends approval with four conditions. Manager Zeller asked for a motion to send this along to the city clerk. Manager Olfelt-Nelson said she thought the city had already approved this project, and noted the importance of this project. She said they had already received review from other parties than the MSCWMO. The board gave new direction to Administrator Downing in regards to plan reviews, and suggested he send review comments right away but to inform the respective parties that any recommendations were subject to MSCWMO board approval. Manager Runk moved to approve the project as recommended by staff. Manager Collins seconded this, and the motion carried.

Anderson-review

The Anderson Corporation located at 100 4th Ave N in Bayport proposes improvements to two existing parking lots referred to as the south lot and lot east of building 30A. The existing lots are gravel which are proposed to be paved with bituminous. Soil borings indicate that the existing surface material is fill material which will serve as the pavement subbase and native soils below the existing fill material will not be exposed or disturbed therefore the bituminous paving is categorized as resurfacing as opposed to reconstruction. The project involves greater than 100 cubic yards of grading and requires a variance from the City of Bayport therefor a project review for compliance with MSCWMO erosion and sediment control standards is applicable however stormwater management standards are not triggered. An application for MSCWMO project review was received on August 21st, 2019. The project goes above and beyond the erosion and sediment control standards by reducing impervious surfaces by 0.2 acres and 13 including stormwater management with two raingardens adjacent to the south lot. Staff recommends approval with four conditions. Manager Zeller noted that Andersen windows has done very well with their plans. Manager Zeller moved to approve the project as recommended by staff. Manager Fellego seconded this, and the motion carried.

Stillwater-review and update, no board action needed

The City of Stillwater proposes to stabilize a section of riverbank and construct a new trail for public recreation along the St. Croix River from south of Dock Café and north of Shoddy Mills. The project will create 0.32 acres of new linear impervious surface. The MSCWMO received the application and materials for project review on August 23rd, 2019. Staff recommends the revision and resubmittal of materials to address ten comments including documenting MSCWMO rate control standards are satisfied and that there are qualifying restrictions on site which preclude meeting the MSCWMO volume control standards. The board discussed the logistics and probable location of the project.

Staff Report

Administrator Downing informed the staff that MSCWMO erosion and sediment control inspections were re-started. Manager Olfelt-Nelson asked for clarification of the program and where it applied. She expressed concern about erosion and sediment control of a home in St. Mary's point and asked who she would speak to about this. The board informed her that the city

inspector would be responsible for enforcement if they chose to, and suggested sending a picture. Administrator Downing noted that communities have the option of using the MSCWMO to do the ECSC inspections.

Manager Zeller updated the board on Lakeland's involvement in the PFAS discussions. He said the PCA came to the Lakeland meeting and he learned that some of the spread is through surface water in the Lake Elmo watershed through historical drainage improvement projects. The board discussed their thoughts on surface water treatment. Manager Kylo said the PCA has not yet identified a treatment protocol for surface water contamination.

Manager Fellegy and Administrator Downing updated the board on the 1W1P process. There are questions about what structure to choose for the implementation of this plan as well as questions regarding the prioritization process for projects. Administrator Downing explained his reservations regarding the direction the prioritization conversation is taking in that it may be setting up another competitive grant structure that favors southern organizations with greater staff capacity. Administrator Downing explained that there are county versions of funding allocation that could be followed instead. Manager Zeller asked if Mike Isensee could be consulted about how the MSCWMO can advocate for this plan to be made more efficient as was the original intention of the plan. Manager Fellegy said he could not make the next Policy Committee meeting on September 30th and that someone else from the MSCWMO boards should try to attend. The group did not recall selecting an official alternate for the 1W1P process but Manager McCarthy motioned that Manager Zeller attend the next meeting in Manager Fellegy's absence. Manager Perkins seconded this, and the motion carried. Administrator Downing will ask Angie Hong to send the preparatory materials to Manager Zeller and will also attend the meeting.

Manager Zeller motioned to adjourn the meeting, Manager Perkins seconded this. The motion carried. The meeting adjourned at 7:01PM.