

Regular Meeting of the Middle St. Croix Watershed Management Organization  
Bayport Public Library, Bayport, MN  
Thursday, March 14, 2019  
6:00PM

Present: Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; John Fellegly, Baytown Township; Lakeland; Ryan Collins, Stillwater; John Dahl, Bayport; Beth Oleft-Nelson, St. Mary's Point; Cameron Blake, WCD; Administrator Mike Isensee

**Call to Order**

The meeting was called to order at 6:00PM by Manager McCarthy.

**Approval of Minutes**

A motion to approve the January 10<sup>th</sup>, 2019 minutes was made by Manager Runk and seconded by Manager Fellegly. Motion carried.

**Treasurer's Report**

Report of savings account, assets for March 14, 2019  
Approve payment of bills for March 14, 2019

The treasurer's report was presented by Manager McCarthy. The remaining checking account balance is \$33,700.68. First State Bank CDs are valued at \$32,094.13. The ending balance in the RBC savings account is \$63,098.91

Bills to be approved this month are: Carmen Simonet Design: \$403.75; Kennedy & Graven: \$108.00; Kennedy & Graven: \$36.40; League of MN Cities: \$2,275.00; State Register: \$64.00; Washington Conservation District (Administration): \$7,018.25; Washington Conservation District (Technical Services): \$5,151.00; Washington Conservation District (Lily Lake): \$1,080.00; Washington Conservation District (LSC Direct): \$1,488.90; Washington Conservation District (Grant Hours): \$31,479.72 Total: \$49,105.02

Manager Fellegly inquired about Stillwater's Annual Contribution being missing and what the structure for community contribution payments is. Administrator Isensee explained that communities split their annually payment in two, and that Stillwater has not paid its first half yet. Manager Fellegly inquired about manager signatures and Administrator Isensee said the Board needs to establish a third signature due to manager turnover. Manager McCarthy volunteered to be the third signature and Administrator Isensee will set that up at the bank this month.

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

**Public Comments**

There was no public comment.

### **Greeley Gully Grant Closeout**

In 2014 the MSCWMO was awarded a \$109,000 Clean Water Fund Grant to continue to install water quality improvement projects in the Lily Lake Watershed. In 2015 the City of Stillwater, Stillwater School District and MSCWMO agreed the stabilization of the Greeley Gully was the highest priority project in the Lily Lake Watershed. The project was constructed in 2017 and 2018 and the MSCWMO Board of Managers approved final payment of \$73,463.00 based on a total contractor invoice of \$103,463.00. The \$30,000 matching funds were paid by the City of Stillwater in accordance with the with the Cooperative Agreement between the City of Stillwater, Stillwater School District, and Middle St. Croix Watershed Management Organization executed February 22, 2017. During the grant close out process staff noted that the final reimbursement to Stillwater Schools was greater than the amount approved in the executed contract. This is due to the engineers estimate being \$158.00 less than the apparent low bidder and the contractor requesting and being granted a change order to address unforeseen circumstances in the construction documents. Specifically the change order removed 17 additional trees that at \$105 each and added 28 cubic yards of riprap at \$90 per cubic yard needed to adequately stabilize stormwater outfalls. MSCWMO technical staff and Stillwater School District Engineering approved the change order for \$4,305.00.

Motion by Manager Fellegly, seconded by Manager Collins, to approve the Greeley Gully change order to increase the not to exceed reimbursement total to Stillwater schools for 69,000.00 to \$73,463.00 for the Greeley Gully stabilization project. The motion carried.

### **2020 MSCWMO Budget Indication for Townships**

The MSCWMO provides an early indication of the potential 2020 budget early in 2019 to inform the Townships budgeting process. The MSCWMO has not increased its budget since 2015. In 2020, staff is requesting the MSCWMO Board of Managers to consider an increase of 9.0% to cover program and service fee increases since 2015. The official MSCWMO 2020 annual budget is required to be completed by August, 2019. Manager Fellegly said Baytown Township's 2020 budget was approved last week and did not include an increase for MSCWMO's fee. There was discussion around the difference between city budget timelines and township budget timelines who have already passed their 2020 budget. Administrator Isensee explained that the fee increase could be up to 9.0% but not necessarily that high. Manager Dahl asked what would affect the amount of increase. Administrator Isensee said it could be many things and that it's based on what the Board wants to approve.

Motion by Manager Runk, second by Manager Oleft-Nelson to indicate to the MSCWMO Townships that the MSCWMO 2020 budget may increase by 9.0% in 2020. The motion carried.

### **Perro Creek Phase I Project Award**

Administrator Isensee presented the proposed 2<sup>nd</sup> Street Drainage Improvement project which will install three bioretention swales that will intercept and infiltrate stormwater runoff from 6.7 acres of drainage along 2<sup>nd</sup> Avenue N. and 7<sup>th</sup> Street North that is directly discharging into Perro Creek. WinSLAMM water quality monitoring indicates the water quality swales will reduce phosphorous by 10.1 lbs. per year from entering Perro Creek and Lake St. Croix. Manager Fellegly asked what percentage of phosphorus load removal this project would achieve. Administrator Isensee said a 10 pound reduction is 10% of the targeted load reductions for the creek, as the catchment total load

reduction goal is about 100 pounds of phosphorus. Manager Fellegy said he believed outreach and education to residents about water quality impacts of leaves and dog poop is a cost effective and way to reduce pollutant loads. Administrator Isensee said an old cesspool was recently found which was contributing pollutants to Perro Creek.. He said there has been and continues to be outreach to residents specifically on the topic of Perro Creek and the last time the creek was walked in 2016 there was no sign of leaf or grass clipping dumping into the creek. The City adds an annual article on this topic in the Bayport newsletter. The board asked if this could be re-emphasized.

Manager Fellegy made a motion, seconded by Manager Dahl, to approve cost share not to exceed \$61,000.00 for the 2<sup>nd</sup> Street Drainage Improvement Project: Perro Creek Water Quality Retrofit Phase I. The motion carried.

### **Lily Lake Stormwater Quality Retrofits Release for Quotes**

Design and construction documents are complete for the Lily Lake Stormwater Quality Retrofits Project. The project will install two raingardens (one at 905 Pine Tree Trail and one at 611 Lake Drive) in the direct drainage area to Lily Lake. Administrator Isensee discussed the Lily Lake watershed and load reduction efforts made in this watershed. Manager Runk provided a historical photo of Lily Lake and Brick Pond, and discussed historical dykes in the area.

Manager Fellegy made a motion, seconded by Manager Collins, to approve sending the Lily Lake Stormwater Quality Retrofits out for quotes. The motion carried.

### **2018 MSCWMO Year End Budget**

The 2018 year end budget tracker identifies total expenditures of \$149,648.92 based on total receivables of \$153,570.00. The remaining 2018 budget is \$3,921.08. Due to a large number of grant funded water quality improvement project installations in 2018 and 2019, staff recommends encumbering these funds to cover the majority of match requirements for 2019.

Manager Runk made a motion, seconded by Manager Fellegy, to encumber \$3,921.08 for MSCWMO grant funded costs share project match costs for 2019. The motion carried.

### **2019 Clean Water Fund Grant Agreement– Lake St. Croix Small Communities Urban Phosphorus Reduction Grant**

The Middle St. Croix Watershed Management Organization was awarded a \$200,000 Clean Water Fund Grant to install projects identified in the Lake St. Croix Direct Discharge South Subwatershed Analysis. The subwatershed analysis was completed in 2018 by the MSCWMO to target and prioritize water quality improvement projects between the south side of Bayport and St. Mary's Point. Staff is currently working with the City of Lake St. Croix Beach to consider evaluating the feasibility of stabilizing an eroding bluff on Lake St. Croix. The grant funding must be spent by December 31, 2022. Staff is requesting the Board of Managers approve entering into a grant agreement with the Board of Water and Soil Resources.

Manager Fellegy made a motion, seconded by Manager Oleft-Nelson, to enter into agreement with the Board of Water and Soil Resources for the FY 2019 Clean Water Fund Grant – Lake St. Croix Small Communities Urban Phosphorus Reduction Grant. The motion carried.

**2019-2021 MSCWMO Consulting Services**

In accordance with state statute the MSCWMO is required to post every two years for our engineering and legal consulting services. The attached Request for Proposals was posted in the Minnesota Register in January 2019. The letters of intent are presented for board consideration in a follow up email to the board pack. Staff recommends retaining current legal and engineering consultants

Manager Fellegy made a motion, seconded by Manager Collins, to select Emmons and Olivier Resources and Kennedy & Graven, Chartered to provide engineering and legal services for the MSCWMO from 2019-2021. The motion carried.

**St. Mary’s Point Local Surface Water Management Plan Review**

Staff recommends approving the plan with conditions. Manager Oleft-Nelson inquired about the Met Council’s comments on the LSWMP and if Administrator Isensee needed to respond to those comments. This was a roll call vote:

Manager Dahl	Yes
Manager Fellegy	Yes
Manager Collins	Yes
Manager Runk	Yes
Manager Oleft-Nelson	Yes

The motion carried.

**Afton Local Surface Water Management Plan Review**

Staff recommends approving the plan with conditions. This was a roll call vote:

Manager Dahl	Yes
Manager Fellegy	Yes
Manager Collins	Yes
Manager Runk	Yes
Manager Oleft-Nelson	Yes

The motion carried.

**2019 BMP Maintenance and Match Allocation**

Due to a high level of activity of grant funded water quality project installations in 2018 and planned installations in 2019, staff is requesting board action to allocate funding to complete grant match and maintenance obligations. Funds for this request will be allocated from two locations. The first allocation of \$12,000 will come from funds encumbered in 2016 to meet water quality maintenance

and grant match obligations. The second allocation of \$4,500 will come from the m the 2019 BMP cost share budget.

There was board discussion about maintenance of BMP's. The MSCWMO maintains new BMP's for the first two years, which has been found more cost effective than contracting this work out, and after that the maintenance obligation transfers to the party responsible in the maintenance agreement. Annual inspections also occur. Manager Oleft-Nelson asked about adding signs from the MSCWMO to St. Mary's Point raingardens.

Manager Fellegy made a motion, seconded by Manager Collins, to allocate \$12,000 from the 2016 encumbrance and \$4,500 from the 2019 cost share to meet grant maintenance and match obligations. The motion carried.

### **2019 Conservation Corps of Minnesota Crew Grant Approval**

The MSCWMO applied for 18 days of Conservation Corps of Minnesota time for 2019 and was awarded a total of 11 days for a crew of 3-5 youth. In 2019 MSCWMO staff will work with the crews to install plants on newly installed projects and assist in the control the invasive vine *Manchu Tubergourd* discovered in the Mulberry Ravine in Stillwater in 2018.

Manager Fellegy made a motion, seconded by Manager Runk, to accept the grant award and enter into to a grant agreement with the Conservation Corps of Minnesota for 11 days of crew time in 2019. The motion carried.

### **Mulberry Yacht Club, Stillwater**

Administrator Isensee received required submittal items on February 9, 2019 for the proposed Mulberry Point Yacht Harbor Improvements, located within MSCWMO boundaries and in the City of Stillwater. There is involvement with the Army Corps due to some disturbance below the OHWL. No board action needed.

### **2019 Lakeland Street Improvements, Lakeland**

Administrator Isensee updated the board on the Lakeland street improvement project. No board action needed.

### **Administrator's Report**

Administrator Isensee presented the monthly update of activities. Administer Isensee explained that there is discussion in the metro area around watershed districts and permitting programs in an effort to develop consistency and efficiency between districts. There was discussion around the lack of state redevelopment standards. Managers Oleft-Nelson and Dahl both expressed a desire to avoid compromising water quality solely for the sake of consistency.

### **Adjourn**

Manager Fellegy moved to adjourn the meeting and Manager Collins seconded this motion. Motion carried. Meeting was adjourned at 7:23pm.