

Regular Meeting of the Middle St. Croix Watershed Management Organization
Washington Conservation District/Hybrid Zoom
Thursday, February 17th, 2022
6:00PM

Present: John Fellego, Baytown Township; Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; Annie Perkins, Afton; Beth Olfelt-Nelson, St. Mary's Point; John Dahl, Bayport; Dan Kylo, West Lakeland Township; Administrator Matt Downing; Cameron Blake, WCD; Amanda Herbrand; Stu Grubb, EOR; Dawn Bulera, Lake St. Croix Beach alt.; Avis Peters, Baytown Township new manager

Call to Order

Manager Zeller is absent and Manager McCarthy is attending via Zoom so Manager Kylo will run the meeting. Manager Kylo called the meeting to order at 6:04PM.

Approval of Agenda

Administrator Downing proposed two items under "Other": Insurance dividend and Agreement for maintenance work at SCC. Manager Runk moved to approve the agenda with this addition and Manager Fellego seconded this. The motion carried on a roll call vote with all in favor.

Approval of Minutes

Manager Fellego moved to approve the draft December 9th, 2021 board meeting minutes and Manager Olfelt-Nelson seconded this motion. The motion carried on a roll call vote with all in favor.

Treasurer's Report

The treasurer's report and bills to be paid were presented by Manager Kylo. The remaining checking account balance on February 17th for the month of December 2021 was \$463,262.97. First State Bank CDs were valued at \$38,549.15. The ending balance in the RBC savings account for November and December 2021 was \$76,966.87.

Bills to be approved this month are: Short Elliot Hendrickson: \$2,700.00 total; Short Elliot Hendrickson: \$1,800.00 total; Washington Conservation District (EMWREP): \$1,575.00; Washington Conservation District (Water Monitoring): \$6,954.42; Washington Conservation District (Administration-December): \$3,678.00; Washington Conservation District (Technical Services-December): \$1,356.00; Washington Conservation District (Administration-January): \$3,192.00; Washington Conservation District (Technical Services-January): \$4,434.00; Washington Conservation District (Grant Hours): \$2,090.81; Total: \$27,780.23.

Manager Runk moved to accept the treasurer's report and pay the bills. Manager Fellego seconded this motion. The motion carried on a roll call vote with all in favor.

Public Comment

There was no public comment.

Old Business

There was no old business.

PFAS Funding Options

Stu Grubb presented this topic to the board. He summarized the work that has been done so far with the 3m PFAS Settlement. Phase I funding was to enhance drinking water quality. The MPCA is still working with communities to provide water including West Lakeland Township. Phase II funding is to restore and enhance water resources in the East Metro and Mississippi. The MSCWMO can apply for funding for projects that fall under this category. Since this is outside of the drinking water activities it falls more closely with the type of work the MSCWMO focuses on. Mr. Grubb and Administrator Downing met to discuss potential options like slope stabilizations. Manager Kylo and Perkins agreed it was worth staying tuned for potential projects. Mr. Grubb explained the drinking water is still the first priority and whatever funding remained would go towards this second phase. Manager Olfelt-Nelson expressed concern as one of the communities to the south of the plume but still in its proximity. The PFAS chemicals are “forever” chemicals and the movement of the plume is unpredictable. She asked what would happen if the communities close to the plume end up needing help with drinking water issues and all the funding has been spent. The board echoed this concern. Mr. Grubb explained that this may not be the last settlement. There could be more if more communities than currently identified are impacted. Mr. Grubb explained that he wanted to be ready with potential projects when Phase II funding was available but that the focus was still on Phase I projects. He does not know the timeframe for applications yet but wants to get ready in the next few months.

2021 Permit Review Fee Review

Administrator Downing introduced this agenda item. The board requested a summary of any overages of permit review time over \$500; this totaled \$9,291. The board can approve to invoice the respective communities for these overages. The communities can then choose to invoice the applicants to recover those costs.

Manager Runk moved to invoice the respective communities for the 8 2021 permits listed.

Manager Olfelt-Nelson seconded this motion. The motion carried on a roll call vote with all in favor.

Officer Appointments

The current MSCWMO officer appointments are as listed:

Chair- Manager Zeller

Vice Chair- Manager McCarthy

Treasurer- Manager Kylo

Secretary- Manager Perkins

Manager Fellegly moved to keep the MSCWMO officer appointments the same. Manager Runk seconded this motion, Manager Olfelt-Nelson confirmed that manager Zeller was continuing to be on the MSCWMO board and Administrator Downing noted they can always adjust the appointments as needed. The motion carried on a roll call vote with all in favor.

2022 Community First Half Contribution Request

All 2021 community contributions were received. Administrator Downing is requesting the board approve him sending out the first half 2022 contribution invoices to the communities. Manager Fellegly moved that Administrator Downing send out the first half 2022 invoices. Manager Olfelt-Nelson seconded this. The motion carried on a roll call vote with all in favor.

2021 Savings Deposit

The 2021 MSCWMO Budget included \$5,750 for deposit into savings for future costs including water monitoring equipment replacement and repair, and watershed management plan update costs. None of these funds were expended in 2021 and the entire balance can be deposited. Administrator Downing is requesting board approval to deposit the funds into the RBC savings account.

Manager Fellegly moved to approve Staff to deposit \$5,750 from the 2021 Budget to savings and Manager McCarthy seconded this motion. The motion carried on a roll call vote with all in favor.

2021 Year End Budget Summary

Administrator Downing presented this informational agenda item. The digital copy has been corrected. He explained that the MSCWMO was generally on track for budget aside from the permit review overages which are going to be addressed. There were a few items that were over budget but they had board approval. For example, the new database cost more upfront but will save money overall.

Alt. Manager Bulera joined the meeting at 7:37pm via Zoom

2021 Adopt-a-Drain Summary and 2022 Invoice

Administrator Downing explained that the MSCWMO was part of the original AAD program. It's a good, cost effective program and they are asking for 2022 membership fees.

Manager McCarthy moved to pay the \$500 2022 Adopt-a-Drain membership fee and Manager Fellegly seconded this motion. The motion carried on a roll call vote with all in favor.

2021 Audit Engagement

Administrator Downing is requesting board approval for 2021 Audit engagement. The MSCWMO budgets \$2,200 for the audit. The cost this year is \$3,300 but he anticipates this decreasing in the future after the auditors see that previously identified issues have been addressed. Administrator Downing noted another explanation of the higher than budgeted cost could be inflation.

Manager Olfelt-Nelson moved to approve the 2021 audit engagement and Manager Runk seconded this motion. The motion carried on a roll call vote with all in favor.

People's Church Reimbursement Request

In November 2021, the MSCWMO Board of Managers approved cost share reimbursement of \$500 for the People's Church native prairie restoration project in Bayport. The Peoples Church of Bayport has completed the restoration of 2 acres of native prairie located at on the South side of 5th Avenue, across from the Bayport Fire Station. The site was originally restored with funding from the Board of Water and Soil Resources Capacity funding and the MSCWMO

Water Quality grant. Part of this larger restoration was damaged when a neighbor drained a low area of his property and discharged the runoff through the restoration. The neighbor graded and seeded the damaged area two years ago, but it has become clear the seed that was used was turf grass seed and not prairie seed. The members of People's Church have worked to restore this area. The site was treated with herbicide this summer and the prairie seed was seeded into the soil this fall. The cost share was used to cover the cost of the seed for this area, totaling \$304.41. Staff recommend approval of reimbursement in the amount of \$301.41. Manager Runk moved to approve a cost share reimbursement in the amount of \$301.41 for the People's Church Prairie Restoration. Manager Fellegy seconded this and the motion carried on a roll call vote with all in favor.

MN Party Bus-INFORM

The applicant was notified after the September MSCWMO meeting by the City of Lakeland Shores that they were not in compliance with their approved site plan and permit. City staff requested the MSCWMO take the lead on enforcement related to permit compliance. MSCWMO staff met with the applicant on September 23rd and informed them that their options were to:

- Remove the impervious and grading that were done to the conditions that were on their approved plan OR
- Revise and resubmit an application showing how the stormwater requirements for the site can be met in a different manner

The applicant retained the designer of the original site plan to make modifications and complete the resubmittal. The resubmittal was reviewed and did not meet MSCWMO design standards to the applicant was requested to revise and resubmit. The designer has requested assistance with design from MSCWMO. The MSCWMO has made suggestions to the designer to help them meet the conditions, but it is outside of the scope of permit review to design the project for them.

255 2nd Street-ACTION

Administrator Downing presented this item from the plan review/submittal report in the board packet. MSCWMO staff recommends project approval.

Manager Runk moved to approve this project and Manager Olfelt-Nelson seconded this. The motion carried on a roll call vote with all in favor.

L68 Lift Station-ACTION

Administrator Downing presented this item from the plan review/submittal report in the board packet. MSCWMO staff recommend project approval with the one condition that the lacking ESC plan items are addressed. Manager Kylo moved to approve this project with the identified condition and Manager Fellegy seconded this. The motion carried on a roll call vote with all in favor.

Mass Shoreline-ACTION

Administrator Downing presented this item from the plan review/submittal report in the board packet. MSCWMO staff recommend project approval with the two conditions that the lacking ESC plan items are addressed and upslope vegetation details are provided. Manager Runk moved

to approve this project with the identified conditions and Manager Fellegly seconded this. The motion carried on a roll call vote with all in favor.

Chestnut Street Plaza-ACTION

Administrator Downing presented this item from the plan review/submittal report in the board packet. MSCWMO staff recommends conditional approval of the project with conditions to demonstrate soil cells meet flexible treatment option requirements and design/construction standards, SWPPP is amended to meet MSCWMO standards, and a proposed maintenance agreement is provided.

Manager Runk noted that this developer had to remove contaminated soil from the site. Manager McCarthy moved to approve this project with the identified conditions and Manager Dahl seconded this. The motion carried on a roll call vote with all in favor.

Baylon Boathouse-INFORM

Administrator Downing presented this item from the plan review/submittal report in the board packet. There are a number of concerns with the project not meeting the Washington County Lower St. Croix Bluffland and Shoreland Management ordinance and Floodplain Management ordinance. MSCWMO staff recommends revise and resubmit to meet ESC standards and demonstrate compliance or obtain variances to County Development Code. The project location is Lakeland Shores.

Jambois Hillside Lift-INFORM

MSCWMO staff recommends revise and resubmit with an ESC plan meeting MSCWMO standards. Administrator Downing noted this was a low impact project.

Erosion and Sediment Control Inspection Reports

There are none.

Staff Report

Administrator Downing said most of these topics have been covered in the meeting discussion. He noted the Lily Lake alum treatment and volunteer planting coordination for 2022. The MSCWMO have received the payment from the management company from the apartments adjacent to the project as agreed upon. The WBF and LSC Phase one grants have been closed out. There were updates to the Phase two LSC South grant. There will be a database presentation at the next board meeting. The MSCWMO received MCC Crew time as applied for some smaller scale projects they have not gotten grant funding for. Manager Runk asked about an approved Stillwater project in Lake McKusick. Administrator Downing explained it was a sediment removal project from sediment deposited by the BCWD Diversion Drainage.

1W1P Updates

There have not been any recent Policy Committee Meetings. Manager Fellegly is leaving and so the MSCWMO will need to assign a new manager for this role. The group agreed to do this selection at the next board meeting.

Other

Administrator Downing informed the board that they received their insurance dividend of \$900 after paying \$2090 in 2021. This has been deposited.

Administrator Downing informed the board of a contract with MNL for a maintenance burn this spring at the SCC project the MSCWMO is maintaining. This type of activity is not something the WCD currently does and has been identified as being needed at the SCC based on its stage of establishment. Manager Runk moved to accept the MNL contract and Manager Kyllö seconded this motion. The motion carried on a roll call vote with all in favor.

Adjourn

Manager Runk motioned to adjourn the meeting and Manager Felleggy seconded this. The meeting was adjourned at 7:05pm.