

Regular Meeting of the Middle St. Croix Watershed Management Organization  
Washington Conservation District, 455 Hayward Ave N  
Remote locations: 775 3rd Ave N Bayport 55003; 5312 Fourwinds Way, Fort Pierce, FL  
34949

Thursday, January 12th, 2023  
6:00PM

Present: Brian Zeller, Lakeland Shores; Mike Runk, Oak Park Heights; Phil Moosbrugger, West Lakeland Township; Tom McCarthy (remote), Lake St. Croix Beach; Avis Peters, Baytown; John Dahl (remote), Bayport; Joe Paiement, Lakeland; Ryan Collins, Stillwater; Annie Perkins, Afton; Administrator Matt Downing; Amanda Herbrand, WCD; Brett Stolpestad, WCD; Cameron Blake, WCD. Audience: Dawn Bulera, Tim Schneider (remote)

### **Call to Order**

Manager Zeller called the meeting to order at 6:00PM.

### **Approval of Agenda**

Administrator Downing requested three additions under “Other”: Campaign Finance Board Notice, 2022 Audit, and Watershed Management Plan Update. Manager Runk motioned to approve the agenda with the three additions, Manager Collins seconded the motion. The motion carried on a roll call vote with all in favor.

### **Approval of Minutes**

Manager Collins motioned to approve the draft November 10<sup>th</sup>, 2022 board meeting minutes, and Manager Dahl seconded the motion. The motion carried on a roll call vote with all in favor.

### **Treasurer’s Report**

Administrator Downing presented the Treasurer’s Report. The remaining checking account balance on January 12<sup>th</sup> was \$111,782.41. First Bank CDs were valued at \$38,549.15. The ending balance on the RBC savings account was \$83,210.50 for November and \$83,412.11 for December.

The bills to pay this month are \$108.00 to MN Dept of Admin, \$54.90 to Kennedy & Graven, and eight bills to the Washington Conservation District totaling \$18,448.67. Total of the bills to approve is \$18,611.57.

There are no invoices to approve this month.

Lakeland has outstanding contribution amount from 2022.

Manager Zeller motioned to approve the report of the savings account and assets, Manager Perkins seconded the motion. The motion carried on a roll call vote with all in favor.

Manager Zeller motioned to approve payment of bills for January 12<sup>th</sup>, 2023. Manager Perkins seconded the motion. The motion carried on a roll call vote with all in favor.

### **Public Comment**

There was no public comment.

### **Old Business**

#### **Request for Professional Services**

MSCWMO previously approved solicitation for engineering services. Administrator Downing notes that the solicitation specifically states that “the selected engineering firm may not serve as the contracting City Engineer for any of the member communities.” Administrator Downing wants thoughts from the board on whether this is necessary, he feels there is no conflict of interest with engineering firms also working for any of the member communities and MSCWMO legal advice agreed. No board members oppose removal of this requirement.

Manager Zeller motioned to reopen solicitation for engineering services with “The selected engineering firm may not serve as the contracting City Engineer for any of the member communities listed above” removed as a requirement. Manager Peters seconded the motion.

The motion carried on roll call vote with all in favor.

### **New Business**

#### **2022 Inspections and Maintenance Summary**

Cameron Blake from the WCD gave a summary of inspections and maintenance activity in 2022 that the WCD conducted on behalf of the MSCWMO. Maintenance activities include inlet cleanout, weed removal, supplemental planting, minor structural repairs, and litter removal. The WCD is responsible for maintenance during the establishment period of new practice, and also inspects older practices to ensure they are still functioning until the practice reaches an age of 10 years. In total, expenditure totals for the maintenance program in 2022 were \$3,679.25 for 65.75 hours. Expenditure totals (Cash-in-Lieu) were \$4,154.25 for 87 hours.

#### **2022 Cost Share Implementation Summary**

Brett Stolpestad from the WCD gave a summary of cost share implementation in 2022. WCD staff conducted 33 site visits in MSCWMO in 2022, and three projects from those site visits went through the cost share program and were installed. Those include the Goeltl turf-to-prairie, the Hietpas/Baldrice shoreline buffer, and the Siegler shoreline buffer. Twelve BMPs were installed, including: 5 bioretention, 1 dry swale, 3 native landscapings, and 3 shoreline buffers.

#### **2022 Adopt a Drain Summary**

In 2022 the Adopt a Drain program had 6 new participants and 10 drains adopted, for a total now of 102 participants and 167 drains adopted. In 2022, 496.1 lbs of debris were collected. The MSCWMO has been a participant in the program since the program started. Metro Watershed Partners, along with the 2022 Summary, also sent a request for continued membership in 2023 for \$500.00.

Manager McCarthy motioned to continue the Adopt a Drain membership in 2023 for \$500.00. Manager Perkins seconded the motion. The motion carried on a roll call vote with all in favor.

### **2022 Year End Budget Summary**

Total budget for 2022 (annual budget + receivables) was \$250,093.00 and total expenditures (annual + receivables) was \$129,793.32. Administrator Downing noted on the table that Development Plan Reviews did go over budget, with the table showing 227% of funds spent for that item. Manager Zeller asked if those could be billed back, Administrator Downing states he can do an analysis and bring it to a future meeting for approval if the board wants to invoice the communities for any of those projects.

Manager Perkins notes that the 2021 and 2022 budgets are the same, Manager Zeller notes that the budget rarely increases, Administrator Downing notes that the budget increased his first year as administrator. Administrator Downing notes that for 2024 the overall budget will stay the same but there may be some changes to different areas of the budget.

### **Community First Half Contribution Requests**

Administrator Downing requests approval to send out the first half requests to communities for contributions.

Manager Zeller motions to approve requests for first half contributions from the communities, Manager Collins seconds the motion. The motion carried on a roll call vote with all in favor.

### **Officer Appointments**

Current officer appointments for 2022 are:

Manager Zeller – Chair

Manager McCarthy – Vice Chair

Manager Olfelt-Nelson – Treasurer

Manager Perkins – Secretary

Manager Dahl motions to maintain current officer appointments, Manager Perkins seconds the motion. The motion carried on a roll call vote with all in favor.

### **2023 Liability Insurance**

This is an annual item. Administrator Downing states that the board has to make a decision on whether or not to waive the monetary limits on municipal tort liability established by Minn. Stat 466.04. Administrator Downing states that in the past the board has chosen to not waive.

Manager Zeller motioned to not waive and authorize Administrator Downing to sign, Manager McCarthy seconded the motion. The motion carried on a roll call vote with all in favor.

### **Lakeland Beach Restoration**

In 2022, the MSCWMO and the City of Lake St. Croix Beach implemented a cooperative project stabilizing an additional 96 of failing bluff toe in addition to the 404 feet stabilized in 2020 using a combination of City and CWF grant monies secured by the WMO. The WMO also completed construction of the Riviera Treatment Train Project in 2022 in the City of Lake St. Croix Beach.

Bids for the expanded Bluff Toe Stabilization and final cost of the Riviera Treatment Train project came in lower than expected, leaving ~\$25,000 for additional project implementation guided by the Lake St. Croix Direct SWAs.

The Lakeland Beach property located at the end of Quixote Avenue N shows signs of significant erosion near the parking area and picnic benches along the bluff toe. Expanding the rip-rap revetment installed in 2011 and stabilizing the bluff toe near the seating area will reduce total phosphorus (TP) loading to Lake St. Croix by approximately 8.77 lbs/yr based on BWSR calculator modeling. This project ranks highly against other modeled practices in the LSC Direct South SWA at approximately \$342 per pound each year over a 10 year period (see project estimate below). Brett Stolpestad of the WCD is recommending that we complete the stabilization work to utilize remaining CWF implementation funds and reach or exceed TP reduction goals. WCD and WMO staff have presented the conceptual plan to the Lakeland City Council and have their support to continue project development.

Preliminary Project Estimate: \$28,663

Manager Paiement motioned to approve encumbrance of remaining grant funds for the construction of engineered bluff toe protection and parking area stabilization in Lakeland. Manager Runk seconded the motion. The motion carried on a roll call vote with all in favor.

### **2022 Savings Deposit**

The 2022 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 2020 and the entire balance can be deposited. Administrator Downing is requesting board approval to deposit the funds into the RBC savings account.

Manager Zeller motioned to approve staff to deposit \$5,750 from the 2022 budget to savings. Manager Peters seconded the motion. The motion carried on a roll call vote with all in favor.

### **Grant and Cost Share Applications**

None

### **Plan Reviews/Submittals**

#### **Hinderaker Garage—ACTION**

An application for project review was submitted on October 1st, 2022 for the construction of a garage at 1218 6th Ave S in Stillwater. A variance from the City was granted on the condition

that the applicant meets MSCWMO standards for stormwater mitigation. A proposed bioinfiltration basin provides 63 cubic feet of volume retention. The required volume retention for 789 square feet of proposed new impervious is 73 cubic feet. Staff recommends approval with the condition that the bioinfiltration basin footprint is expanded to meet the required volume control.

Manager Zeller motions to approve the project with the condition that the bioinfiltration basin footprint is expanded to meet the required volume control. Manager Collins seconds the motion. The motion carried on a roll call vote with all in favor.

### **Baylon Boathouse/Home Reconstruct—INFORM**

The applicant has been implementing their approved plan for the reconstruction of a boathouse located at 165 Lakeland Shores Rd. There have been inquiries made on the installation of riprap and the construction of a new home and swimming pool. The applicant has been informed that these activities would require an additional review by MSCWMO. An application for project review was submitted on December 20th, 2022. A preliminary review of the submitted materials was conducted and staff requested materials be revised and resubmitted on December 29th, 2022.

### **Erosion and Sediment Control Inspection Reports**

None

### **Staff Report**

Administrator Downing presented the staff report. Administration items include preparing January meeting materials, coordination of grant and permit program, 2023 planning, and 2022 year end reporting. Additional items on the staff report include summaries from the Water Monitoring, Erosion and Sediment Control, and BMP Maintenance programs. Water monitoring staff from the WCD are working on their annual report and will give a presentation to the board when the report is complete.

### **1W1P Updates**

Manager Runk states he will go to the upcoming meeting.

Manager Zeller motioned to have Manager Runk maintain his position as the representative from MSCWMO. Manager Collins seconded the motion. The motion carried on a roll call vote with all in favor.

Manager Zeller asked Manager Runk if he has been receiving mileage reimbursement. Manager Runk states no, he has not. Manager Zeller suggests he bring it back to the board next meeting, as the drive is up to an hour distance away. Administrator Downing mentions that most of the other representatives are submitting for mileage reimbursement.

### **Campaign Finance Board Notice**

Administrator Downing reminds board members to fill out their statements of economic interest, even if they left positions.

### **2022 Audit**

Administrator Downing received a notice about the 2022 audit. Manager Zeller asks how much it will be, Administrator Downing states they did not give him an exact quote. Manager Zeller asks what triggers the audit requirement, stating that the MSCWMO budget seems low for an audit requirement. Administrator Downing states he can check into the requirements. Administrator Downing mentions that the audit should be less expensive this year versus the previous couple years.

Manager Zeller motions to accept the audit proposal. Manager Runk seconded the motion. The motion carries on a roll call vote with all in favor.

### **Watershed Management Plan Update**

Administrator Downing informs the board that they are just about due for a watershed management plan update and that he has reached out to BWSR and set up a meeting for the following week. He states that the process is long with long review periods so he will get started. Administrator Downing states that he will need information from BWSR regarding what exactly needs to be done to determine whether the work can be done by him, a consultant, or by WCD staff who may have the capacity to work on it. The process is time consuming, he states that it would take up a lot of his time that is dedicated to program areas at the WCD if he were to do the work himself. He will continue to update the board on the process.

### **Adjourn**

Manager Zeller motions to adjourn the meeting. Manager McCarthy seconds the motion. The motion carried on a roll call vote with all in favor. The meeting adjourned at 7:31.