

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE, OAKDALE, MINNESOTA 55082
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



Regular Meeting of the Middle St. Croix Watershed Management Organization Bayport Public Library, Bayport, MN Thursday, January 9th, 2020 6:00PM

1. Call to Order – 6:00PM
 - a. Approval of Agenda
2. Approval of Minutes
 - a. Draft minutes – December 12th, 2019 **pg. 1-5**
4. Treasurer’s Report
 - a. Report of savings account, assets for January 9th, 2020
 - b. Approve payment of bills for January 9th, 2020
 - c. Approve Invoices for January 9th, 2020
5. Public Comment
6. Old Business
7. New Business
 - a. 3M PFAS Reimbursement Request **pg. 6-7**
 - b. 2019 Inspections and Maintenance Summary **pg. 8-9**
 - c. Liability Insurance Renewal **pg. 10-21**
8. Grant and Cost Share Applications
 - a. Curell Cost Share Request **pg. 22-23**
9. Plan Reviews/Submittals
10. Staff Report **pg. 24-26**
11. 1W1P Updates
12. Other
 - a. Campaign Finance Board Request **pg. 27**
13. Adjourn

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

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

Call to Order

The meeting was called to order at 6:01PM by Manager Perkins. Introductions were made.

Approval of Agenda

Administrator Downing requested to add 8b discussing cost shares and 10b discussing the updates to 1W1P to the agenda. A motion to approve the December 12th agenda was made by Manager Runk and seconded by Manager McCarthy, the motion carried.

Approval of Minutes

A motion to approve the November 14th, 2019 minutes was made by Manager Fellegly and seconded by Manager Olfelt-Nelson, the motion carried.

Treasurer's Report

The treasurer's report was presented by Manager Kylo. The remaining checking account balance is \$88,710.44. First State Bank CDs are valued at \$38,549.15. The ending balance in the RBC savings account for November 2019 is \$64,325.46.

Bills to be approved this month are: Grace Fix: \$500; Washington Conservation District (Administration): \$1,948.65; Washington Conservation District (Technical Services): \$9,645.80; City of Bayport: \$61,000; Total: \$73,220.45.

Manager Kylo inquired about the invoice to the City of Stillwater (Jr High) for \$1,567.46. Administrator Downing clarified that this was for raingardens.

Manager Fellegly asked Manager Olfelt-Nelson if the City of St. Mary's Point's bill was resolved. She responded that it was and Administrator Downing said the \$534.47 check had been deposited before the meeting.

Manager Fellegly also inquired if Washington County had paid the MSCWMO yet for \$118,000. Administrator Downing presented the "Country Messenger" paper from December 4th stating that at a Washington County budget meeting they agreed to pay the MSCWMO. He referenced item 10 on the agenda for the staff report. Manager Fellegly asked what this bill is covering. Manager Runk said it's for the 3rd Street Project in Stillwater.

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

Public Comment

No public comments.

Old Business

Administrator Downing presented a letter to be signed by Manager Zeller for the Andersen Corporation. The letter highlights and thanks Andersen for the great work they are doing and will be sent to the CEO.

2019 Permit Review Fee Summary

Administrator Downing went over the overages for permit reviews. The MSCWMO generates revenue for permits through fees and budgets an additional \$4,800 to cover permit reviews outside permit review fees. In 2019 approximately an additional \$18,000 has been spent on permit reviews which was not covered under the permitting review fees. This deficit comes from not charging public entities for overages, additional private reviews costing more money than the permit review fee, and one-off permits. The board discussed how to handle permit review fee overages. Manager Fellegly pointed out that there are a couple of permit reviews that make up a large portion of the overages and inquired about giving public entities a discount because they contribute to the MSCWMO budget. Administrator Downing clarified that public entities are not charged for permit reviews and there is no current guideline for staff regarding permit review overages. Manager Perkins asked about adding language to the permit review fee to prevent overages from happening. Manager Olfelt-Nelson asked if a motion was need for the MSCWMO to recoup money from the communities for permit review overages. Administrator Downing said a few things could be done from setting a dollar amount or percentage overage to trigger recouping overages. Manager Runk suggested 5% being the threshold. Administrator Downing stated that this might be low given the cost of staff time to prepare documents for permit fee overages. Manager Perkins suggested a motion for Administrator Downing to be able to automatically handle permit fee overages without seeking approval from the board. Manager Kylo inquired about why the MSCWMO bills the communities instead of the individual applicants. Administrator Downing said this is how it was done in the past and asked about charging again for the Villas permit review overages even though they have been billed twice already. The board concluded that they should charge over the additional overages and that the \$4,800 budgeted for permit fees is to allow wiggle room for permits that do not generate fees and to cover public entities. The board collectively proposed that staff have the ability to invoice communities presently and into the future for overages for permit review fees. Manager Fellegly moved to approve staff having the ability to invoice communities for permit review fee overages, Manager Perkins seconded, the motion carried.

2019 Administrative Services Overage

Administrator Downing presented the overage for administrative services. He stated that the board had asked him to look at why administrative services were high in 2019 and he concluded that \$4,000 in staffing time had been spent on the 1W1P process through July 3rd, there was Administrator staff transition time in addition to a heavy workload including 6 grants, 3 of which will be closed out by the end of the year. At the end of November the MSCWMO will be \$400 over budget for administrative services. Manager Perkins clarified that the MSCWMO will only be \$400 over budget. Administrator Downing stated that the MSCWMO will be \$400 over in

administrative portion of the budget but within the organization's overall budget. Manager Runk motioned to approve going over on administrative services as long as the organization will be under on total services, Manager McCarthy seconded, and the motion carried.

2020 Meeting Dates

Administrator Downing requested that meeting dates be scheduled as to reserve a room with the Bayport Public Library. The board discussed proposed future meeting dates and none were changed. Manager Paiement motioned to approve the schedule, Manager McCarthy seconded, and the motion carried.

2020 Permit Review Fee Structure

Administrator Downing stated that permit review fees needed to be addressed for 2020 but that they could be the same as 2019. Manager Fellegly motioned to approve 2020 permit fees staying the same, Manager Runk seconded, and the motion carried.

Invoices

Administrator Downing asked to address the invoices that were intentionally skipped over during the Treasurer's report and moved after agenda item 7b. Manager Perkins asked why invoices were moved to later in the agenda and Manager Runk responded that they needed to approve paying staff before some of the other invoices could be addressed. Manager Perkins motioned to pay all invoices, Manager Fellegly seconded, the motion carried.

Administrator Downing stated that the money from Washington County discussed earlier will be needed to cover bills and assist with grant closeout. After that money is received and all bills are paid, the organization would have approximately \$16,000 left over. He stated that the money for each grant must be spent by 12/31/19 in order to receive reimbursement for grant expenses. Manager Runk clarified that the money coming from Washington County is to cover costs from the golf course project. Manager Perkins inquired when staff last spoke to the County. Administrator Downing responded that the County has weekly meetings and it was approved in the County minutes and that he has been assured that the money is coming. Manager Perkins asked Administrator Downing to call Washington County again to confirm and Manager McCarthy stated that the bottom line is that the funds are needed by the next meeting. Administrator Downing agreed and said the funds are essential to grant closeout.

Grant and Cost Share Applications

Administrator Downing stated that People's Church Prairie Restoration has request their final payment for native plantings. Manager Runk motioned to approve the final payment, Manager Collins seconded, and the motion carried.

Administrator Downing stated that the MSCWMO had a grant to retrofit part of Perro Creek but that a formal agreement was never finalized. He presented an agreement that he had put together for the City of Bayport that needs the Director's signature. Manager McCarthy motioned that Manager Perkins could sign as Acting Director for the Bayport Perro Creek Cost Share Agreement, Manager Paiement seconded, and the motion carried.

Staff Report

Administrator Downing covered the staffing report stating that he is working to keep administrative costs low and working on the Lake St. Croix Direct Discharge grant closeout and that Zvago has been taken care of. Manager Zeller joined the meeting at 6:49PM. Administrator Downing discussed cash in lieu and the County payment that was covered in the paper and that the board approved last meeting's minutes. He stated that the Perro Creek Project is close to complete with planting, edging, and munching accomplished, and 5% remaining in the budget, of which 2% will be needed in the spring. A total of \$61,000 was agreed by the board to be paid to the City of Bayport for this work. Manager Zeller asked where the money to cover these costs were coming from and Administrator Downing responded from the Clean Water Grant and total watershed funding. Administrator Downing stated that the St. Croix Bank stabilization is coming together with the funding from the grant. Manager McCarthy added that work is being done for funding and project development by the City of Lake St. Croix Beach. Administrator Downing concluded the staff report by stating that the water monitoring report is being finalized and should be ready by March.

1W1P

Manager Fellegly gave an update on the 1W1P progress. He stated that he had attended the meeting last month and that the opinion that a Joint Power Entity (JPE) would be the best way to proceed was presented. This option was favored by roughly half of the attended but was not voted on. The MSCWMO board concluded that they remain in favor of a Joint Powers Collaboration (JPC) and not the JPE. Jaime from Anoka summarized the 1W1P minutes recording that there was a majority in favor for the JPE. Administrator Downing clarified that part of the mixed messages was based on a presentation from Jackie, a board member for the Comfort Lake-Forest Lake Watershed District, which is in favor of creating a new entity with taxing authority. Manager Fellegly stated that not more than half of the representatives at the meeting were in favor of the JPE.

Manager Olfelt-Nelson stated that the MSCWMO has been frustrated with the options and that they don't feel like this is any simpler and inquired if it gets acknowledged that the voting feels complicated. Manager Fellegly said that this does get acknowledged but there are 17 people who all have their own opinions. He said that some people feel like the divide is between the Metro Area and the rest of Minnesota. He shared that Chisago County is feeling shorted and that Chris DuBose is worried they will be left out of the decision process and therefore would like 3 board members. Administrator Downing stated that Chisago County is proposing a less cumbersome board consisting of: 3 members from Chisago County, 3 from Washington County, 1 from Pine County, 1 from Anoka County, and 1 from Isanti County. Then further discussion would occur about who would be the representative(s) from each county. Manager Fellegly explained that this is because Chisago and Washington Counties are mostly covered by the map for the major watershed and so they should get more representatives as a reflection.

Manager Perkins asked what geographical area the 1W1P covered. Administrator Downing explained that the major watershed the MSCWMO is in is the lower Saint Croix which covers the area of the state draining to the St. Croix River. Manager Zeller stated that he thought the 1W1P was statewide and asked who is in charge of the planning. Administrator Downing explained that it is broken up into HUC 12 – 12 major watersheds that make up the state of Minnesota and that the Board of Water and Soil Resources is in charge of the 1W1P process. Manager Zeller asked if the MSCWMO could pull out of the planning process due to the costly

nature of sending staff to attend planning meetings. Administrator Downing suggested tabling the discussion of the organization of the 1W1P process until the next meeting. Manager Zeller suggested that the MSCWMO urge their view on the JPC and Manager Fellegly, Manager Olfelt-Nelson, and Administrator Downing agreed. Manager Zeller asked if a letter was needed and Manager Fellegly said not currently and that most people at the 1W1P meeting expressed not wanting to have taxing authority. Administrator Downing stated that it is important to continue to be firm that the MSCWMO does not support creating an entity with taxing authority.

Manager Olfelt-Nelson inquired how much money the MSCWMO has spent on the 1W1P process and if it is possible to get funding to cover these costs. Administrator Downing responded that approximately \$6,000 has been spent and that under the local match it would be covered based on the previous Administrator's precedent. Manager Zeller said it is important to share at the 1W1P meetings that this process is very costly to smaller organizations. Manager Runk asked how many of the 1W1P attendees are WMOs, since they operate differently than watersheds, as generally watersheds have much bigger budgets. Manager Fellegly said that there are lots of watersheds in attendance and that he felt like he had a good idea of what to bring to the next meeting and inquired when that meeting was. Administrator Downing said he believed the next policy meeting was on January 27th.

Adjourn

Manager Fellegly motioned to adjourn the meeting, Manager McCarthy seconded this, the motion carried. The meeting adjourned at 7:13PM.

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue N. Oakdale, MN 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Matt Downing, Interim Administrator
DATE: December 26th, 2019

RE: 7b.) 3M PFAS Contamination Groundwater Model Technical Services Reimbursement Request

Our consultant at EOR has been reviewing documents and providing technical input on the development of the water supply groundwater model as part of the 3M PFAS settlement. Staff is requesting reimbursement from MPCA totaling \$1,352.00 (EOR November).

Recommended Board Action- Approve Submittal of 3M PFAS Reimbursement Request Totaling \$1,352.00

Invoice

Emmons & Olivier Resources, Inc.
7030 6th Street N
Oakdale, MN 55128-6146
Phone 651.770.8448
Fax 651.770.2552
www.eorinc.com



Invoice Total \$1,352.00

Matt Downing
Middle St. Croix WMO
C/O WCD
455 Hayward Avenue North
Oakdale, MN 55128

December 13, 2019
Invoice No: 00405-0011 - 5

Job 00405-0011 3M Groundwater Model Review

Summary of Work Performed:
Attend workgroup meetings on October 16, 2019 and November 20, 2019.

Professional Services from November 1, 2019 to November 30, 2019
Professional Personnel

	Hours	Rate	Amount	
Professional 4	8.00	169.00	1,352.00	
Totals	8.00		1,352.00	
Total Labor				1,352.00
		Total this Invoice		\$1,352.00



MSCWMO BMP Maintenance Summary

Agreement Summary:

- a) Inlet cleanout on 10 raingardens in OPH Area D. Vegetative maintenance of the Perro Creek Shoreline Planting (Girl Scout Troop), maintenance of Greeley Gully, maintenance of the Stillwater Middle School IESF. Maintenance activities include inlet cleanout, weed removal, supplemental planting, minor structural repairs, and litter removal.
- b) Material costs included composting and equipment rental.
- c) The WCD maintenance crew was used to support installation activities for new MSCWMO BMPs in 2019. The MSCWMO supported the Adopt-A-Raingarden (AAR) program (mostly for 2019 May 4th raingarden clean out event) and provided match for Golden Creeper eradication efforts in the Mulberry Ravine. Herbicide preparation, maintenance planning, and maintenance reporting were other activities supported by the MSCWMO.

This report does not include BMP TA hours used in 2019. The BMP maintenance agreement is within the WCD BMP contract but it would be helpful if values were defined separately in the future. Minimally maintenance time will be better tracked in 2020 to help define it from TA hours.

Services Provided:

Date	Activity	Time spent (hours)
3/4/19	2019 maintenance planning	2
3/21/19	2019 maintenance and AAR May 4 th event preparation	5
3/22/19	AAR May 4 th event preparation	3
3/28/19	Maintenance coordination meeting with MSCWMO Administrator	2
4/01/19	AAR May 4 th event preparation	3
4/18/19	2019 maintenance planning	1
4/30/19	AAR May 4 th event preparation	4
5/2/19	AAR May 4 th event preparation	1
5/3/19	AAR May 4 th event preparation	2.5



5/30/19	Greeley Gully structural repair and IESF vegetative maintenance	5
7/3/19	Inlet cleanout for OPH raingardens (10)	4
7/19/19	Herbicide preparation	1
7/24/19	Vegetative maintenance on Perro Creek planting and IESF	4
7/31/19	Bayport BMP installation assistance, moving resident spruce trees	6
8/01/19	Planting coordination and preparation	3
8/06/19	Plant order pickup and staging	6
8/07/19	Vegetative maintenance on Perro Creek planting	3
8/08/19	Plant installation assistance	4
8/15/19	Planting preparation herbicide application	1.5
8/20/19	Plant installation assistance	18
8/21/19	Vegetative maintenance on Perro Creek planting	2
9/11/19	Vegetative maintenance at IESF	10
10/16/19	Supplemental planting at IESF	12
11/13/19	Year end reporting	2

Expenditure Totals: \$3,684.00 for time (107 hours)

When possible the WCD maintenance program leverages other conservation resources to assist in BMP maintenance activities.

Recommendations for 2019:

Continue to provide routine maintenance for the Perro Creek Shoreline Planting (Girl Scout Troop), Greeley Gully, the Stillwater Middle School IESF, and inlet cleanout on 10 raingardens in OPH Area D. Perform first year of maintenance on new MSCWMO projects installed in 2019: Stillwater Country Club BMP, Lily Lake raingardens, Stillwater raingardens (2), Stillwater Middle School BMPs (2), Bayport BMPs. Continue to support the Adopt a raingarden program, and the final Perro Creek Park native planting.

December 18, 2019

Middle St Croix River WMO
Attn: Matt Downing
455 Hayward Ave
Oakdale, MN 55128

Re: League of Minnesota Cities Insurance Trust (LMCIT)
Package Policy, Excess, Liquor, Defense Cost Reimbursement
Workers Compensation, Volunteer Accident
Renewal Date: DATE

Dear Matt:

Your policy shown above will be renewing shortly. The LMCIT has updated their application process, which you can now access through the LMCIT Member Center. You have received an email from the LMCIT that includes instructions on how to complete your online application. Please refer to the email, or let me know if you need any assistance.

Package and Defense Cost Reimbursement policies:

Please complete the online application by January 9, 2020. Once you have completed your application, please notify me. The application must be submitted to the LMCIT by the agent. I will provide a copy of the final application as submitted to the LMCIT.

Coverage is not automatically renewed by the LMCIT. The online application is a request to bind coverage and when submitted, coverage will be bound by the LMCIT based on the application. The LMCIT may not provide the premium prior to your renewal date.

Workers Compensation and Volunteer Accident policies:

Coverage and Rate Changes:

Policies renewing between 11/15/2019 and 11/15/2020 will be issued using the 2019-20 LMCIT Coverage documents. .

The premium indicated by the 2019-20 Premium Rate document is the estimate provided by the market. An experience modification, which is based on your loss history, may also be applied when developing your premium. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application. We will provide a complete proposal outlining your coverage when the quotes are received.

Other Items:

Business Property: Do you have business property/contents such as computers, office equipment or lab equipment owned or leased by Middle St Croix River WMO? Currently, the policy does not provide coverage for these items. The LMCIT policy provides property coverage on a Replacement Cost basis. Protection can be added on the LMCIT online application under "Schedules/Property Schedule".

Cyber Security: There is a new section on the application this year that addresses underwriting questions related to cyber security. You may need to work with others to obtain the answers for this section, so we recommend you start early on this. We highly encourage members to purchase increased limits on first party data breach mitigation coverage. The current policy limit is \$250,000. We can request a quote for increased limits.

Employee Dishonesty and Performance Bond: LMCIT will pay for loss or damages from the failure of an employee to properly perform duties or obligations of his or her positions as required or prescribed by law and which would constitute malfeasance, willful neglect of duty or bad faith.

Workers Compensation and Volunteer Accident: Do any of your board members travel to seminars related to Watershed Management? Do you have volunteers performing service for activities or programs directed by Middle St Croix WMO? If so, you should consider obtaining Workers Compensation and Volunteer Accident policy. Let me know if you would like to discuss the coverage and receive a quote.

Signatures and Forms Needed:

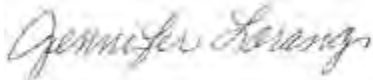
Review the information attached for important disclosures, insurance company rating information, and documentation to you of our compensation structure.

When you notify me that your application is complete, please return the items listed below. These items must be provided in order to bind coverage.

- Return the Signed Client Authorization to Bind Coverage and Solvency letter to authorize Gallagher to bind coverage and represent you as your agent.
- The League requires that the Waiver Form is signed and returned, indicating whether or not the City elects to Waive or Not Waive the tort liability limit of \$500,000 each claimant/\$1,500,000 per occurrence. Resolution is required if you make a change from last year. This form is needed prior to the renewal date.

Please note that if you need to report a claim, you should immediately report claims to League of Minnesota Cities Insurance Trust by email to claims@lmc.org. Let me know if I can be of any assistance.

Sincerely,



Jennifer Lorang, CISR
Client Service Associate Senior

Attachments:

Carrier Rating and Admitted Status

Disclosures

Bindable Quotation and Compensation Disclosure Schedule

Claims Reporting by Policy

Budget Guide 11/2019-2020

Client Signature Pages: Solvency Letter and Client Authorization to Bind Coverage

Liability Coverage Waiver Form

Compensation Disclosure Schedule

Coverage(s)	Carrier Name(s)	Wholesaler, MGA, or Intermediary Name 1	Estimated Annual Premium 2	Comm % or Fee 3	Gallagher U.S. owned Wholesaler, MGA or Intermediary %
Package	League of Minnesota Cities Insurance Trust	N/A	TBD	10%	N/A
Defense Cost Reimbursement	League of Minnesota Cities Insurance Trust	N/A	TBD	10%	N/A

1. We were able to obtain more advantageous terms and conditions for you through an intermediary/wholesaler.
2. If the premium is shown as an indication: The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.
* A verbal quotation was received from this carrier. We are awaiting a quotation in writing.
3. The commission rate is a percentage of annual premium excluding taxes & fees.
* Gallagher is receiving ___% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.

Important Disclosures

IMPORTANT: The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

TRIA/TRIPRA Disclaimer – If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

The TRIPRA program increases the amount needed in total losses by \$20 million each calendar year before the TRIPRA program responds from the 2015 trigger of \$100 million to \$200 million by the year 2020.

TRIPRA is set to expire on December 31, 2020. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2020. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.

Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at Compensation_Complaints@ajg.com or by regular mail at:

Chief Compliance Officer
Gallagher Global Brokerage
Arthur J. Gallagher & Co.
2850 Golf Rd.
Rolling Meadows, IL 60008

CARRIER RATINGS AND ADMITTED STATUS

Proposed Insurance Companies	A.M. Best's Rating & Financial Size Category *	Admitted/Non-Admitted **
League of Minnesota Cities Insurance Trust	Not Rated	Admitted

*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

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A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. Best's Credit Ratings™ are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings™ and Guide to Best's Credit Ratings, visit the A.M. Best website at <http://www.ambest.com/ratings>

**If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

INFORMATION MEMO

Budget Guide

RELEVANT LINKS:

LMC information memos, [Reducing LMCIT Premium Costs and Comparing Coverage Quotes.](#)

LMC information memo, [Experience Rating in LMCIT's Liability and Work Compensation Premiums.](#)

I. LMCIT Coverage

Most Minnesota cities are members of the League of Minnesota Cities Insurance Trust (LMCIT) for property, liability, auto, and workers' compensation coverage. Cities purchasing insurance from a private company should ask their provider about insurance coverage options, claim trends, and costs. Cities looking for possible ways to reduce their premiums can reference the memo [Reducing LMCIT Premium Costs](#).

LMCIT members' annual premium costs are affected by rates, exposures, and experience. In addition to rates, which are set by LMCIT in the fall, cities' costs can fluctuate if there are changes in exposures—such as payrolls, city expenditures, or property values—or changes in experience rating for workers' compensation, municipal liability, or auto liability. The adjacent link discusses LMCIT experience rating formulas, but generally the formulas compare expected losses for individual members within a recent three-year period to the actual losses during the same period, and if losses are greater (or less) less than expected a premium debit (or credit) is applied.

Following are LMCIT's very early estimates for premium rates, which would take effect for property/casualty coverages renewing on or after November 15, 2019 and workers' compensation coverages renewing on or after January 1, 2020. LMCIT stresses that these are not guarantees. Annual actuarial reviews, other rate development work, and reinsurance costs will be calculated this fall, at which time LMCIT will be able to give a definite answer on premium rates for 2019-20. Cities can check with LMCIT starting in October for an updated outlook on premiums.

II. Workers' compensation

Data as of the end of 2018 shows total incurred costs for claims occurring in 2018 were relatively high, which could put some pressure on rates. There were some changes to Minnesota worker's comp statutes in 2018, including a presumption for PTSD claims for public safety employees that went into effect in January 2019. There is still some uncertainty behind how these changes will impact LMCIT's future claim expenses and, by extension, premium rates.

LMCIT suggests cities allow for a workers' compensation premium rate increase in the 1 to 5 percent range.

III. Property

Property losses in 2017 and 2018 were less favorable than recent prior years, with several high-dollar fire and storm occurrences. Both LMCIT and our reinsurers will need to factor in the recent adverse experience when projecting for future costs. There could be some additional pressure on property premium rates since reinsurance costs are a significant part of LMCIT's expense for property coverage.

For budgeting purposes, cities may want to allow for a 2 to 4 percent increase for property coverage rates.

IV. Liability

Loss costs in 2018 for municipal liability claims were average overall, but patterns for specific types of liability claims continue to evolve (e.g. police liability, sewer backup liability, employment practices, and land use litigation).

LMCIT suggests cities allow for possible rate increases in the range of 1 to 5 percent. We hope we're able to hold rates flat overall, but there's a chance we'll need to adjust some specific liability rates.

V. Auto

LMCIT introduced a revised pricing structure for auto physical damage in 2018 and a revised structure for auto liability in 2019. We're also planning to introduce an auto experience rating component next year. Because members are still transitioning to the new rating method—and because there will likely be a new experience rating component, which impacts members differently—it's hard to project generally which way premiums are headed in 2020; it depends on the specific member.

Overall, LMCIT expects overall auto rates to remain relatively stable, but individual cities' premiums may change depending on their mix of vehicle types and auto claim experience within the most recent 3 to 4 years.

Solvency Letter

December 18, 2019

Middle St Croix River WMO
Attn: Matt Downing
455 Hayward Ave
Oakdale, MN 55128

RE: Insurance Provided through the League of MN Cities Insurance Trust
Package and Defense Cost Reimbursement
Renewal Date: February 1, 2020

Dear Matt:

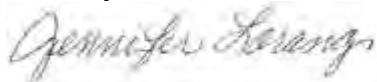
Your Package and Defense Cost Reimbursement insurance policies that are written through the League of Minnesota Cities (LMCIT) expire on 2/1/2020

Financial responsibility is an area you must scrutinize closely when selecting an insurance carrier. Arthur J. Gallagher Risk Management Services (Gallagher) does not guarantee the financial viability of any insurance carrier or market, but we certainly recommend that you make every attempt to try to place your coverage with an "A" rated carrier. However, the marketplace can be limited, which means fewer alternatives are available.

LMCIT does not meet our corporate minimum rating requirements, normally recommended by Gallagher. They are not rated or followed by A.M. Best. As a result, we have no access to Best's independent evaluations of this carrier's financial strength and future claims paying ability. A copy of the A.M. Best Rating is attached. Please review this and other available information with your accountant and/or attorney to assist you in judging the acceptability of this insurance carrier.

We understand that the insurance marketplace can be very limited at times with feasible alternatives being scarce. However, we thought this option should be explained to you in writing. Again, LMCIT does not presently meet our normal corporate financial guidelines recommended by Gallagher. However, if you direct that we bind coverage with LMCIT, please sign and return a copy of this letter indicating that you understand the information furnished and still wish to place coverage with LMCIT.

Sincerely,



Jennifer Lorang, CISR
Client Service Associate Senior

The undersigned, a duly authorized officer or representative acting in said capacity, acknowledges receipt of the information contained herein. Notwithstanding this information, the undersigned hereby authorizes and directs Arthur J. Gallagher & Co. and any of its subsidiary companies to bind coverage outlined above.

BY: _____
Specify: owner, partner or corporate officer



Client Authorization to Bind Coverage

Please bind our insurance coverage, as of 2/1/2020 for Package and Defense Cost Reimbursement. We accept the League of Minnesota Cities Insurance Trust Program, subject to the following exceptions and/or changes:

Exceptions and/or Changes:

1. See Online Anniversary Risk Exposure Information Application
2. See Online Property Schedule
3. See Online Equipment Schedule
4. See Online Vehicle Schedule

It is understood this provides only a summary of the details; the policies will contain the actual coverages.

We confirm the payroll, values, schedules, and other data contained in the proposal, and submitted to the underwriters, are compiled from our records and we acknowledge it is our responsibility to see that they are maintained accurately. If no updates were provided to Gallagher, the values, exposures and operations used were based on the expiring policies

Gallagher's liability to Client arising from any acts or omissions of Gallagher shall not exceed \$20 million in the aggregate. Gallagher shall only be liable for actual damages incurred by Client, and shall not be liable for any indirect, consequential or punitive damages or attorneys' fees. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with this Agreement or any Services provided hereunder may be brought by either party any later than two (2) years after the accrual of such claim or cause of action.

Gallagher has established security controls to protect Client confidential information from unauthorized use or disclosure. For additional information, please review Gallagher's Privacy Policy located at <https://www.ajg.com/privacy-policy/>

I have read, understand and agree that the above-information is correct and has been disclosed to us prior to authorizing Gallagher to bind coverage and/or provide services to us.

By: _____

Print Name (Specify Title)

Middle St Croix Watershed Management Organization _____

Company

Signature

Date: _____



LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).
- The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 Hayward Avenue N. Oakdale, MN 55128
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



MEMORANDUM

TO: Middle St. Croix WMO Board of Managers
FROM: Tara Kelly, Landscape Restoration Specialist
DATE: January 2, 2020
RE: **8a) Curell Native Planting Cost Share Application**

Gabriel Curell is requesting a MSCWMO Landscaping for Habitat grant of \$250 to install native plantings at 1771 Racine Ave S, Lake St Croix Beach. One planting is along Racine Ave and totals 580 sq ft. The second planting is along the side yard and totals 1,530 sq ft. The total cost estimate for these plantings \$2,292.63. All plantings will use native trees, shrubs, grasses and flowers and will be installed in the spring of 2020.

This project is in partnership with the Master Water Stewards program. Gabriel Curell is participating in the program. This planting is his Master Water Steward project and 75% of the project costs will be funded by the Master Water Steward grant.

Staff recommend approval.

Example Motion

Motion Board Manager 1, second Board Manager 2 to approve reimbursement of expenses not to exceed \$250.00 for the Curell Native Planting.

Cost Estimate

MIDDLE SAINT CROIX WATERSHED DISTRICT
MSCWMO Cost-Share

Middle St. Croix Watershed
 Management Organization
 c/o Washington Conservation District
 455 Hayward Ave
 Dakdale, MN 55128
 phone: 651.275.1196 ext 22



Landowner: Curell
 Project Address: 1771 Racine Ave S
 Mailing Address: Same
 Property PIN: xxxxxxxxxxxx
 10/31/2019

Job Description	Cost Summary	
Plant native shubs, vines, flowers and grasses along street and in southern garden along fenceline.	Project Cost = \$ 2,292.63	Phosphorus Reduction (lbs/yr)
	Cost Share = \$ 1,969.48	TP= 0.00

Job Estimate				
<u>Erosion Control Materials</u>	Qty	Unit	Unit Cost	Amount
Edging (Black Plastic: 40' roll)	3	roll	\$ 20.88	\$ 62.63
Erosion Control Subtotal				\$ 62.63
<u>Compost, Mulch, and Rock</u>				
Double-Shredded Hardwood Mulch (3" depth)	19	cy	\$ 27.00	\$ 513.00
Compost	10	cy	\$ 44.70	\$ 447.00
Compost Mulch and Rock Subtotal				\$ 960.00
<u>Plants, Shrubs, and Trees</u>				
Native plug	750	each	\$ 1.00	\$ 750.00
Shrub #1	8	each	\$ 15.00	\$ 120.00
Plants Subtotal				\$ 870.00
<u>Misc</u>				
Mulch Delivery (14cy/load)	2	job	\$ 100.00	\$ 200.00
Compost Delivery	1	job	\$ 100.00	\$ 100.00
Plant Delivery	1	job	\$ 100.00	\$ 100.00
Misc Subtotal				\$ 400.00
ADDITIONAL NOTES	PROJECT SUBTOTALS			
			Materials	\$ 1,422.63
			Plants	\$ 870.00
			Excavation/Grading	
			Misc	
			Materials Estimate	\$ 2,292.63
			Labor Estimate	
			Contingency 5%	
			Project Estimate	\$ 2,292.63

Cost Share estimate available	Cost-Share	\$1,969.48
MSCWMO and Master Water Stewards		
MSCWMO Blue Thumb Plant grant \$250 and Master Water Steward of 75% project costs		

Summary	Project Cost	Phosphorus Removed	Cost Share Grant
MSCWMO and Master Water Stewards	\$2,292.63	TP= 0.00	\$ 1,969.48

MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE, OAKDALE, MINNESOTA 55082
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



Staff Report- December 2019

Administration

- Prepared January meeting materials
- Prepared Review Fee overage invoices

Project Reviews

- None this month

Lake St. Croix Direct Discharge Phase II and Phase III

Description: \$151,000 (phase II) and a \$34,000 (phase III) grants for stormwater quality improvements in Oak Park Heights, Stillwater and Bayport (2015-2019). Funding is being utilized to work in partnership with the Stillwater Country Club to design a basin to reduce 25.0 lbs. of phosphorus per year discharging into Lake St. Croix.

Activities This Month: Project is constructed and invoices paid. Final grant reporting has been submitted for both phases. Addressing BWSR comments for final closeout.

Staff: Bryan Pynn-WCD, Matt Downing-MSCWMO

SCRA 2018 LSCI Grant

Description: \$30,000 St. Croix River Association Grant to reduce erosion and nutrients discharging to Lake St. Croix.

Activities This Month: Closed grant and requested payment week of November 4th. Still awaiting response.

Staff: Bryan Pynn, WCD

Washington County Transportation Cash-In-Lieu-of-Treatment Funding

Description: Due to steep grades, the fully developed downtown area including several historic properties, and presence of shallow bedrock in some areas Washington County Public Works, Transportation Division proposed and agreed to cash-in-lieu of treatment for the CSAH 23 (3rd Street) Reconstruction project approved by the board of managers on June 14, 2018. The total cash in lieu of treatment amount is \$118,720.00. The funding is being utilized (in conjunction with Lake St. Croix Direct Discharge Phase II and Phase III grant funding and St. Croix River Association Lake St. Croix Small Communities Grant) to fund the installation of the Stillwater Country Club bioretention basin.

Activities This Month: A check for the full amount was received on December 23rd.

Staff: Bryan Pynn, WCD Matt Downing, MSCWMO

Perro Creek Water Quality Improvements Phase I and Watershed Based Funding

Description: \$63,000 CWF grant and \$39,124 allocation from CWF Watershed Based Funding to design and install stormwater quality practices to reduce nutrients and bacteria discharging directly into Perro Creek and then to Lake St. Croix.

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Activities This Month: Remaining items for Spring 2020 include planting basin 3, install mulch and edging on basin 3, observe raingarden function and turfgrass growth. There is a 5% retainage and about 2% of the project cost left to pay once work is complete in Spring 2020. Working with BWSR on final grant closeout.

Staff: Bryan Pynn, WCD

Watershed Based Funding- Lily Lake Raingardens

Description: \$39,636 CWF Watershed Based Funding allocation to improve water quality. The funding is approved to provide the design and installation of two raingardens on Lily Lake in Stillwater.

Activities This Month: No Activity - One basin installed; other basin removed from project. Will apply remaining WB funds to another project in 2020.

Staff: Bryan Pynn, WCD

Lake St. Croix Small Communities Phosphorus Reduction Grant

Description: \$200,000 grant for stormwater quality improvement south of Bayport (2019-2021). Planning to work in partnership with City of Lake St. Croix Beach to stabilize the bluff on the north side of town.

Activities This Month: Met with Lake St Croix Beach November 22nd. Mayor met with Max-To-Do (barge contractor) to get rough estimate for work. Contractor said around \$210k for riprap only, includes some tree clearing. SEH agreed to pursue 10% concept design (includes survey) and a refined cost estimate. SEH wants to deliver feasibility report to Feb 13th board meeting. LSCB is also pursuing other funding from FEMA, as well as agreed to some matching funds for establishment of vegetation after construction and CWF grant closeout.

Staff: Bryan Pynn, WCD Matt Downing, MSCWMO

3M PFAS Settlement MPCA Staff Reimbursement Grant

Description: Up to \$20,000 reimbursement of staff time for both the Administrator and consultant (Stu Grub with EOR) to participate in the development of the groundwater model for the PFAS contamination in the southern portion of the watershed.

Activities This Month: Consultant attended the November workgroup meeting.

Staff: Matt Downing, MSCWMO Stu Grub, EOR

Microbial Source Tracking of *E. coli* in Perro Creek

Description: The MSCWMO and the City of Bayport agreed to partner on an effort to identify the source of *E. coli* contamination of Perro Creek. 4 locations on the creek were sampled for the presence or absence of human DNA in the bacteria. This effort is above and beyond the concentration monitoring already being conducted by the MSCWMO.

Activities This Month: Lab results are being summarized for the 2019 Monitoring Summary.

Staff: Rebecca Oldenburg Giebel, WCD

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Water Monitoring Program

Description: The MSCWMO water monitoring program includes the monitoring of flow at three sites. These sites have that equipment serves to collect data on the total volume of water flowing into Lily Lake at the Greeley Street Inlet, through Perro Creek at the Diversion Structure, as well as, the Perro Creek Diversion Structure Overflow. Water quality is also collected at the Greeley Street Inlet and the Perro Creek Diversion Structure on a monthly basis, as well as during storm events.

Additionally, the MSCWMO monitors two lakes, Lily and McKusick for several parameters from April-October. Data is collected on both lakes on a biweekly basis and includes: water level, clarity, pH, temperature and dissolved oxygen profiles, an aesthetics and user profile, and field conditions. Additionally, water quality samples are collected from the surface of the lakes and analyzed for total phosphorus, total Kjeldahl nitrogen, and chlorophyll.

Activities This Month: Lab results are being summarized for the 2019 Monitoring Summary.

Staff: Rebecca Oldenburg Giebel, WCD

Erosion and Sediment Control Inspections

Description: The MSCWMO has contracted with the WCD to conduct erosion and sediment control inspections for construction projects that have been reviewed and recommended for permit approval by partner communities.

Activities This Month: No actions.

Staff: Aaron DeRusha WCD

Meetings



MINNESOTA CAMPAIGN FINANCE BOARD

December 10, 2019

Matthew Downing, Administrator
Middle St Croix River WMO
455 Hayward Ave
Oakdale, MN 55128

From: Campaign Finance and Public Disclosure Board

Subject: Requirement for public officials to annually recertify statement of economic interest

You are receiving this notice because you are the contact person for an agency that has members or employees who are public officials. All public officials must update their statements of economic interest annually. The Board is asking for your help in reminding the public officials in your agency of this requirement. In doing so, please keep these things in mind:

- A public official must review and recertify his or her statement **even if he or she left the public official position during the year, or if nothing on it has changed**. Please be sure that the public officials leaving your agency at the end of the year are aware of the filing requirement.
- The annual recertification must be filed **after January 1, 2020, but no later than January 27, 2020**. A public official who does not file a recertification by the deadline will be subject to the imposition of late filing fees and a potential civil penalty.
- The Board will send letters directly to all public officials in late December notifying them of the requirement and giving them the information necessary to file online. Paper copies of the statement may be printed from the Board's website by any official unable to file online.

If you are not sure who in your agency is considered a public official, you can view the list of the public officials in your agency by entering your agency's name into the search box at <https://cfb.mn.gov/reports-and-data/officials-financial-disclosure/agency/>.

If you need to correct any inaccuracies on the list for your agency, or if you have questions about the reporting requirements in general, please contact Jodi Pope at 651-539-1183, 800-657-3889 or jodi.pope@state.mn.us.

Thank you in advance for your assistance.