Meeting Minutes
Vermillion River Watershed Joint Powers Board Meeting
Thursday, February 23, 2017, 1:00 p.m.
Dakota County Western Service Center, Apple Valley, Conference Room 334

Board Members in Attendance
Dakota County Commissioner Mike Slavik, Chair
Scott County Commissioner Tom Wolf, Vice-Chair
Dakota County Commissioner Mary Liz Holberg, Secretary/Treasurer

Others in Attendance
Mark Zabel, VRWJPO Dakota County Administrator
Travis Thiel, VRWJPO Watershed Specialist
Helen Brosnahan, Dakota County Attorney’s Office
Mark Ryan, VRWJPO Watershed Engineer
Paula Liepold, VRWJPO Water Resources Educator
Mac Cafferty, City of Lakeville
Adam Flett, Friends of the Mississippi River Stewardship Program Manager
Amy Kilgore, Friends of the Mississippi River Volunteer Coordinator

1. Call to Order
Meeting was called to order by the Board Chair at 1:02 p.m. All Board members were in attendance.

2. Audience Comments on Items Not on the Agenda
There were none.

3. Approval of Agenda

Motion by Commissioner Wolf, Second by Commissioner Holberg, and passed on a unanimous vote to approve the agenda for the February 23, 2017 meeting.

4. Approval of Minutes from the January 26, 2017, Meeting

Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to approve the minutes of the January 26, 2017, meeting, as presented on February 23, 2017.

5. Approval of Expenses
Mark Zabel provided a description of expenses (which are not routine monthly items). The $2,674 invoice from Wenck is for 2016 fish biomonitoring services and reporting. All other listed expenses are routine monthly expenses.
Res. No. VRW 17-13: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a 3-0 roll call vote to approve the expenses totaling $31,620.20 occurring between January 20th and February 16, 2017, as submitted on February 23, 2016.

6. Acceptance of Treasurer’s Report
Mark Zabel provided an overview of the Treasurer’s Report. Commissioner Slavik asked whether any carry over funds from 2016 were reflected in the 2017 budget in the Treasurer’s Report, and Mark Zabel summarized the basis for the 2017 budget and the inclusion of 2016 carry over funds.

Res. No. VRW 17-14: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a 3-0 roll call vote to accept the Treasurer’s Report as presented on February 23, 2017.

7. Business Items

7a. Overview of 2016 Vermillion River Watershed Stewards Program
Adam Flett, Stewardship Program Manager for Friends of the Mississippi (FMR) provided an informational summary and presentation on the activities and events that took place in 2016 as part of the Vermillion River Watershed Steward Program. The presentation included an explanation of the work completed at the various program events as well as summaries of the total number of volunteers and number of volunteers living in the watershed that attended the events. Events included VRWJPO supported events and those covered by match funds from other partners. A summary of the program history since 2005 was also included in the presentation. Commissioner Holberg asked specifically about the live staking of cottonwood events held at the Gores Aquatic Management Area (AMA) and why the need for cottonwoods for bald eagle habitat. Adam explained that the eagles seem to prefer the cottonwoods as nesting and perching sites for the height and crown size of these trees and went on to explain the need for replenishing cottonwoods in the floodplain and the impact that increased flooding has on regeneration of these trees.

This item was an informational item only.

7b. Authorization to Execute a Grant Agreement with Friends of the Mississippi River (FMR) for Vermillion River Stewards Program in 2017
Adam Flett provided a presentation on the proposed projects in the watershed for 2017 and highlighted new project areas and types, including the Hampton Woods Wildlife Management Area (WMA) invasive species cleanup and the live-staking event planned with VRWJPO staff at the 2015 Middle Creek remeander project near Meadowview Elementary School in Farmington. Commissioner Holberg and Chair Slavik both inquired about why the 2016 projection of 430 volunteers was dropped to 400 volunteers for 2017. Adam indicated that this was a result of being slightly more conservative in the estimate for some events and that some of the invasive species cleanup sites do not need as high of a number of volunteers compared to past years.

Res. No. VRW 17-15: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to authorize the chair to execute to Execute a Grant Agreement with Friends of the Mississippi River (FMR) for Vermillion River Stewards Program in 2017.

WHEREAS, the Vermillion River Watershed Joint Powers Organization (VRWJPO) is in need of services to coordinate and implement the Vermillion River Stewards Program (Stewards Program); and

WHEREAS, the Stewards Program is an important way to build stewardship, educate, and engage local citizens in protecting and enhancing the Vermillion River and its tributaries, as well as lakes, wetlands, and natural areas in the Vermillion River Watershed; and

WHEREAS, Friends of the Mississippi River (FMR) is willing to provide these services for an amount not to exceed $25,000 and has the experience, knowledge, and past success in implementing the Stewards Program; and
WHEREAS, the continuation of the Stewards Program is an important step towards engaging the public through involvement and education on the goals within the VRWJPO Watershed Plan and the VRWJPO 2017 work plan; and

WHEREAS, funding for the Stewards Program is included in the VRWJPO 2017 Budget for $25,000.

NOW, THEREFORE, BE IT RESOLVED, that the Vermillion River Watershed Joint Powers Board (VRWJPB) hereby authorizes its chair to execute a grant agreement with the Friends of the Mississippi River in an amount not to exceed $25,000 to implement the Vermillion River Stewards Program for 2017; subject to approval by the Dakota County Attorney’s Office as to form.

7c. Authorization to Amend the Metropolitan Council Stormwater Grant Agreement for Stormwater Improvements at the Minnesota Zoo

Travis Thiel provided an update on the stormwater project and the Minnesota Zoo and indicated that the grant was due to expire on March 1, 2017 even though the stormwater reuse project is still pending design and construction. He noted that the new agreement is set to expire on March 1, 2019 and that Chair Slavik needed to sign the updated grant agreement today to avoid lapse of the existing agreement.

Res. No. 17-16: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to authorize the chair to Amend the Metropolitan Council Stormwater Grant Agreement for Stormwater Improvements at the Minnesota Zoo.

WHEREAS, VRWJPO, Dakota Soil and Water Conservation District, and Zoo staff has successfully implemented a portion of the grant agreement’s stormwater improvements on the Zoo campus as identified in the grant work plan; and

WHEREAS, VRWJPO and Zoo staff has yet to fulfill the stormwater reuse project identified in the Grant work plan; and

WHEREAS, the Zoo was tasked with developing the request for proposals (RFP) for the design and construction of the stormwater reuse; and

WHEREAS, VRWJPO staff believes it is in the best interest of both the VRWJPO and Zoo if the Zoo provides the lead role in developing the RFP, as the stormwater reuse system construction will involve modifications to Zoo infrastructure and will involve Zoo staff oversight; and

WHEREAS, Zoo staff is in the final stages of developing the RFP for the stormwater reuse system, but the grant is near its grant term deadline, and staff need additional time to complete the RFP and work through the design and construction phases of the project; and

WHEREAS, in order to fulfill the timing of the stormwater reuse project execution and the grant work plan, VRWJPO staff is recommending the VRWJPO authorize an amending the Metropolitan Council Stormwater Grant agreement to extend the term of the agreement from March 1, 2017 to March 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB authorizes its Chair to amend the Metropolitan Council Stormwater Grant agreement to extend the term of the agreement from March 1, 2017 to March 1, 2019; subject to approval as to form by the Dakota County Attorney’s Office.

7d. Authorization to Execute a Joint Powers Agreement with the City of Lakeville for the South Creek Temperature Reduction Project

Travis Thiel provided a short overview of the project location and purpose as a reminder as the project has been discussed with the Board in previous meetings. Travis explained the funds provided within the agreement. The
VRWJPO will provide $179,800 of grant funding plus the VRWJPO’s match which is $50,000 for a total of up to $229,800 to the City of Lakeville for completion of the project.

Res. No. 17-17: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to execute a Joint Powers Agreement with the City of Lakeville for the South Creek Temperature Reduction Project.

WHEREAS, the VRWJPO and the City of Lakeville (City) have been working to identify projects to reduce the stressors to the fish and macroinvertebrate (biota) in South Creek that include sediment, warm water temperatures, low dissolved oxygen, and poor habitat; and

WHEREAS, the VRWJPO and City have identified a stormwater basin that is a source of warm stormwater entering South Creek that results in warmer water in South Creek and lower dissolved oxygen concentrations; and

WHEREAS, the VRWJPO and City have proposed a project to separate South Creek from the stormwater basin to reduce the water temperatures and improve dissolved oxygen concentrations in South Creek; and

WHEREAS, a feasibility study was conducted to identify the most cost-effective means to engineer and construct the project and identified an estimated $220,000 project to engineer and construct a reinforced berm and new outlet to separate South Creek from the stormwater basin; and

WHEREAS, 2016 monitoring indicates that the project has the potential to reduce maximum water temperatures in this reach of South Creek by 16.6° C, and average of 11.1° C, and increase dissolved oxygen concentrations by 1-2 mg/L; and

WHEREAS, the VRWJPO applied to the Minnesota Board of Water and Soil Resources (BWSR) for a Clean Water Fund grant for $194,800, which requires a local match of 25% of the total grant request; and

WHEREAS, the grant consists of $15,000 for VRWJPO staff to perform grant administration and coordination, $44,800 for project engineering and associated activities, and $135,000 for a portion of project construction; and

WHEREAS, the VRWJPO allocated $50,000 as grant match within its 2017 Budget for the project; and

WHEREAS, the VRWJPO and City will equally split the costs of the local match needed to fulfill the engineering and construction of the project up to the maximum $50,000 VRWJPO Budget allocation and City contribution; and

WHEREAS, the City of Lakeville is requesting the grant funding for the engineering ($44,800) and construction ($135,000) and up to an additional $50,000 in funding from the VRWJPO.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB authorizes its chair to execute a Joint Powers Agreement with the City of Lakeville in an amount not to exceed $229,800 for the South Creek Temperature Reduction Project; subject to approval as to form by the Dakota County Attorney’s Office.

7e. Authorization to Execute a Joint Powers Agreement with the City of Lakeville for the South Creek Hydrodynamic Separator Project
Travis Thiel provided a brief overview of another of the Clean Water Fund projects describing its location and purpose, and explained the funding within the agreement.

Res. No. 17-18: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to authorize the chair to execute a Joint Powers Agreement with the City of Lakeville for the South Creek Hydrodynamic Separator Project.
WHEREAS, the VRWJPO and the City of Lakeville (City) have been working to identify projects to reduce the stressors to the fish and macroinvertebrate (biota) in South Creek that include sediment, warm water temperatures, low dissolved oxygen, and poor habitat; and

WHEREAS, a subwatershed assessment identified a stormwater outfall that drains a portion of the downtown as a significant source of sediment to South Creek; and

WHEREAS, the subwatershed assessment identified a hydrodynamic separator as a cost-effective means to reduce sediment from entering South Creek; and

WHEREAS, the hydrodynamic separator is estimated to cost $200,000 and will annually reduce sediment in South Creek by an average of 3.6 tons/year and phosphorus by 28 lbs./year; and

WHEREAS, the VRWJPO applied to the Minnesota Board of Water and Soil Resources (BWSR) for a Clean Water Fund grant for $116,000, which requires a local match of 25% of the total grant request; and

WHEREAS, the grant consists of $5,000 for VRWJPO staff to perform grant administration and coordination, $11,000 for project engineering and associated activities, and $100,000 for a portion of project construction; and

WHEREAS, the VRWJPO allocated $50,000 as grant match within its 2017 Budget for the project; and

WHEREAS, the VRWJPO and City will equally split the costs of the local match needed to fulfill the engineering and construction of the project up to the maximum $50,000 VRWJPO Budget allocation and City contribution; and

WHEREAS, the City of Lakeville is requesting the grant funding for the engineering ($11,000) and construction ($100,000) and up to an additional $50,000 in funding from the VRWJPO.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB authorizes its chair to execute a Joint Powers Agreement with the City of Lakeville in an amount not to exceed $161,000 for the South Creek Hydrodynamic Separator Project; subject to approval as to form by the Dakota County Attorney’s Office.

7f. Authorization to Execute a Joint Powers Agreement with the City of Burnsville for the Alimagnet Lake Stormwater Improvement Projects
Travis Thiel provided a brief overview of another of the Clean Water Fund projects describing its purpose, and explained the funding within the agreement.

Res. No. 17-19: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to authorize the chair to execute a Joint Powers Agreement with the City of Burnsville for the Alimagnet Lake Stormwater Improvement Projects.

WHEREAS, the VRWJPO and the City of Burnsville have been working to identify projects to reduce the external phosphorus load reaching Alimagnet Lake; and

WHEREAS, a subwatershed assessment identified two regional stormwater basins that are a significant source of phosphorus reaching Alimagnet Lake; and

WHEREAS, the subwatershed assessment identified an iron-enhanced sand filter (IESF) and alum treatments as a cost-effective means to reduce phosphorus from reaching Alimagnet Lake; and

WHEREAS, the engineering and construction of the IESF and the alum treatments for the basins are estimated to cost $406,450 and will annually reduce phosphorus in Alimagnet Lake by 62 lbs./year.
WHEREAS, the VRWJPO applied to the Minnesota Board of Water and Soil Resources (BWSR) for a Clean Water Fund grant for $216,450 and was awarded the grant, which requires a local match of 25% of the total grant request; and

WHEREAS, the grant consists of $10,000 for VRWJPO staff to perform grant administration and coordination, $30,300 for the IESF project engineering and associated activities, and $176,150 for a portion of the IESF project construction; and

WHEREAS, the VRWJPO allocated $75,000 as grant match within its 2017 Budget for the project; and

WHEREAS, The VRWJPO and City will equally split the costs of the local match needed to fulfill the engineering and construction of the IESF projects and alum treatments up to the maximum $75,000 VRWJPO Budget allocation and City allocation, and any further costs will be paid for by the City up to the proposed maximum City allocation of $125,000; and

WHEREAS, the City of Burnsville is requesting the grant funding for the IESF engineering ($30,300) and construction ($176,150) and up to an additional $75,000 in funding from the VRWJPO.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB authorizes its chair to execute a Joint Powers Agreement with the City of Burnsville in an amount not to exceed $281,450 for the Alimagnet Lake Stormwater Improvement Projects; subject to approval as to form by the Dakota County Attorney’s Office.

8. Staff Reports
   a. Travis Thiel indicated that much of his time has been spent on the grant project agreements and illuminated a concern on permitting slowdowns with the US Army Corps of Engineers due to the rusty patched bumble bee being added to the coverage of the Endangered Species Act which triggers a review coordinated with the U.S. Fish and Wildlife Service on new projects. Part of the problem created in that requirement is that there currently is no clearly defined process for those reviews.
   b. Commissioner Holberg brought up the County Road 50 issues with the school board and siting stormwater practices and indicated that the idea was essentially put to rest because the school board members were simply against having the pond there. Mark Ryan and Travis Thiel provided an update on the project’s alternatives to the school property, and Travis pointed out the extra cost borne by Dakota County to have the consultant re-engineer the stormwater in that part of the project.
   c. Commissioner Slavik inquired whether there had been any Eureka Township permit applications, and Mark Zabel replied that there had not been any yet. Mark Ryan indicated that he would be attending the March 6, 2017 Planning Commission meeting just to check in with them and make sure that everyone is on the same page and up to date with the processes involved. Commissioner Slavik indicated he attended a recent Town Board meeting to discuss and that there was little feedback on the subject.
   d. Mark Ryan provided a table to summarize all of the Joint Powers Agreement costs for each of the Clean Water Fund grant projects. This table was created to provide summarized information on the money associated with each of the agreements after there was some confusion at the February Watershed Planning Commission (WPC) meeting on the actual amounts of the various agreements.
   e. Mark Zabel provided an update on the search for a new WPC member from the Scott County area of the watershed. Through City of Elko-New Market staff, Carolyn Miller of Elko submitted an application and was approved by the Scott County Board earlier in the week per Commissioner Wolf.

8a. Motion to amend the agenda to include appointment of Carolyn Miller to the Vermillion River Watershed Planning Commission

Motion by Commissioner Wolf, Second by Commissioner Slavik, and passed on a 2-0 vote to amend the agenda to include appointment of Carolyn Miller to the Vermillion River Watershed Planning Commission with Commissioner Holberg abstaining.
8b. **Appointment of Carolyn Miller to the Watershed Planning Commission**

*Motion by Commissioner Wolf, Second by Commissioner Slavik, and passed on a unanimous vote to appointment of Carolyn Miller to the Watershed Planning Commission with Commissioner Holberg abstaining.*

f. Mark Zabel provided an update on the filling of Katherine Carlson’s communications and outreach position with Dakota County and the VRWJPO. A count provided around noon on Friday, February 17th (the date of closure for the posting) indicated a total of 64 applicants for the position at that time.
9. **Adjourn**

   Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a 3-0 voice vote to adjourn the meeting at 1:51 p.m.

Next Meeting Date: March 23, 2017 – Western Service Center, Room 334 at 1:00 p.m.

Respectfully submitted:

Mark Ryan  
Vermillion River Watershed Joint Powers Organization

Mark Zabel  
Administrator for the Vermillion River Watershed Joint Powers Organization

Attest

[Signature]

Commissioner Mary Liz Holberg  
Secretary/ Treasurer

[Signature]

5-25-17  
Date