Meeting Minutes

Vermillion River Watershed Joint Powers Board Meeting
February 28, 2019, 1 p.m.
Dakota County Western Service Center, Apple Valley, Conference Room 334

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

Others in Attendance
Mark Zabel, Watershed Administrator
Melissa Bokman Ermer, Watershed Co-administrator
Helen Brosnahan, Assistant County Attorney
Travis Thiel, VRWJPO Watershed Specialist
Paula Liepold, VRWJPO Water Resources Educator
Mark Ryan, VRWJPO Watershed Engineer
Jen Dullum, VRWJPO Public Outreach and Communications
Bruce Johnson, Dakota County Soil and Water Conservation District
Supervisor Terry Holmes, Empire Township
Gloria Pinke, Marshan Township
Mark Luostari, Inspectron
Mac Cafferty, City of Lakeville
Emily Javens, Minnesota Association of Watershed Districts
Melissa King, Minnesota Board of Water and Soil Resources

1. Call to Order
Meeting was called to order by Commissioner Slavik at 1:00 p.m.

2. Roll Call
All Board members were in attendance.

3. Audience Comments on Items Not on the Agenda
There were no comments from the audience.
4. Approval of Consent Agenda

Res. No. VRW 19-05: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to approve the consent agenda.

5. Approval of Expenses

Mark Zabel presented the current invoices as shown on item 5.

Res. No. VRW 19-06: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a 3-0 roll call vote to approve the expenses totaling $86,890.12 incurred between January 1, 2019, and February 20, 2019, as submitted on February 28, 2019.

Commissioner Slavik questioned if Dakota County staff and snow and ice removal contractors for Dakota County buildings are required to participate in winter maintenance training. Paula Liepold responded that vendors are not required; however, they have always been invited to attend the free training. Dakota County Parks, Facilities, and Transportation Departments have all participated in training. Commissioner Slavik would encourage contracted companies for Dakota County to attend training. Mark Ryan believes that in future contracts, winter snow and ice removal training could become a requirement for Dakota County contractors.

6. Business Items

6a. Invitation to membership in Minnesota Association of Watershed Districts

Mark Zabel received a letter from the president of the Minnesota Association of Watershed Districts (MAWD) inviting the Vermillion River Watershed District (VRWJPO) to join in membership. Mark introduced MAWD Executive Director, Emily Javens. Emily discussed MAWD’s mission and vision. MAWD focuses on three main things; lobbying, training, and networking. This past year MAWD passed a resolution to change the by-laws allowing watershed management organizations to join as members. There is a $500 annual membership this first year.

Commissioner Holberg reviewed MAWD’s legislative agenda and does not support items on it or at least sees potential conflict with Dakota County goals. She would not support the VRWJPO joining MAWD at this time. She would support staff training opportunities through an organization like MAWD. Commissioner Slavik cannot speak to the legislative agenda but asked how many watershed districts belong to MAWD. Emily said 42 of 45 watershed districts currently belong to MAWD. Three watershed management organizations have joined since the resolution passed. Commissioner Slavik sees value in the training and the organization. He recognizes that VRWJPO staff could receive value through membership in MAWD.

Commissioner Wolf stated Scott County’s contribution to MAWD as being very small and did not express an opinion on membership. Commissioner Holberg believes that MAWD’s goals might not align, and possibly conflict with Dakota County’s goals. Emily would be interested in how MAWD could assist. Commissioner Holberg would be more interested if the lobbying activities of the organization were separate from the other aspects of MAWD’s mission or if member organizations could opt out of lobbying activities. Commissioner Holberg believes there is value in updates, events, and training provided by MAWD. Emily said that staff are always welcome to attend events and trainings. Commissioner Slavik stated he was not comfortable forwarding the motion to join MAWD. Commissioner Holberg also was not willing to make the motion but would consider a different proposal.
where the VRWJPO name would not appear on legislative lobbying materials. Emily will bring back to MAWD what she learned today. Commissioner Slavik thanked Emily for coming to present.

6b. Authorization to Adopt VRWJPO Solicitation, Grant, and Contract Policy
Helen Brosnahan provided the final Vermillion River Watershed Joint Powers Organization (VRWJPO) Solicitation, Grant, and Contract Policy. This policy incorporates changes to the Dakota County’s Solicitation Bid Grant Policy for consistency. The VRWJPO policy is also consistent with the Scott County procurement/contract policy. The VRWJPO policy differs from both the Dakota and Scott County policy as it reflects the VRWJPO’s delegation of authority limits for the Administrator.

Commissioner Holberg approves of the policy as long as Scott County is in agreement. Commissioner Slavik thanked both attorneys’ offices for the coordination.

Res. No. VRW 19-07: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to adopt the VRWJPO Solicitation, Grant, and Contract Policy.

Mark Zabel introduced the item with a brief overview of the past two ad-hoc meetings that discussed the potential to implement the standards in the townships and recommendations related to standards themselves. Mark Ryan gave a more detailed summary of the meetings. At the second ad-hoc meeting he stated the discussions fell into two categories; 1) education and outreach assistance in standards implementation from the VRWJPO and, 2) the standard itself. At the third meeting Mark Ryan stated the discussion centered on improving implementation, which included potentially changing the erosion and sediment control standard. The third meeting also produced recommendations to develop a model form, provide a best practice document, and consider amending the erosion and sediment control standard.

Terry Holmes, who participated on the ad-hoc group from Empire Township, thought it was a good process and the Township is appreciative and supportive of the outcome. In the end, they all want a clean river. Gloria Pinke, who also participated on the ad-hoc group from Marshan Township, thanked the Board for the conversation and is very much in support of the process and the proposed outcome. Terry mentioned that the townships will be applying for Community Development Block Grant funds to create uniformity in ordinances, and that process could work in the creation of a model form with input from the VRWJPO. This will aid in the development of a centralized report and unify the process across townships. Mark Luostari, a building inspector from Inspectron who participated in the ad-hoc meetings, stated that what the group came up with will be one of the most effective models he’s seen. It should be easy to implement, easy to keep track of, and easy to enforce.

Commissioner Holberg noted that there were two issues the ad-hoc group needed to address; the standards and the variety of ways the townships approach the issue (permits, inspections, information). The ad-hoc group discussed creating an instrument or document of basic information about how the standards are applicable to the project. It was discussed whether the change would apply to only certain zoning areas, but the conclusion of the ad-hoc group was clarified to be that the change to the erosion and sediment control standard must be watershed-wide.
Commissioner Holberg suggested that the fourth bullet of the draft recommendations add “...consider amending”. There were no objections. At this time, it is unknown if amending the Standards would be a major or minor plan amendment and how that will affect the Watershed Plan. Mark Ryan noted that it will be up to the Minnesota Board of Water and Soil Resources (BWSR) to make that determination once an amendment is submitted to BWSR. Mark Zabel said the Vermillion River Watershed Joint Powers Board (JPB) is being asked to accept the draft recommendation. The draft recommendation will then be brought before the Township Officers Meeting and the Vermillion River Watershed Planning Commission (WPC). It will be brought back for final approval to the JPB for adoption at the March 28 meeting.

Mark Ryan wanted the Commissioners to be aware that there are notes from each ad-hoc meeting available for reading. Commissioner Holberg was pleased with the progress of the ad-hoc meeting. Commissioner Slavik thanked the ad-hoc group and staff for the work done.

**Res. No. VRW 19-08: Motion by Commissioner Wolf, Second by Commissioner Holberg, and passed on a unanimous vote to accept the draft recommendations of the ad-hoc group to be shared with the Vermillion River Watershed Planning Commission and presented at the annual Spring Dakota County Township Officers Association Meeting as “Draft Recommendations to the VRWJPO on the Implementation of Standards” for further review and input, as amended.**

7. **Staff Reports**

Helen Brosnahan noted that all private information from a report from the February meeting was redacted. For future reference, the names of volunteers who attend events are public information but all other information that volunteers submit is private information.

Paula Liepold shared an upcoming turf workshop on April 18. As part of the VRWJPO stewardship grant, the City of Lakeville will be sharing information on their work at Legacy Park.

The spring newsletter is currently being written with a publication of March 19. Commissioner Holberg would like to add legislative delegates, State and Federal, which serve the Watershed to be added to the newsletter distribution list.

The theme for the Dakota County fair building this year is Water.

Mark Ryan mentioned that there were favorable bids received on the South Creek hydrodynamic separator project in Lakeville. This is one of the remaining projects funded primarily through fiscal year 2017 Clean Water Fund grants obtained by the VRWJPO from BWSR. Construction will occur at some point between early summer and October, as the contract allows flexibility in when the work is completed in 2019.
Adjourn
Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous voice vote to adjourn the meeting at 1:47 p.m.

Next Meeting Date: March 28, 2019 – Western Service Center, Room 334 at 1 p.m.

Respectfully submitted:
Jen Dullum
Vermillion River Watershed Joint Powers Organization

Mark Zabel
Administrator for the Vermillion River Watershed Joint Powers Organization

Attest

[Signature]
Commissioner Tom Wolf           Secretary/ Treasurer

3-28-19
Date