Meeting Minutes
Vermillion River Watershed Joint Powers Board Meeting
August 23, 2018, 1 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, Watershed Administrator
Melissa Bokman, Watershed Co-administrator
Travis Thiel, VRWJPO Watershed Specialist
Paula Liepold, VRWJPO Water Resources Educator
Mark Ryan, VRWJPO Watershed Engineer
Jen Dullum, VRWJPO Education and Outreach Specialist
Bruce Johnson, Dakota County Soil and Water Conservation District Supervisor
Mac Cafferty, City of Lakeville Environmental Resources Coordinator
Melissa King, Board of Water and Soil Resources Board Conservationist

1. Call to Order
Meeting was called to order by Commissioner Slavik at 1:00 p.m. Commissioner Slavik accounted for all Board members in attendance.

2. Audience Comments on Items Not on the Agenda
Melissa King introduced herself. She is the new Central Region Board Conservationist for the Minnesota Board of Water and Soil Resources.

3. Approval of Consent Agenda

Res. No. VRW 18-31: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to approve the consent agenda, noting the date change in the meeting minutes line four on page 7 of the full meeting packet.

4. Approval of Expenses
Mark Zabel noted a format change to the way expenses are being presented and went over the current invoices. Dakota County Legal, Scott County, Dakota County Soil and Water Conservation District, and Vermillion River Watershed Dakota County staff time are all routine expenses under Joint Powers Agreements. The VRW per diem was paid to the Watershed Planning Commission members. In the future, Planning Commission will be added for more detail. Jane Beattie Consulting is for design of new interpretive signs. Carp Solutions is for carp tagging and tracking. The Pcard purchases are for supplies.

Res. No. VRW 18-32: Motion by Commissioner Wolf, Second by Commissioner Holberg, and passed on a 3-0 roll call vote to approve the expenses totaling $54,272.01 that occurred between July 21, 2018, and August 15, 2018, as submitted on August 23, 2018.

5. Business Items


Mark Zabel presented the draft 2019 Vermillion River Watershed Joint Powers Organization (VRWJPO) 2019 Budget. Included in the presentation were 2018 accomplishments, 2019 planned actions, details on past and future revenues, expenses, levies, and tax rates for the VRWJPO, the 2019 proposed budget, levy and tax comparisons for Dakota and Scott counties and proposed future expenses, levy, and Capital Improvement Projects (CIP). In 2019, proposed revenues will be $2,185,200, proposed expenditures will be $2,143,350, and the VRWJPO will retain a proposed cash reserve of $41,850. The proposed levy will be $912,900 for Dakota County and $35,100 for Scott County for areas within the Vermillion River Watershed Management Tax District.

Commissioner Holberg asked if there were any changes to the proposed budget from the previous month. Mark Zabel responded that there were no changes and that the Vermillion River Watershed Planning Commission (WPC) recommended approving the draft 2019 budget and levy.

Commissioner Slavik opened the Public Hearing on the draft VRWJPO 2019 Budget and Vermillion River Watershed Management Tax District Levy at 1:18 p.m. He requested public comments. There were none.

Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to close the Public Hearing on the draft VRWJPO 2019 Budget and Vermillion River Watershed Management Tax District Levy at 1:19 p.m.

Res. No. VRW 18-33: Motion by Commissioner Holberg, Second by Commissioner Wolf, and passed on a unanimous vote to adopt the draft VRWJPO 2019 Budget and Vermillion River Watershed Management Tax District levy.

5c. Continued Discussion on the Vermillion River Watershed Joint Powers Organization Standard for Erosion and Sediment Control

Mark Zabel let the commissioners know that at the last Vermillion River Watershed Planning Commission (WPC) meeting, the commissioners continued their discussion of the standards but decided not to put forward a formal recommendation. Mark Ryan mentioned that there were a lot questions and discussion surrounding concern about enforcing the standards. Clarification was also a concern for the WPC. During the WPC meeting, comparisons of the land disturbance standard were made between the Vermillion River Watershed Joint Powers Organization (VRWJPO) and other watershed districts. Many of
the standards that were compared contained additional thresholds for inspection which would be
similar to the current erosion and sediment control standard.

Commissioner Holberg asked if any other watershed districts consider treating agricultural land
differently. Mark Ryan noted that single family residential might have different requirements but there
did not seem to be any for agriculture. Mark Zabel said it was not called out specifically in any of the
standards.

Commissioner Slavik asked what the Vermillion River Watershed Joint Powers Board’s (VRWJPB) action
should be for this meeting. Mark Zabel replied that the VRWJPB could choose to take action and move
to the amendment process or choose to leave the standards as is. A comprehensive review of the
standards was to be undertaken around year five of the Watershed Plan. If the VRWJPB chooses to
amend the standards now, Mark recommends that time is taken for a comprehensive review of the
standards. Melissa Bokman asked if the standards were working or if something was not working with
the standards. Mark Zabel cited an infiltration study verifying that infiltration would provide protection
the VRWJPO is looking for from the standards as the only study completed that evaluated standards.
The VRWJPO has initiated an evaluation program in the last year for local governments implementing
through their local ordinances.

Commissioner Slavik mentioned that there are inconsistencies in enforcing the standards. Townships
are still implementing the 2006 standards. Commissioner Slavik thinks that if townships had not adopted
the standards by reference, they might have been aware of the changes to the standards. Commissioner
Holberg said that she is not in favor of amending the standards at this time. Commissioner Slavik feels
that the VRWJPO had a very comprehensive program for disseminating information about the standards
but the townships still did not put forth the effort into looking into them. He believes there needs to be
more discussion with the local units of government for consistency.

Mark Ryan spoke to the issue of agricultural buildings which may be viewed by the townships as out of
scope for the VRWJPO. The WPC would like to see continued outreach, to which Commissioner Slavik
responded that there is a Township Officer meeting on September 20 that he would like VRWJPO staff
to attend for a post-meeting breakout session with VRWJPO townships on the standards.

Travis Thiel asked Commissioner Slavik his assessment on the consistency of permitting, in general,
within the townships. Commissioner Slavik responded that besides agricultural permitting, he feels that
overall, permitting is consistent. Commissioner Slavik noted that some townships may choose to take
the Eureka model where the VRWJPO takes over permitting to which Mark Zabel replied that permitting
by the VRWJPO is a self-supporting program in Eureka Township due to the escrow and fee charges
associated with it. Mark Zabel reiterated that the erosion and sediment control standard that is being
debated is a threshold for permit review. It should not force an extraordinary cost. It will determine a
need for a site review.

Commissioner Slavik would have liked to see better engagement when the standards first came out. It is
concerning to him that this now seems like a top-down approach directing the townships what to do. He
feels that a local-level meeting needs to be held.

Mark Zabel reminded the commissioners that the building code as it applies to agricultural buildings,
and local land use controls, are not the same but are being interpreted that way in these discussions as
some Township Officials view agricultural buildings as being fully exempt from permitting – which is not
correct. Mark Ryan asked if continued outreach would solve this issue. Commissioner Slavik believes that agriculture needs to be discussed along with the other changes to the standards.

Mark Zabel stated that local ordinances, which adopt the standards by reference, need to be adopted 180 days after comprehensive plans are approved. He also noted that he is not hearing a consensus at this time on the standards. Commissioner Slavik said that he did not yet have all the answers and would like more engagement before his decision. He would like to coordinate with Mark Zabel and Mark Ryan on presenting to the township officers meeting and bring the issue back for further discussion at the October VRWJPB meeting.

6. Staff Reports

Travis Thiel gave an update on the Buddy’s Kitchen parcel. A Conservation Partners Legacy grant will require application for a stream habitat restoration project before the September 21 deadline, and the next Vermillion River Watershed Joint Powers Board Meeting. VRWJPO staff will be providing grant administration and staff time and the City of Lakeville will provide the cash and in-kind match.

Travis also gave an update on the Federal Aviation Administration (FAA) building in Farmington. A consultant reviewed connecting to the groundwater discharge pipe for irrigation of adjacent school fields. Depending on the sophistication of the system the costs for the three options presented range from $150,000 to $300,000. The return on investment range is from 13 to 27 years depending on option. The school district has no budget for this project this year. Due to budget constraints, an interim option with limited costs could be the tee connection and valves from the discharge pipe to the property, and that it would make the most sense to do it at the time of construction so that a future hook-up will be simplified and less expensive. The project and options are being evaluated.

Paula Liepold hosted two winter roads maintenance trainings on August 21 due to overwhelming popularity. 56 people attended at two locations, 21 of whom were from Dakota County Transportation. These sessions did not see participation from local businesses but the trainings have had business attendees in the past. Paula does work through the local Chambers of Commerce for promotion. Paula would love to see Dakota County contract only with certified and trained businesses for management at Dakota County facilities in the future.

Mark Ryan gave an update on the South Branch Subwatershed Nitrate Reduction project. Final construction should occur around Labor Day when the contractor opens up the bypass channel to put the system on-line now that the vegetation has established.

Mark Ryan has also been working with staff from Farmington, Hastings, and Lakeville on an accelerated implementation grant. This grant project would look at downtown areas to augment storm sewers and find storage for treatment of stormwater diverting direct runoff to treatment before discharge to local streams.
Adjourn

Motion by Commissioner Wolf, Second by Commissioner Holberg, and passed on a unanimous voice vote to adjourn the meeting at 2:02 p.m.

Next Meeting Date: September 27, 2018 – 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 Mary Liz Holberg

[Signature]
Secretary/Treasurer

10.25.18
Date