



# Meeting Minutes

## Vermillion River Watershed Joint Powers Board Meeting

December 5, 2019, 1 p.m.

Dakota County Extension and Conservation Center, Conference Room A, Farmington, MN

### Board Members in Attendance

Dakota County Commissioner Mike Slavik, Chair

Dakota County Commissioner Mary Liz Holberg, Vice Chair

Scott County Commissioner Dave Beer, alternate Secretary/Treasurer

### Others in Attendance

Mark Zabel, Watershed Administrator

Melissa Bokman Ermer, Watershed Co-administrator

Travis Thiel, VRWJPO Watershed Specialist

Mark Ryan, VRWJPO Watershed Engineer

Jen Dillum, VRWJPO Public Outreach and Communications

Helen Brosnahan, Assistant County Attorney

Georg Fischer, Environmental Resources Director

Bruce Johnson, Dakota County Soil and Water Conservation District Supervisor

### 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

- a. Approval of Agenda
- b. Approval of Minutes from the October 24, 2019, Meeting
- c. Acceptance of Treasurer's Report
- d. Approval of dates for 2020 Vermillion River Watershed Joint Powers Board meetings

*Res. No. VRW 19-41: Motion by Commissioner Holberg, Second by Commissioner Beer, 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 19-42: Motion by Commissioner Holberg, Second by Commissioner Beer, and passed on a 3-0 roll call vote to approve the expenses totaling \$81,162.14 incurred between October 14, 2019 and November 15, 2019, as submitted on December 5, 2019.*

Commissioner Slavik asked if the Watershed was on track for end-of year financing. Mark Zabel responded that he would be answering that question during the next item.

## **6. Business Items**

### **6a. Adoption of the Vermillion River Watershed Joint Powers Organization 2020 Budget and Watershed Management Tax District Levy**

Mark Zabel began stating end-of-year projections are on track and carryovers are as expected. Mark discussed each budget category in detail. The 2020 budget anticipates \$130,550 in cash reserve and \$2,110,900 in total annual expenses. Mark noted that the levy for Dakota County residents will increase in 2020 but decrease for Scott County residents. This is according to county tax capacity figures.

Commissioner Slavik asked if the capital improvement projects will come in close to expected by year-end. Mark anticipates they will, but it is dependent on any remaining invoices from either the Dakota or Scott Soil and Water Conservation Districts.

*Res. No. VRW 19-43: Motion by Commissioner Holberg, Second by Commissioner Beer, and passed on a unanimous vote to adopt the VRWJPO 2020 Budget and Watershed Management Tax District levy.*

### **6b. Release for Public Comment and Schedule a Public Hearing on the Proposed Amendments to the Vermillion River Watershed Joint Powers Organization Rules**

After introducing the item, Mark Zabel asked for the Board to schedule a public hearing on the proposed amendment to the VRWJPO Rules. Mark explained that there are two versions of the Rules the Board could propose. Version One would incorporate the Rules by reference and is the recommended version from staff. Version Two is a re-write of the Rules, which would need to be updated anytime the Standards are amended.

Commissioner Slavik verified that any amendments to the Standards would still go through the public comment and public hearing process, even if Version One was adopted to incorporate the Rules by reference. Helen Brosnahan stated that this is common practice for County ordinances to reference State Statute for ease of updating, should the Statute change.

*Res. No. VRW 19-44: Motion by Commissioner Holberg, Second by Commissioner Slavik, and passed by two votes for and one vote abstain to release for public comment and schedule a public hearing on the Proposed Amendments to the Vermillion River Watershed Joint Powers Organization Rules, version one.*

### **6c. Authorization to Amend the Minnesota Board of Water and Soil Resources Fiscal Year 2017 Clean Water Fund Grant**

Travis Thiel informed the Commissioners of unspent funds from the South Branch nitrate treatment project. Staff hopes to redirect some of those funds to the bioreactor project in Castle Rock Township as it treats the same pollutant in the same South Branch subwatershed. To do so, an extension must be granted to accommodate new terms of the 2017 Clean Water Fund Grant.

*Res. No. VRW 19-45: Motion by Commissioner Holberg, Second by Commissioner Beer, and passed on a unanimous vote to amend the Minnesota Board of Water and Soil Resources Fiscal Year 2017 Clean Water Fund Grant.*

## 7. Staff Reports

Melissa Bokman Ermer discussed a Scott County resident's concern regarding rising water levels in a pond on the resident's property. After review, it was noted that two culverts flow into the pond. The township is working with the resident on solutions. At this time, Mark Zabel showed a Vermillion River water level graphic from the United States Geological Survey. Since snowmelt, the river has been below a flow rate of 100 cubic feet per second (cfs) for only about two weeks in 2019 as measured at the gauging station in Empire Township. Typical baseflow in the river is 40-60 cfs. Flows all year have been well above normal near record levels.

Travis Thiel mentioned that the hydrodynamic separator project in Lakeville is complete. He and Mark Ryan will be spending the next several weeks compiling reports for grant projects.

Mark Ryan highlighted several recent projects that took place on South Creek in Lakeville: the hydrodynamic separator installation, the Hamburg stream restoration, and the temperature reduction project at Golden Pond.

Georg Fischer mentioned that performance reviews for Dakota County are starting and will be compiled by January 31, 2020. He will be emailing each commissioner individually with the VRWJPO Administrators' 2019 performance plan and asking for feedback, either via email or face to face.

Jen Dullum provided a social media update covering the last two months, with notices totaling 13 Facebook posts, 10 Tweets, and 6 Instagram posts. She also mentioned that FMR will be at the February meeting to give the Vermillion Stewards annual report.

Mark Zabel gave an update on the VRW Planning Commission. Due to a communication error, Scott County and Carolyn Miller believed her term was over at the end of 2019. Her term goes through 2020 and she will continue. Both Mark Henry and Chuck Clanton have terms that expire at the end of 2019. Both can be reinstated through 2022, if they agree. Rich Fortmann did not RSVP to, or attend, any meetings in 2019. Chair Miller did contact him about attendance. A lack of RSVP is considered an unexcused absence. The VRWPC may choose to remove him from the commission and find a replacement.

Commissioner Slavik wished everyone a safe holiday.

**Adjourn**

*Motion by Commissioner Holberg, Second by Commissioner Beer, and passed on a unanimous voice vote to adjourn the meeting at 1:40 p.m.*

Next Meeting Date: January 23, 2020 – Dakota County Extension and Conservation Center, Room A 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

  
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Commissioner Tom Wolf                      Secretary/ Treasurer

1/23/20  
Date