



# Meeting Minutes

**Vermillion River Watershed Joint Powers Board Meeting**  
March 25, 2021, 1 p.m., Teleconference using Zoom

## **Board Members in Attendance**

Dakota County Commissioner Mike Slavik, Chair  
Scott County Commissioner, Tom Wolf, Vice-Chair  
Dakota County Commissioner Mary Hamann-Roland, Secretary/ Treasurer

## **Others in Attendance**

Mark Zabel, Dakota County, Watershed Administrator  
Melissa Bokman Ermer, Scott County, Watershed Co-administrator  
Travis Thiel, Dakota County, Senior Watershed Specialist  
Mark Ryan, Dakota County, VRWJPO Watershed Engineer  
Paula Liepold, Dakota County, Public Outreach and Communications  
Helen Brosnahan, Dakota County, Assistant County Attorney

## **1. Call to Order**

Meeting was called to order at 1:08 p.m.

## **2. Roll Call**

Commissioners Slavik, Hamann-Roland, and Wolf 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 February 25, 2021, meeting
- c. Acceptance of Treasurer's Report
- d. Authorization to Amend a Joint Powers Agreement with the City of Apple Valley for the Erickson Park Stormwater Improvement Project
- e. Authorization to Execute a Grant Agreement with the Minnesota Board of Water and Soil Resources for Fiscal Year 2021 Watershed-Based Initiative Funding
- f. Authorization to Execute a Joint Powers Agreement with the City of Lakeville for the North Creek at Highview Avenue Channel Improvement Project
- g. Authorization to Execute a Joint Powers Agreement with the City of Rosemount for Anti-Icing Equipment Purchase

- h. Authorization to Execute a Joint Powers Agreement with the City of Farmington for Vermillion River Direct Drainage Stormwater Treatment Assessment
- i. Authorization to Execute a Joint Powers Agreement with the City of Hastings for Vermillion River Direct Drainage Stormwater Treatment Assessment

*Res. No. VRW 21-07: Motion by Commissioner Hamann-Roland, Second by Commissioner Wolf and passed on a 3-0 roll call vote to approve the consent agenda.*

## **5. Approval of Expenses**

Mark Zabel presented the current expenses for approval as shown on item 5.

*Res. No. VRW 21-08: Motion by Commissioner Wolf, Second by Commissioner Hamann-Roland and passed on a 3-0 roll call vote to approve the expenses totaling \$55,454.36 incurred between February 17, 2021, and March 12, 2021.*

## **Business Items**

### **6a. Public Hearing to Receive Comments on and Adoption of Modifications to the VRWJPO Permit Program Fee and Security Schedule**

Mark Ryan provided a summary of the VRWJPO permitting program and the adjustments to fees and the security schedule. Commissioner Slavik asked what the impact of changes would be to permittees. Ryan indicated that approximately 90% of permittees are at the lower end of the overall costs. Impacts at the high end may show a small increase. The main effect is in escrow collected to cover inspection costs and to provide more options to appropriately fit the escrow amount to the activity. Zabel also noted that escrows are monies that are drawn from for expenses related to the permit, and in most cases, there has been reserve monies returned to the permittee at the close of the permit. Chair Slavik opened the public hearing and asked if any written comments had been received. No written comments were provided to the VRWJPO. Chair Slavik then asked if there was anyone present on the virtual meeting who wished to comment. There were none.

*Res. No. VRW 21-09: Motion by Commissioner Hamann-Roland, Second by Commissioner Wolf and passed on a 3-0 roll call vote to close the public hearing.*

*Res. No. VRW 21-10: Motion by Commissioner Wolf, Second by Commissioner Hamann-Roland and passed on a 3-0 roll call vote to adopt the modified VRWJPO Permit Program Fee and Security Schedule.*

### **6b. Adopt Candidate Selection and Appointment Process for Vermillion River Watershed Planning Commission Members**

Mark Zabel introduced the item describing the recruitment, selection, and appointment of members to the Vermillion River Watershed Planning Commission (WPC). Zabel indicated that the main change to this proposed process is taking the WPC out of the selection process. Rather than having applications go to the WPC and receiving a recommendation on selected candidates, the applications go to a review panel for evaluation and recommendation to the Board. The WPC Bylaws indicate appointments be made 60 days from the time the Vermillion River Watershed Joint Powers Board is notified of a vacancy. Under the previous process with the WPC recommendation and review panel, the minimum time available for appointment would, in cases where there are multiple applicants, exceed that required in the Bylaws. The recruitment process includes a notification to the public which provides a 30 day window as well; which would take a significant amount of time allowed to accomplish the appointment.

Commissioner Slavik agrees with the direction provided with these changes and asked if the other members had comments. Commissioner Hamann-Roland expressed support for the proposed process.

*Res. No. VRW 21-11: Motion by Commissioner Hamann-Roland, Second by Commissioner Wolf and passed on a 3-0 roll call vote to adopt the Candidate Selection and Appointment Process for Vermillion River Watershed Planning Commission Members.*

#### **6c. Planning for future Vermillion River Watershed Joint Powers Board meeting formats**

Commissioner Slavik recommended that the Vermillion River Watershed Joint Powers Board meetings continue in their current virtual (Zoom) format, at least through April, and that this item remain on the agenda for future discussion. Commissioners Hamann-Roland and Wolf agreed. Zabel indicated that this item is listed on this agenda as an information item and so it will simply be forwarded to future agendas as an information item until such time as the Board takes action on setting a new meeting format.

#### **Staff Reports**

Paula Liepold reported that the VRWJPO along with other partners hosted a Minnesota Pollution Control Agency turf grass maintenance training workshop on Wednesday, March 17 with attendance from staff of the County, schools, cities; who were among the main target audience. We are also hosting a Smart Salting Level 2 workshop on April 20. Level 2 means that the training provides an organizational certification for anti-icing salt application using best management practices; certification is valid for two years.

Travis Thiel reported that the Executive Director of the Minnesota Board of Water and Soil Resources (BWSR) notified VRWJPO staff that the enhanced wetland nitrate treatment system implemented by the VRWJPO a few years ago was shared in a recent statewide BWSR training program. This is a recognition of both implementation of an innovative practice and a job well done in coordinating its development and construction.

Mark Zabel reported that he monitored the Dakota County Township Officer's Association meeting on March 20 and noted that there were comments by some Township Officers about the process of updating ordinances to meet the needs following the adoption of their updated comprehensive land use plans. The VRWJPO will need to participate to ensure VRWJPO Standards are incorporated into ordinances in townships that implement VRWJPO Standards through their permitting processes. Staff will communicate with the townships on this matter. Commissioner Slavik indicated that Marshan Township will soon begin the updating process. Zabel asked if Commissioner Slavik knew whether a collaborative effort among the townships is being considered as had been done in the past. Commissioner Slavik indicated that each of the townships are doing their full ordinance review based on available funds. Zabel stated the VRWJPO would like the opportunity to review ordinances before they are completed and adopted.

The VRWJPO had 101 applications for the vacant Public Outreach and Communications position. The applications are currently being reviewed to identify candidates for interviews. Zabel noted that he and Chuck Clanton, WPC member, have been invited to be presenters at a BWSR Academy training on Citizen Advisory Committees scheduled for March 30.

Commissioner Slavik asked the Commissioners if they had anything to add or announce for the meeting. Commissioner Hamann-Roland requested staff coordinate with her to ensure she has full access to future meetings. Commissioner Slavik noted the difficulty of Board members' ability to discuss issues

with each other because of the constricts of the Open Meeting Law. Commissioner Slavik requested staff analyze issues associated with stream obstructions limiting the potential for recreational use of the river from Highway 52 to the City of Hastings. Commissioner Slavik mentioned because the source of the black flies has been determined there is growing interest for recreational opportunities on the river. Commissioner Slavik would like the VRWJPO to address stream obstructions. Commissioner Hamann-Roland would like more information on the issue. All Commissioners are supportive of VRWJPO staff examining the existing conditions and providing information to the Board to explore options to address the issues. Zabel suggests that staff present information items to the Board to provide background for future Board consideration toward development of potential action item(s). Travis Thiel asked Commissioner Slavik for a timeframe for this development. Commissioner Slavik stated he hoped it could be addressed within a year. Thiel identified the work being done to address low dissolved oxygen in the area downstream of Cedar Avenue and the effort required to treat a short reach of stream for stream obstructions. Zabel indicated there are several factors that are needed to properly assess the issue which include the scope as well as the pros and cons of woody debris in the stream. Staff will develop this and provide information over the next several months. Commissioner Slavik commented that some of the area on the river is owned by public entities which can be addressed differently than privately owned areas along the river. Commissioner Slavik commented that he will work with the cities having public parks on the river.

**Adjourn**

*Motion by Commissioner Wolf, Second by Commissioner Hamann-Roland, and passed 3-0 roll call vote to adjourn the meeting at 1:53 p.m.*

**Next Meeting Date: Thursday, April 22, 2021, at 1 p.m. Teleconference using Zoom.**

**Mark Zabel**

**Administrator for the Vermillion River Watershed Joint Powers Organization**

**Attest**

  
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Commissioner Hamann-Roland      Secretary/ Treasurer

4/30/21  
Date