



Meeting Minutes

Vermillion River Watershed Joint Powers Board Meeting

September 22, 2022, 1 p.m., In-person and Teleconference using Microsoft Teams

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

Bruce Johnson, Dakota County SWCD, Supervisor

Melissa Bokman-Ermer, Scott County, Watershed Co-administrator

Paul Beaumaster, Assistant Dakota County Attorney, VRWJPO Counsel

Travis Thiel, Dakota County, VRWJPO Senior Watershed Specialist

Mark Ryan, Dakota County, VRWJPO Water Resources Engineer (virtual)

Brita Moore-Kutz, Dakota County, VRWJPO Communications and Outreach Specialist

1. Call to Order

Meeting was called to order at 1:00 p.m.

2. Roll Call

Commissioners Slavik, Holberg, 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 August 25, 2022, Meeting
- c. Acceptance of Treasurer's Report

Res. No. VRW 22-20: Motion by Commissioner Holberg, Second by Commissioner Wolf and passed on a 3-0 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 22-21: Motion by Commissioner Wolf, Second by Commissioner Holberg and passed on a 3-0 vote to approve the expenses totaling \$46,877.71 incurred between August 14, 2022 and September 13, 2022.

Business Items

6a. Public Hearing to Receive Comments on and Adoption of the Amendment to the Vermillion River Watershed Management Plan Implementation Section

Before opening the public hearing, Travis Thiel stated that three comment letters were received, one from the Metropolitan Council, one from the Minnesota Department of Natural Resources, and one from the Minnesota Pollution Control Agency. All comments were in support of the amendment; no negative comments were received. Commissioner Slavik asked if there were any other comments from those present. Commissioner Slavik asked if there was any unusual engagement with the public or stakeholders regarding this proposed amendment. Travis responded that information regarding this amendment was sent to all cities and townships as well as the official review agencies. Commissioner Slavik mentioned that it had also been brought up at the Township Officers meeting by Mark Ryan, who noted at that meeting that the amendment was focused on capital improvement projects.

Chair Slavik opened the public hearing and asked if anyone present had comments to add for the public hearing. Chair Slavik then asked if there was anyone on the teleconference call who wished to provide comment for the public hearing. There were none.

Res. No. VRW 22-22: Motion by Commissioner Wolf, Second by Commissioner Holberg and passed on a 3-0 vote to close the Public Hearing on the Amendment to the Vermillion River Watershed Management Plan Implementation Section at 1:05p.m.

Res. No. VRW 22-23: Motion by Commissioner Holberg, Second by Commissioner Wolf and passed on a 3-0 vote to adopt the Amendment to the Vermillion River Watershed Management Plan Implementation Section.

6b. Minnesota Board of Water and Soil Resources Performance Review and Assistance Program Draft Report

Chair Slavik introduced the item and asked Mark Zabel to provide a summary. Mark Zabel commented that this was initiated a couple months back and the review is now complete with the exception that the Vermillion River Watershed Joint Powers Organization is provided the opportunity to provide a formal comment letter. Mark Zabel then introduced Jennifer Mocol-Johnson of the Minnesota Board of Water and Soil Resources (BWSR), who is the lead staff for this program, to provide an overview of the report. Jennifer began by walking through the content of the report beginning with the report summary. Key findings of the review provided commendations for education/outreach efforts, strong technical capacity, the implementation of projects within the Watershed Management Plan. The VRWJPO is compliant with 13 of 13 basic compliance standards. There are no action items identified by the BWSR for the VRWJPO to address. Jennifer also commended the VRWJPO for meeting 10 out of 12 High Performance

Standards as applicable to the VRWJPO. Commissioner Holberg asked if any other entities reviewed had achieved a higher score. Jennifer responded that it is among the highest. Steve Christopher, BWSR Board Conservationist, added that this is the highest he has seen in nine years of service as a Board Conservationist. Mark Zabel commented that there is the objective analysis that evaluates VRWJPO performance as required by statute and rule (basic) and then there is the comparative analysis that is the commendation part (high performance), and the VRWJPO has done great on both the basic and the high performance standards. Mark Zabel added that the VRWJPO is the replacement organization for another organization that was found to be “non-implementing” and therefore has flipped the narrative for this watershed. Jennifer then briefly walked through each section of the report. BWSR recommends the VRWJPO consider the following actions for future implementation: 1) create/distribute customer service surveys to implementers/project partners for feedback, 2) develop orientation and continuing education plans for board members and staff and maintain records of trainings attended, 3) evaluate needs of partner municipalities.

Jennifer requested that the VRWJPO provide a comment letter for completion of the review, this is not a requirement but is desired for a complete record for BWSR.

The report appendices provide the complete record of materials going into the report.

Jennifer asked for any comments. Mark Zabel asked specifically for a reaction to the recommendation regarding training. Commissioner Slavik commented that as elected county commissioners, by the time they are elected to the County Board, most already have accumulated a great deal of experience and training. County Commissioners also participate in many functions as part of their official duties. Commissioner Holberg noted that staff could also forward specific opportunities to the Vermillion River Watershed Joint Powers Board members as they come up for consideration. Steve Christopher suggested that there might be an opportunity to identify any training needs for individual Board members through an informal needs assessment process. An orientation may not provide all the information a Board member needs to be able to make informed decisions, and a needs assessment could help to fill those gaps. Commissioner Slavik mentioned the VRWJPO having employed strategic planning sessions and some of these issues could be addressed there.

There was consensus Board direction for staff to compose a comment letter for the Performance Review and Assistance Program Report for signature by the Board Chair.

6c. Candidate Consideration and Appointment to the Vermillion River Watershed Planning Commission (WPC)

Chair Slavik indicated that both he and the Chair Henry of the Watershed Planning Commission (WPC) reviewed and approved the application of the candidate in consideration, Linda Larson. Mark Zabel noted that Linda Larson did attend the WPC meeting on September 14, 2022.

Res. No. VRW 22-24: Motion by Commissioner Holberg, Second by Commissioner Wolf and passed on a 3-0 vote to appoint Linda Larson to the Vermillion River Watershed Planning

Commission with her first appointed term fulfilling the current vacant position term ending December 31, 2024.

Staff Reports

Paul Beaumaster

Paul reported that he has been working on landowner agreements for projects.

Brita Moore-Kutz

Brita mentioned that “We Are Water” is very quickly approaching with a launch date of October 13, 2022. The exhibit will be located at Pleasant Hills Library in Hastings and at the Visitor Center at Lebanon Hills Regional Park.

The VRWJPO will have a story trail at Vermillion Falls Park on October 7th as part “We Are Water” before the launch of the exhibit. All of the event dates and registration links have been posted to the VRWJPO website calendar as well as on the Dakota County website page for “We Are Water”. The “Water Bar” will be at the opening. Brita is staffing the water station at the Dakota SWCD Outdoor Education Days. Teaching fifth grade students from local schools (mostly from Farmington and some from Lakeville) about stormwater and vulnerability to pollution using the Enviroscape display.

Travis Thiel

Travis reported having recently visited several project sites completed in the past to inspect their condition to ensure that they are being maintained and meeting grant and maintenance agreement requirements. Generally, things are looking good. Travis commented that one of the homeowners’ associations that had received a small amount of cost-share last year (\$500 dollars was the allowed limit in that case) had reported that after having replaced 600 leaking sprinkler heads, fixing 20 underground leaks, installing 5 rain sensors, and better managing 5 irrigation controllers, it paid off. They compared their 2021 water bill to their 2022 water bills for the months from June to August. The result of overall cost comparison is a 2021 cost of \$25,000 compared to a 2022 cost of \$4,700. Travis mentioned that this is qualitative and that he hasn’t looked at specific data for the two periods, but this is very encouraging.

Mark Ryan

Mark reported that he had attended the Township Officers meeting and talked about the proposed amendment that was on the agenda today along with the need for ordinance updates to be in compliance with the VRWJPO Standards. Mark Ryan also mentioned that he is planning to attend several Township Board meetings to touch base with townships that still have work to do with their ordinances. Mark Ryan also mentioned trying to get contractors mobilized in the field for several projects hoping that they can be completed while good weather conditions prevail. Commissioner Slavik requested that staff continue to notify him when staff plan to attend township meetings so that he is informed when they are going to be in attendance.

Mark Zabel

Mark shared that there was continued discussion about the difficulty to get participation on the Watershed Planning Commission and interest in looking at options to consider addressing this issue. Mark added that he had looked at Minnesota Statutes 103D.331, which is the portion of the statute on Watershed Districts which covers advisory committees and their membership. There may be an opportunity there as that section of statute does provide some flexibility around membership. Mark Zabel suggested that he plans to bring some information to the WPC and the Joint Powers Board over the next few months exploring this issue with hopes of developing an acceptable means to address the issue.

Adjourn

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

Next Meeting Date: Thursday, October 27, 2022, at 1 p.m. in Conference Room A at the Dakota County Extension and Conservation Center, 4100 220th Street West, Farmington, MN.

Respectfully submitted by

Mark Zabel

Administrator for the Vermillion River Watershed Joint Powers Organization

Attest

Commissioner

Secretary/ Treasurer

Date