



Meeting Minutes

Vermillion River Watershed Joint Powers Board (JPB) Meeting

June 22, 2023, 1 p.m., in-person and virtual via Microsoft Teams

Board Members in Attendance

Dakota County Commissioner Mike Slavik
Dakota County Commissioner Mary Hamann-Roland
Scott County Commissioner Tom Wolf

Others in Attendance

Nikki Stewart, Dakota County, Environmental Resources Department Director
Jennifer Wolf, Assistant Dakota County Attorney, Vermillion River Watershed Joint Powers Organization (VRWJPO) Counsel
Travis Thiel, Dakota County, VRWJPO Senior Watershed Specialist
Brita Moore-Kutz, Dakota County, VRWJPO Communications and Outreach Specialist
Mark Zabel, Dakota County, VRWJPO Administrator
Brian Watson, Dakota County Soil & Water Conservation District (SWCD)
Paula Liepold, Dakota County, Water Resources Educator (Virtual)
Melissa Bokman-Ermer, Scott County, VRWJPO Co-Administrator (Virtual)
Valerie Neppel, Dakota County, Groundwater Protection Unit Supervisor (Virtual)
Georg Fischer, Dakota County, Physical Development Division Director (Virtual)
Nigel Pickering (Virtual)

Agenda

1. Call to Order

Meeting was called to order at 1 p.m.



2. Roll Call

Commissioners Slavik, Hamann-Roland, and Wolf were in attendance.

3. Audience Comments on Items Not on the Agenda

No comments.

4. Approval of Consent Agenda

- a. Approval of Agenda (including addition of Business Item 6e)
- b. Approval of Minutes from the April 27, 2023 Meeting and June 8, 2023 Special Meeting
- c. Acceptance of Treasurer's Report

Res. No. VRW 23-14: Motion by Commissioner Hamann-Roland, second by Commissioner Wolf to approve the consent agenda as amended. Motion carried on a 3-0 vote.

5. Approval of Expenses

Mark Zabel presented expenses between April 14 and May 16, 2023, for approval as shown on item 5a.

Mark Zabel also presented expenses between May 17 and June 12, 2023, for approval as shown on item 5b.

Res. No. VRW 23-15: Motion by Commissioner Wolf, seconded by Commissioner Hamann-Roland to approve both sets of expenses. Motion carried on a 3-0 vote to approve expenses of \$41,968.78 from April 14-May 16 and \$47,554.26 from May 17-June 12.

6. A. Watershed Planning Commission Candidate Consideration and Appointment

Mark Zabel presented the application of Kevin Chamberlain, a farmer from Nininger Township, to join the Vermillion River Watershed Planning Commission. Kevin is a past member of the Watershed Planning Commission (WPC) and currently serves as a Supervisor for the Dakota County SWCD. Mark highlighted his expertise in agriculture and conservation. Approving his appointment would fill all spots on the WPC for Dakota County, with the Scott County position still open.



Res. No. VRW 23-16: Motion by Commissioner Hamann-Roland, second by Commissioner Wolf to approve. Motion carried on a 3-0 vote.

B. Report on Measurable Outcomes as Identified in the 2016-25 Vermillion River Watershed Management Plan

Brita Moore-Kutz presented the Executive Summary of the Measurable Outcomes report, which is considered the “So What” of the Watershed Plan. The report includes changes based on the WPC’s feedback about wanting the report to be easier to read, such as providing more graphs. She also highlighted lake monitoring data for phosphorus and Secchi transparency since 2016. Lakes are improving when phosphorus levels decrease and transparency increases. Lastly, the report includes data on total phosphorus and total suspended solids reductions from VRWJPO capital improvement projects and cost-shares. The full report contains more statistics from Plan goals, including erosion prevention, nitrate reduction, wetland restorations, and communications.

Commissioner Hamann-Roland asked who the audience is for this report. Brita responded that it’s mostly for internal audiences, such as the VRWJPB, WPC, and city partners. Hamann-Roland said she appreciated the report and seeing how things have changed over time. Mark Zabel mentioned that in the process of developing this Plan, there was a specific section calling for measurable outcomes.

Commissioner Slavik said that there was good data in the report that should be highlighted on social media to show where people’s tax dollars are going and making a difference. Brita agreed and pointed out that the incoming interpretive signs will highlight positive differences from the projects. Commissioner Hamann-Roland added that the stories of what we do can be inspirational to others looking to do more to help.

Information item only.

C. Review of the position, hiring, and service agreement for the Administrator of the VRWJPO

Nikki Stewart introduced herself and shared the draft job description drafted for hiring the next Watershed Administrator. She invited the Board to contribute interview questions and will invite the WPC to participate in the interview panel. The candidate will get the chance to meet with the Board in their new employee orientation.



Commissioner Slavik said that he wanted to see specific language in the position description about connections with cities and townships, since VRWJPO has developed that practice over the years through staff. Nikki agreed to include in the job description.

Jennifer Wolf introduced the draft service agreement for the VRWJPO and JPB as requested from the JPB's June 8 special meeting. The agreement will be on the July JPB agenda for official approval. Jennifer used a standard service agreement template. The agreement is set to run through 2025, at which time the JPB can re-evaluate. The agreement presented covers Dakota County and can be replicated for Scott County. The Scott County co-administrator does not have the Board-related functions the Administrator does.

Commissioner Slavik had a question about compensation (Article IV of the agreement). Mark Zabel replied that this is determined through the annual VRWJPO budgeting process, which the JPB actively participates in. Slavik asked if the agreement could make that clearer. Jennifer agreed to this change.

Information only.

D. Correction to the revised 2023 budget of the VRWJPO

Mark Zabel requested a correction to the budget. One of the columns did not capture the amount of the Conservation Partners Legacy Grant for the habitat improvement at East Lake. The correction increases the expenses and decreases the cash reserve. The expenses increase to \$3,843,680, and the cash reserve goes down to \$12,370.

Res. No. VRW 23-17: Commissioner Hamann-Roland moved to adopt the corrected budget, seconded by Commissioner Wolf. Motion carried on a 3-0 vote.

E. Resolution of recognition and gratitude for Mark Zabel

This resolution was added to the agenda from Commissioner Slavik and written by Nikki Stewart. Slavik read the resolution aloud, followed by each commissioner offering their appreciation and well-wishes for Mark Zabel, including how the Vermillion River's condition has improved during his time working with the VRWJPO. Mark will remain as a Board of Water and Soil Resources (BWSR) Board member and active in the outdoors. Commissioner Slavik presented Mark with a picture of the Vermillion Falls as a token of gratitude.



Mark said that he sees his role as a facilitator of partnerships.

Res. No. VRW 23-18: Commissioner Hamann-Roland moved the resolution, Commissioner Wolf seconded. Motion carried on a 3-0 vote.

7. Staff Reports

Brian Watson

Brian said that due to the dry weather, the Vermillion River Monitoring Network hasn't been able to do as much river monitoring as they could. The monitoring reports include water quality levels from base, immediately after rainfall, and at snowmelt. This does have an impact on the SWCD budget. Farmers are often using irrigation to keep their crops going. Brian also learned that BWSR is coming out with an RFP for wetland banking. SWCD projects are proceeding steadily, but again with the drought, it's quieter than past years.

Brian thanked Mark Zabel for his years of service as a conservationist and invited him to the next SWCD board meeting.

Travis Thiel

Travis followed up on Brian's comment about the drought with a reading from the USGS stream gage of 26-27 cubic feet/second. The last time the Vermillion Falls stopped, it was at about 11-12 cubic feet/second. This low level could occur again this year and concerning especially for crop farmers who aren't irrigating.

Travis mentioned that the Middle Creek at Dodd channel restoration project went out for bid. The engineer's estimated was \$273,000 and the lowest bid was \$183,000. The City of Lakeville hasn't awarded the bid yet but the lower cost from the bid was a positive sign.

Brita Moore-Kutz

Brita has been working on the Measurable Outcomes report and tabled at Dakota County's Take a Kid Fishing Day on June 11. She met people from all around the county interested in fish and wildlife in the Vermillion River, as well as introducing children to water pollution concepts and how they can help.



About 750 people attended. She'll be at the Hastings Party in the Park event on July 11, then the Dakota County Fair in August.

Brita expressed her gratitude to Mark for welcoming her to the team and demonstrating science-based leadership, while keeping a level head.

Commissioner Hamann-Roland mentioned to Brita an event in Apple Valley celebrating Monarch Week. Brita said she'd consider participating in the future.

Paula Liepold

Paula reminded commissioners that the BWSR/JPB tour is Wednesday, August 23. We have ironed out most logistics and will present a mix of urban-rural projects. Paula also thanked Mark for his leadership style.

Melissa Bokman-Ermer

Melissa reported that the Elko New Market City Council had approved all aspects of the Niagara bottling plant project. The DNR is requiring pump tests to determine any impacts to local aquifers. The City is working on that pumping plan. The project is now contingent on DNR's approval of their water appropriations permit increase request. There is no clear timeline on when DNR will make their decision.

Melissa expressed her appreciation for Mark's mentorship since she became co-administrator in 2009.

Valerie Neppi

Valerie shared that Dakota County is officially listed as being in a "Moderate Drought" condition. The Groundwater Unit is partnering with the SWCD on an irrigation nitrate testing program, which could help SWCD educate farmers on practices to reduce nitrates.

Mark Zabel

Mark said he was working on lining things up for his departure on July 14. He had interviewed a candidate for Water Resources Engineer at the VRWJPO so may have a final selection.

