



# Meeting Minutes

## Vermillion River Watershed Joint Powers Board (JPB) Meeting

Thursday, December 5, 2024, 1 p.m., in-person at the Dakota County Extension and Conservation Center and virtual via Microsoft Teams

### Board Members in Attendance

Dakota County Commissioner Bill Droste  
Dakota County Commissioner Mike Slavik  
Scott County Commissioner Tom Wolf

### Community Advisory Committee (CAC) Members in Attendance (formerly known as the Watershed Planning Commission)

Brad Blackett

### Others in Attendance

Nikki Stewart, Dakota County, Environmental Resources Department Director  
Vanessa Strong, Scott County, Water Resources Supervisor  
Travis Thiel, Dakota County, Vermillion River Watershed Joint Powers Organization (VRWJPO) Administrator  
Melissa Bokman Ermer, Scott County, VRWJPO Co-Administrator  
Kelly Perrine, Dakota County, VRWJPO Senior Watershed Specialist  
Jeff Dunn, Dakota County, VRWJPO Water Resources Engineer  
Brita Moore-Kutz, Dakota County, VRWJPO Communications and Outreach Specialist  
Brian Wisdorf, Dakota County, Assistant County Attorney, VRWJPO legal counsel  
Ashley Gallagher, Dakota County Soil and Water Conservation District (SWCD), Manager  
Bruce Johnson, Dakota County SWCD, Board Member  
Troy Kuphal, Scott SWCD, Administrator (Virtual)

#### 1. Call to Order

Meeting was called to order at 1 p.m. by Chair Slavik.

#### 2. Roll Call

Commissioners Slavik, Wolf, and Droste were in attendance.



### **3. Audience Comments on Items Not on the Agenda**

None.

### **4. Approval of Agenda**

Commissioner Slavik asked to move Business Items 8c and 8d to the Consent Agenda as 6f and 6g.

*Res. No. VRW 24-48: Motion by Commissioner Wolf to approve the agenda with the changes, seconded by Commissioner Droste. Motion carried on a 3-0 voice vote.*

### **5. Approval of Minutes from the October 24, 2024, Meeting**

*Res. No. VRW 24-49: Motion by Commissioner Wolf to approve the minutes, seconded by Commissioner Droste. Motion carried on a 3-0 voice vote.*

### **6. Approval of Consent Agenda**

- a. **Acceptance of Treasurer's Report**
- b. **Approval of 2025 Meeting Dates**
- c. **Authorization to Execute a Joint Powers Agreement with the City of Lakeville for the Firelight Way TSS Reduction Project**
- d. **Authorization to Execute a Joint Powers Agreement with the City of Farmington for the 4<sup>th</sup> and Willow TSS Reduction Project**
- e. **Authorization to Execute a Joint Powers Agreement with the City of Hastings for the 15<sup>th</sup> and Bailey TSS Reduction Project**
- f. **Authorization to Execute a Five-Year Joint Powers Agreement with Dakota County Soil and Water Conservation District for Services in 2025-2029**
- g. **Authorization to Execute a Joint Powers Agreement with Scott Soil and Water Conservation District for Services in 2025**

*Res. No. VRW 24-50: Motion by Commissioner Wolf to approve the consent agenda as modified per Res. 24-48, seconded by Commissioner Droste. Motion carried on a 3-0 voice vote.*

### **7. Approval of Expenses**

Travis Thiel presented the expenses submitted between October 1 and October 31, 2024, totaling \$435,340.93.



*Res. No. VRW 24-51: Motion by Commissioner Wolf to approve the expenses, seconded by Commissioner Droste. Motion carried on a 3-0 roll call vote.*

## **8. Business Items**

### **a. Adoption of the Final 2025 VRWJPO Budget and Watershed Management Tax District Levy**

Travis presented the final budget and proposed levy.

Based on tax capacity analyses and revenue information from Dakota County's Financial Department, staff lowered the proposed tax district levy amount from the draft budget to \$989,365 for Dakota County and \$34,877 for Scott County. In the draft budget, Dakota County's proposed levy amount was \$990,832 and Scott County's was \$36,050.

Commissioner Slavik said he appreciated the attention to the tax impact, but that it would be better for the watershed to levy the slightly higher amounts initially proposed in the draft budget. Commissioner Wolf noted that the levy had hardly changed since he began serving on the JPB in 2008.

Staff agreed to levy the dollar amounts from the draft budget. For the official JPB resolution, this changes the numbers in the "Therefore be it resolved" section to switch the tax levy dollar numbers to \$990,832 for Dakota County and \$36,050 for Scott County.

*Res. No. VRW 24-52: Motion by Commissioner Droste to adopt the final budget and levy as amended, seconded by Commissioner Wolf. Motion carried on a 3-0 voice vote.*

### **b. Review and Provide Recommendation on the 2026-2035 Vermillion River Watershed Management Plan Objectives Prioritization**

Kelly Perrine presented a matrix of the draft objectives for the 2026-2035 Vermillion River Watershed Management Plan, with suggested prioritization levels from the Community Advisory Committee-Technical Advisory Committee (CAC-TAC) survey and VRWJPO staff at High, Medium, and Low. She provided an open column for each objective for the JPB to give their recommended priority levels.

Following a joint CAC-TAC meeting in September 2024 to take the prioritization survey, staff reviewed the group's responses and married them with current scientific data and VRWJPO's capacity and roles. Staff used that process to come up with their own suggested priority levels. These mostly aligned with the outcomes from the CAC-TAC survey, with a few minor differences. The discussion with the JPB focused mainly on where the priorities differed.



The commissioners generally agreed with staff's suggested prioritizations. They had indicated at a Strategic Planning Session in March 2024 that the Plan should prioritize actions that are the best use of the VRWJPO's resources and energy. The only objective where the JPB rating differed from staff:

- Promote reconnection to historic floodplains – the CAC-TAC ranked this as a Low Priority, staff ranked it as High. The Board suggested to compromise and mark it as Medium Priority.

*Information only.*

**8c and 8d moved to Consent agenda as items 6f and 6g.**

**e. Motion to Recommend Approval of the Vermillion River Watershed Joint Powers Organization Joint Powers Agreement to the Dakota and Scott County Boards of Commissioners**

Vanessa Strong indicated that one of the proposed revisions to the empowering joint powers agreement (JPA) of the VRWJPO caused a conflict with Scott County's process for determining advisory committee members in Scott County's watersheds. The revision in question was to remove the requirement that applicants to the CAC live within the political boundaries of the Vermillion River Watershed, which is found in Section 6B (Community Advisory Committee membership requirements). Instead, the VRWJPO would only require members to live in either Dakota or Scott counties.

Vanessa proposed some options for the JPA to resolve the issue. Commissioner Wolf noted that due to the very small land area of the VRWJPO within Scott County, recruiting CAC members from there is even more difficult than in Dakota County.

Commissioner Slavik said that Dakota County had changed its citizen advisory committee requirements to allow more geographic flexibility if no one from a given county district is available for the committee. He said that idea aligned with one of Vanessa's options, which is to name a preference for applicants who live in the watershed area.

The Board agreed to add the following language to the end of the first sentence of Section 6B:

"with appointment preference given to applicants who live within the watershed area of which they are to be appointed."

Vanessa also suggested striking the second sentence of Section 6B, "One shall be from Scott County and eight shall be from Dakota County." Legal Counsel Brian Wisdorf agreed and suggested this requirement be included in the CAC bylaws.

*Res. No. VRW 24-53: Motion by Commissioner Wolf to recommend approval of the JPA as amended, seconded by Commissioner Droste. Motion carried on a 3-0 voice vote.*



## 9. Staff Reports

### Travis Thiel

- A Rosemount resident has applied to join the CAC. The application will be reviewed next month.
- Jeff and Travis had been considering options for the watershed's erosion and sediment control requirements in the Standards, based on challenges for small cities and townships to implement them. Jeff worked with Vermillion Township to train them on implementing the Standards themselves. During the training session, it became apparent that Vermillion Township was not prepared to undertake the review and permitting program for erosion and sediment control practices since the Township may not have the time or budget necessary to complete the plan reviews. In addition, the training by the VRWJPO would need to be ongoing with new elected officials and staff coming into office where internal mentorship may not be possible. A solution could be to change VRWJPO's erosion and sediment control requirements to be the same as the state's requirement in MPCA's General Construction Permit, which is that a permit is required for land disturbances of one acre or greater. This Standards amendment could be completed at the same time as the Watershed Plan update.

## 10. Adjourn

*Motion by Commissioner Wolf to adjourn, seconded by Commissioner Droste. Motion carried on a 3-0 voice vote.*

Next Meeting Date: Thursday, January 23, 2025, at 1 p.m. in Conference Room A at the Dakota County Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington, MN, and via teleconference on Microsoft Teams.

Respectfully submitted by

Brita Moore-Kutz

Communications & Outreach Specialist for the Vermillion River Watershed Joint Powers Organization

Attest

Commissioner

Secretary/ Treasurer

Date