



Agenda

Vermillion River Watershed Joint Powers Board Meeting

January 23, 2025, 1 p.m.

In-person at the Dakota County Extension and Conservation Center and virtual via Microsoft Teams

1. Call to Order
2. Election of Officers
3. Roll Call
4. Audience Comments on Items Not on the Agenda (*please limit audience comments to five minutes*)
5. Approval of Agenda Action Page 1
6. Approval of Minutes from the December 5, 2024, Meeting Action Page 3
7. Consent Agenda Action
 - a. Acceptance of Treasurer's Reports Page 8
 - b. Delegation of Authority to Administrator and Co-Administrator Page 10
8. Approval of Expenses Action Page 13
9. Business Items
 - a. Appointment of John Nicolai to the Vermillion River Watershed Community Advisory Committee Action Page 15
 - b. Authorization to Execute a Clean Water Fund Grant Agreement with the Minnesota Board of Water and Soil Resources for the Alimagnet Lake Alum Treatment Phase 2 Project Action Page 21
 - c. Authorization to Execute Two Conservation Partners Legacy Grant Agreements with the Minnesota Department of Natural Resources for North Creek Channel Improvement Projects in Empire and Farmington Action Page 23
10. Staff Reports
11. Adjourn Action

Please note, the January 23, 2025, Vermillion River Watershed Joint Powers Board meeting will take place **in-person** in Conference Room A at the Extension and Conservation Center, 4100 220th Street West, Farmington, Minnesota, **and via teleconference** on Microsoft Teams.

Microsoft Teams

[Join the meeting now](#)

Meeting ID: 250 720 001 229

Passcode: VY65Jw35

Dial in by phone

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Phone conference ID: 980 027 819#



Other Information

Next Meeting Date: **February 27, 2025**, at 1 p.m.
You will be notified if the meeting is cancelled due to an anticipated lack of quorum.



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 4th and Willow TSS Reduction Project**
- e. Authorization to Execute a Joint Powers Agreement with the City of Hastings for the 15th 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 220th 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
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**2024 Vermillion River Watershed Joint Powers Organization
Treasurer's Report
November 2024**

	<u>Budget Amounts</u>	<u>Expenses to Date</u>	<u>Expenses Pending</u>	<u>Account Balance</u>
A. Administration & Operations (601-5010001-00000000)	\$ 215,500.00	\$ 128,804.54	\$ 12,361.65	\$ 74,333.81
B. Research & Planning (601-5010001-50100130)	\$ 93,000.00	\$ 82,500.67	\$ 6,702.38	\$ 3,796.95
C. Monitoring & Assessment (601-5010001-50100230)	\$ 155,750.00	\$ 107,533.14	\$ 3,780.58	\$ 44,436.28
D. Public Communications & Outreach (601-5010001-50100330)	\$ 171,580.00	\$ 125,638.28	\$ 8,410.40	\$ 37,531.32
E. Irrigation and Irrigation Audit (601-5010001-50100431)	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
F. Regulation (601-5010001-50100530)	\$ 55,930.00	\$ 45,349.76	\$ 2,348.42	\$ 8,231.82
G. Coordination & Collaboration (601-5010001-50100531)	\$ 50,600.00	\$ 26,878.08	\$ 1,510.27	\$ 22,211.65
H. Feasibility/Preliminary Studies (601-5010001-50100631)	\$ 340,000.00	\$ 71,112.16	\$ 3,966.52	\$ 264,921.32
I. Capital Improvement Projects (601-5020001-50200130)	\$ 394,500.00	\$ 91,285.90	\$ 7,487.01	\$ 295,727.09
J. Lakeville East Lake Restoration (601-5010001-50100858)	\$ -	\$ -	\$ -	\$ -
K. CWF Comp Grant (BWSR) Foxborough TSS (601-5010001-50100859)	\$ 26,500.00	\$ 322.92	\$ 322.92	\$ 25,854.16
L. CWF Comp Grant (BWSR) Ravenna Trail (601-5010001-50100860)	\$ 27,500.00	\$ 313,579.23	\$ -	\$ (286,079.23)
M. 2022-2023 WBIF Grant (BWSR) Middle Creek (601-5010001-50100861)	\$ 21,000.00	\$ 757.10	\$ 482.97	\$ 19,759.93
N. 2023 CWF Competitive Grant (BWSR) East Lake (601-5020001-50200230 aka 0863)	\$ 127,500.00	\$ 8,193.65	\$ 1,027.64	\$ 118,278.71
O. 2022-2025 WBIF Grant (BWSR) Alimagnet Alum PPM 2000304 (601-5020001-50200330 0864)	\$ 200,500.00	\$ 23,757.15	\$ 153,441.75	\$ 23,301.10
P. Lakeville Capital Projects 24-02 and 24-20 Cost Share (601-501001-5010865)	\$ 370,000.00	\$ -	\$ -	\$ 370,000.00
Q. Rosemount Campus Infiltration Basins (601-5010001-5010866)	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -
R. 2024 CWF Competitive Grant (MDH) Water Conservation and LCW Marketing (601-5010001-5010867)	\$ 62,500.00	\$ 62,500.00	\$ -	\$ -
S. Wetland Bank (601-5010001-50100930)	\$ 406,800.00	\$ -	\$ -	\$ 406,800.00
VRW JPO Revised Budget Expense TOTAL	\$ 2,749,160.00	\$ 1,088,212.58	\$ 226,842.51	\$ 1,434,104.91

Budget Funding Sources

Wetland Bank	\$406,800.00
CIP Reserve	\$664,623.00
CIP Reserve Grant Match	\$21,500.00
Fund Balance from Underspending in Previous Year	\$672,000.00
CWF Grant (BWSR) Competitive 2022	\$420,750.00
CWF Grant (BWSR) Competitive 2023	\$150,000.00
CWF Grant WBIF (BWSR) 2022-2025	\$198,000.00
CPL Grant (DNR) 2022-2025	\$0.00
CWF Grant (BWSR) Competitive 2024	\$143,500.00
CWF Grant (MDH) Competitive 2024	\$50,000.00
Partner Match for MDH CWF Grant	\$15,000.00
Fee's on Permitting Activities	\$1,000.00
Dakota County Levy	\$965,600.00
Scott County Levy	\$34,400.00
Investment Earnings	\$14,000.00
Total	\$3,757,173.00



**2024 Vermillion River Watershed Joint Powers Organization
Treasurer's Report
December 2024**

	<u>Budget Amounts</u>	<u>Expenses to Date</u>	<u>Expenses Pending</u>	<u>Account Balance</u>
A. Administration & Operations (601-5010001-0000000)	\$ 215,500.00	\$ 141,166.19	\$ 12,563.50	\$ 61,770.31
B. Research & Planning (601-5010001-50100130)	\$ 93,000.00	\$ 89,203.05	\$ 12,014.49	\$ (8,217.54)
C. Monitoring & Assessment (601-5010001-50100230)	\$ 155,750.00	\$ 111,313.72	\$ 6,731.16	\$ 37,705.12
D. Public Communications & Outreach (601-5010001-50100330)	\$ 171,580.00	\$ 134,048.68	\$ 7,196.37	\$ 30,334.95
E. Irrigation and Irrigation Audit (601-5010001-50100431)	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
F. Regulation (601-5010001-50100530)	\$ 55,930.00	\$ 47,698.18	\$ 3,441.08	\$ 4,790.74
G. Coordination & Collaboration (601-5010001-50100531)	\$ 50,600.00	\$ 28,388.35	\$ 1,493.18	\$ 20,718.47
H. Feasibility/Preliminary Studies (601-5010001-50100631)	\$ 340,000.00	\$ 75,078.68	\$ 651.58	\$ 264,269.74
I. Capital Improvement Projects (601-5020001-50200130)	\$ 394,500.00	\$ 98,772.91	\$ 79,566.92	\$ 216,160.17
J. Lakeville East Lake Restoration (601-5010001-50100858)	\$ -	\$ -	\$ -	\$ -
K. CWF Comp Grant (BWSR) Foxborough TSS (601-5010001-50100859)	\$ 26,500.00	\$ 645.84	\$ 20,137.78	\$ 5,716.38
L. CWF Comp Grant (BWSR) Ravenna Trail (601-5010001-50100860)	\$ 27,500.00	\$ 313,579.23	\$ -	\$ (286,079.23)
M. 2022-2023 WBIF Grant (BWSR) Middle Creek (601-5010001-50100861)	\$ 21,000.00	\$ 1,240.07	\$ 28,434.73	\$ (8,674.80)
N. 2023 CWF Competitive Grant (BWSR) East Lake (601-5020001-50200230 aka 0863)	\$ 127,500.00	\$ 9,221.29	\$ 68,209.14	\$ 50,069.57
O. 2022-2025 WBIF Grant (BWSR) Alimagnet Alum PPM 2000304 (601-5020001-50200330 0864)	\$ 200,500.00	\$ 177,198.90	\$ 77.92	\$ 23,223.18
P. Lakeville Capital Projects 24-02 and 24-20 Cost Share (601-501001-5010865)	\$ 370,000.00	\$ -	\$ 370,000.00	\$ -
Q. Rosemount Campus Infiltration Basins (601-5010001-5010866)	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -
R. 2024 CWF Competitive Grant (MDH) Water Conservation and LCW Marketing (601-5010001-5010867)	\$ 62,500.00	\$ 62,500.00	\$ -	\$ -
S. Wetland Bank (601-5010001-50100930)	\$ 406,800.00	\$ -	\$ -	\$ 406,800.00
VRW JPO Revised Budget Expense TOTAL	\$ 2,749,160.00	\$ 1,315,055.09	\$ 610,517.85	\$ 823,587.06

Budget Funding Sources

Wetland Bank	\$406,800.00
CIP Reserve	\$664,623.00
CIP Reserve Grant Match	\$21,500.00
Fund Balance from Underspending in Previous Yea	\$672,000.00
CWF Grant (BWSR) Competitive 2022	\$420,750.00
CWF Grant (BWSR) Competitive 2023	\$150,000.00
CWF Grant WBIF (BWSR) 2022-2025	\$198,000.00
CPL Grant (DNR) 2022-2025	\$0.00
CWF Grant (BWSR) Competitive 2024	\$143,500.00
CWF Grant (MDH) Competitive 2024	\$50,000.00
Partner Match for MDH CWF Grant	\$15,000.00
Fee's on Permitting Activities	\$1,000.00
Dakota County Levy	\$965,600.00
Scott County Levy	\$34,400.00
Investment Earnings	\$14,000.00

Total \$3,757,173.00

7b. Delegation of a Limited Authority for Contracts, Purchase Agreements, and Grant Agreements to the Vermillion River Watershed Joint Powers Organization Administrator and Co-administrator

Meeting Date: 1/23/2025
Item Type: Consent-Action
Contact: Travis Thiel
Telephone: 952-891-7546
Prepared by: Travis Thiel



PURPOSE/ACTION REQUESTED

- Delegation of a limited authority for contracts, purchase agreements, and grant agreements to the Vermillion River Watershed Joint Powers Organization (VRWJPO) Administrator and Co-administrator

SUMMARY

The VRWJPO’s existing delegated limited authority policy identifies the VRWJPO Administrator may approve and sign contracts when the funds for the contract or agreements are included in the current budget and have a value less than \$50,000, and purchase agreements for sales of wetland bank credits. The policy also identifies that the policy must be renewed when there is a change of Commissioners on the Vermillion River Watershed Joint Powers Board (VRWJPB). As of January 2025, there is a change in Commissioners, which mandates review and renewal of this delegated authority.

The Management Rights and Administration Policy of the VRWJPO identifies that the VRWJPO employs an Administrator from Dakota County and a Co-administrator from Scott County. The Administrator is primarily responsible for Watershed Management Plan implementation in Dakota County, while the Co-administrator is primarily responsible for the Scott County portion.

The proposed delegation of authority includes the ability to approve and sign purchase agreements for the sale of wetland bank credits out of bank accounts with credits allocated to the VRWJPO. The permitting process associated with implementation of the Minnesota Wetland Conservation Act includes identifying wetland impacts and required mitigation of those impacts. When impacts are proposed to be mitigated by purchase of wetland bank credits, the Minnesota Board of Water and Soil Resources strongly recommends a signed purchase agreement be included in the documentation for local government regulatory approval in a timely manner.

The proposed delegation of authority also includes the ability to approve and sign contracts when the funds for the contracts are included in the current budget and have a value less than \$100,000, and grants with a value less than \$100,000, to support the goals of the VRWJPO.

EXPLANATION OF FISCAL/FTE IMPACT

No fiscal impact.

Supporting Documents:

Attachment A: Management Rights and Administration Policy

Previous Board Action(s):

- ;

RESOLUTION

7b. Delegation of a Limited Authority for Contracts, Purchase Agreements, and Grant Agreements to the Vermillion River Watershed Joint Powers Organization Administrator and Co-administrator

WHEREAS, the VRWJPO’s existing delegated limited authority policy that identifies the Vermillion River Watershed Joint Powers Organization (VRWJPO) Administrator may approve and sign contracts when the funds for the contract are included in the current budget and have a value less than \$50,000, and purchase agreements for sales of wetland bank credits, must be renewed when there is a change of Commissioners on the Vermillion River Watershed Joint Powers Board (VRWJPB); and

WHEREAS, as of January 2025, there is a change in Commissioners, which mandates review and renewal of this delegated authority; and

WHEREAS, the Administrator is primarily responsible for Watershed Management Plan implementation in Dakota County while the Co-administrator is primarily responsible for the Scott County portion; and

WHEREAS, when impacts are proposed to be mitigated through purchase of credits from a wetland bank the Minnesota Board of Water and Soil Resources strongly recommends a signed purchase agreement is obtained and included in the documentation for local government regulatory approval; and

WHEREAS, completing purchase agreements in a timely manner may be important for permit applicants completing regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB chair delegates the authority to the VRWJPO Administrator and Co-administrator to approve and sign contracts when the funds for the contract are included in the VRWJPO’s current year approved budget, and the contract has a value of less than \$100,000 for work or labor, professional services, specialized equipment or software, or other items to support the goals of the VRWJPO, following the VRWJPO Policy for Management Rights and Administration; and

BE IT FURTHER RESOLVED, that the VRWJPB chair delegates the authority to the VRWJPO Administrator and Co-administrator to approve and sign purchase agreements for the sale of wetland bank credits out of balances of wetland credits allocated for the VRWJPO, following the Policy for Management Rights and Administration; and

BE IT FURTHER RESOLVED, that the VRWJPO chair delegates the authority to the VRWJPO Administrator and Co-administrator to approve and sign grant agreements with a value of less than \$100,000 to support the goals of the VRWJPO, following the VRWJPO Policy for Management Rights and Administration; and

BE IT FURTHER RESOLVED, that the delegation of these limited authorities to the VRWJPO Administrator and Co-administrator must be renewed following a change of Commissioners serving on the VRWJPB or a change of VRWJPO Administrator or Co-administrator.

Management Rights and Administration

The VRWJPB members are appointed by their respective counties to provide direction for the management and protection of water resources within the identified boundaries of the Vermillion River Watershed. The VRWJPB approves the 10-year Vermillion River Watershed Management Plan, as well as the annual budget, work plan, and special watershed tax district levy. The VRWJPB has the sole authority to approve, modify, or reject these policies by resolution at any time.

The VRWJPO employs an Administrator from Dakota County and a Co-administrator from Scott County, to implement the Watershed Plan under the direction of the VRWJPB. The Administrator and Co-administrator develop policies as necessary and gain approval from the VRWJPB by resolution. Approved policies will be added to the current policies and will be kept on file at the VRWJPO.

The Administrator and Co-administrator are responsible for the Administration and Operations role in the VRWJPO. The Dakota County Administrator is primarily responsible for Watershed Management Plan implementation in Dakota County while the Scott County Co-administrator is primarily responsible for the Scott County portion. This role is defined in the 2016-2025 Vermillion River Watershed Management Plan as follows:

- ▣ Operate the organization effectively, developing appropriate procedures, organizational capacity, and clear work direction to implement watershed objectives.
- ▣ Report to the VRWJPB and receive its direction on policy, budget, plans, and projects. Consult with citizen and technical advisory bodies.
- ▣ Develop watershed programs and projects. Use metrics to evaluate program and project effectiveness. Improve programs and operations to address public needs and new opportunities. Report on program and project outcomes to the VRWJPB, stakeholders, and the public.
- ▣ Manage fiscal resources with annual budgeting and capital improvement program processes. Develop cost-effective solutions and leverage local, state, and federal resources for priority projects.



Vermillion River Watershed Joint Powers Organization

4100 220th St. W., Suite 103, Farmington, MN 55024

November 2024 Expense Report

The invoices submitted between October 1, 2024 and October 31, 2024 total: \$435,340.93

The invoices submitted between November 1, 2024 and November 30, 2024 total:

<u>Invoice</u>	<u>Vendor</u>		<u>Amount</u>
	Dakota County Staff Time	\$	38,981.95
October 24	DC Legal	\$	1,523.89
IN31587	Scott County	\$	916.27
023-048-12	HKGi	\$	1,577.50
9/20/8218	Stantec	\$	2,222.14
0350291	Bolton and Menk	\$	2,000.00
AR00000000211	City of Lakeville	\$	1,779.57
4931	City of Rosemount	\$	25,000.00
101724	Solitude Lake Management LLC	\$	152,800.30
PCard	Smart Salt Conf Food	\$	40.89
Total Expenses \$			226,842.51

Action Requested: Approval of all expenses as presented



Vermillion River Watershed Joint Powers Organization

4100 220th St. W., Suite 103, Farmington, MN 55024

December 2024 Expense Report

The invoices submitted between November 1, 2024 and November 30, 2024 total: \$226,842.51

The invoices submitted between December 1, 2024 and December 31, 2024 total:

<u>Invoice</u>	<u>Vendor</u>		<u>Amount</u>
	DC Staff Time	\$	37,731.46
	DC Legal November	\$	2,997.53
IN31712	Scott County	\$	814.53
023-048-13	HKGi	\$	552.50
234373	MN DNR	\$	4,850.00
2320613	Stantec	\$	1,019.50
23191497.01-6	Barr Engineering	\$	3,482.44
PCard	VRW Newsletter Platform Subscription	\$	471.75
AR-0000000341	City of Lakeville	\$	19,774.50
AR-0000000293	City of Lakeville	\$	67,936.41
AR-0000000296	City of Lakeville	\$	370,000.00
12/4/2024	Sunram	\$	72,452.50
AR-0000000338	City of Lakeville	\$	28,434.73
	TOTAL	\$	610,517.85

Action Requested: Approval of all expenses as presented

9a. Consideration and Appointment of John Nicolai to the Vermillion River Watershed Community Advisory Committee

Meeting Date: 1/23/2025
Item Type: Regular-Action
Contact: Travis Thiel
Telephone: 952-891-7546
Prepared by: Travis Thiel



PURPOSE/ACTION REQUESTED

- Consideration of John Nicolai’s application for appointment to the Vermillion River Watershed Community Advisory Committee (CAC)

SUMMARY

The Joint Powers Agreement governing the Vermillion River Watershed Joint Powers Organization (VRWJPO) established a nine-member Community Advisory Committee (CAC) composed of citizens of Dakota County or Scott County. Currently, two vacancies exist on the CAC.

John Nicolai, a resident of Rosemount, Dakota County, within the Vermillion River Watershed (Attachment A), applied to serve on the CAC. The VRWJPO Administrator reviewed the application to ensure the applicant was eligible for appointment, which he is, and forwarded the application to the Chairs of the of the Vermillion River Watershed Joint Powers Board (VRWJPB) and the CAC to determine if they’d like to move forward with consideration for appointment by the VRWJPB to the CAC.

It was determined that John Nicolai should be recommended for appointment to the CAC by the VRWJPB.

EXPLANATION OF FISCAL/FTE IMPACT

Members of the Vermillion River Watershed Community Advisory Committee are eligible to receive a per diem of an amount set by each respective County per meeting attended. Members may choose to deny receipt of per diem at their discretion.

Supporting Documents:

Attachment A: John Nicolai CAC Application

Previous Board Action(s):

- ;

RESOLUTION

9a. Consideration and Appointment of John Nicolai to the Vermillion River Watershed Community Advisory Committee

WHEREAS, the Joint Powers Agreement establishing the Vermillion River Watershed Joint Powers Organization (VRWJPO) authorized the Vermillion River Watershed Joint Powers Board (VRWJPB) to establish a nine-member Vermillion River Watershed Community Advisory Committee (CAC) composed of citizens of either Dakota County or Scott County; and

WHEREAS, under the Joint Powers Agreement, the VRWJPB is authorized to make appointments to the CAC by resolution; and

WHEREAS, a CAC member is eligible to complete the incumbent vacant term plus two consecutive three-year terms; and

WHEREAS, John Nicolai has applied and been determined eligible to be appointed to serve on the CAC.

NOW, THEREFORE, BE IT RESOLVED, that the VRWJPB hereby appoints John Nicolai to the Vermillion River Watershed Community Advisory Committee with his term ending December 31, 2027.



Open Appointments Application for Advisory Committees/Commissions/Boards

Part 1: Applicant Information

Applicant Name: Last Name First Name M.I. [] Mr. [] Mrs. [] Ms.

Home Address: Street Address City MN State Zip County of Residence

Commissioner District: (Leave blank if you do not know the number of your commissioner district.)

Telephone: Cell Business Home

E-mail Address:

Part 2: Committee Selection

Indicate below the name of the committee(s) for which you are seeking appointment. If more than one, number them according to preference (1 being your first choice). All applicants: complete Parts 3-6. Review Parts 7-10 and complete only those that apply to the committee(s) you select below.

- [] Dakota-Scott Workforce Development Board [] Public Art Advisory Committee
[] Disability Advisory Council [] Special Board of Appeal and Equalization
[] Extension Committee [] Vermillion River Watershed Planning Commission
[] Library Advisory Committee [] Zoning Board of Adjustment
[] Planning Commission [] Other:

Part 3: Your Rights as a Subject of Data/Applicant Declaration

Pursuant to Minnesota Statutes Chapter 13, Dakota County informs you that the following information which you are asked to provide in this application is private data: telephone numbers, fax number, residential street address, email address, business/financial interest, status as recipient of human services, and criminal record. Unless and until you are appointed to an advisory committee, this information will be available only to you and county officials who need it to perform their job duties. Furnishing this information is voluntary. Failure to provide the information requested in Parts 4-10 of this application may disqualify you from appointment to one or more advisory committees. The remainder of the information in this application is public.

State law requires your residential street address and either your email address or telephone number be made public if you are appointed to an advisory committee. Unless you indicate otherwise, Dakota County will make your email address public. If you do not have an email address, Dakota County will make your home telephone number public. You may request that both be made public or that your business telephone number instead of your home telephone number be made public.

If appointed, I request that Dakota County make public (check all that apply):

- [] Cell phone number:
[] Business phone number:
[] Home phone number:
[] E-mail address:

John Nicolai

Signature of Applicant

Date

Part 4: Per Diem

Most County Board advisory committee appointees, who are not representing a governmental unit, receive \$50 per diem (but no additional expense reimbursement) for attendance at regular and special meetings of the committee. Exceptions are appointees to the Personnel Board of Appeals (\$50 per diem plus expense reimbursement for attendance), and Special Board of Appeal and Equalization (\$175 per day or \$87.50 per half-day plus mileage reimbursement). Applicants may choose to decline the per diem at the time of application.

Please check this box if you wish to decline the per diem: Decline

Part 5: Affiliation with Dakota County

Dakota County employees are not eligible for appointment to any advisory committee, unless otherwise provided by law.

Are you an employee of Dakota County?

Yes No

Individuals affiliated with Dakota County are eligible for appointment to any advisory committee but do not receive preference in the appointment process and are not automatically disqualified, unless otherwise provided by law. For purposes of this policy, affiliated means (1) has a contract with Dakota County, or (2) is employed by a Dakota County contractor.

Are you currently under contract with or employed by a contractor of Dakota County?

Yes No

If yes, which contractor?

Part 6: Statement of Qualifications (You may supplement this section by attaching a resume or additional information.)
PLEASE NOTE: In accordance with County policy, no paid employee of Dakota County is eligible to be appointed as a member of any citizen advisory committee unless otherwise specified by law.

Business/Employer:

Business Address:

Street City State Zip County

Job Title:

Current Responsibilities:

Previous Work Experience:

Vocational/Educational Background:

Community Service:

Describe your interest in serving on an advisory committee:

**PLEASE NOTE: Some committees require additional information from applicants.
Review Parts 8–10, and complete only those that apply to the committee(s) you selected in Part 2.**

Part 7: Dakota-Scott Workforce Development Board Applicants Only

Minn. Stat. § 268.666, subd. 3, requires that local workforce councils include as members representatives of the private sector (owners of business concerns, chief executives or chief operating officers of nongovernmental employers, or other private sector executives who have substantial management or policy responsibility), organized labor, workforce and community-based organizations, educational agencies that are representative of all educational agencies within the workforce service area, vocational rehabilitation agencies, public assistance agencies, economic development agencies, and public employment service agencies.

Private sector applications must be accompanied by a letter of support from a general-purpose business organization (e.g. chamber of commerce). Public sector applications must be accompanied by a letter of support from the parent agency. For further information on the Workforce Development Board, please call Dakota County Workforce Services at 651-554-5633.

Nominating Agency:

Which do you represent: (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Private Sector/Small Business | <input type="checkbox"/> Public/Economic Development |
| <input type="checkbox"/> Private Sector/Large Business (>500 employees) | <input type="checkbox"/> Public/Education |
| <input type="checkbox"/> Private Sector/Minority Business | <input type="checkbox"/> Public/Labor |
| <input type="checkbox"/> Public/Apprentice | <input type="checkbox"/> Public/Public Assistance |
| <input type="checkbox"/> Public/Community Based | <input type="checkbox"/> Public/Public Employment |
| | <input type="checkbox"/> Public/Rehabilitation |

Part 8: Disability Advisory Council

The Disability Advisory Council will offer the opportunity to make a difference in how disability access and services are provided in Dakota County. The Council will actively work to develop a community that welcomes people with disabilities into all aspects of living, working, and thriving in Dakota County.

Applicants should represent one of the following: (Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> People with Disabilities and self-advocates | <input type="checkbox"/> Education Representatives |
| <input type="checkbox"/> Family members and/or guardians | <input type="checkbox"/> Housing Representatives |
| <input type="checkbox"/> Representatives from organizations supporting
People with disabilities | <input type="checkbox"/> People representing local businesses |

Part 9: Planning Commission Applicants Only

Minnesota Statutes Section 394.30, subdivision 1, the statutory authority under which the Dakota County Planning Commission has been created, requires that: "No voting member of the commission shall have received, during the two years prior to appointment, any substantial portion of income from business operations involving the development of land within the county for urban or urban related purposes."

During the last two years, have you received any substantial portion of your income from business operations involving the development of land within Dakota County for urban or urban related purposes?

- Yes No

Part 10: Vermillion River Watershed Planning Commission Applicants Only

The Vermillion River Watershed Joint Powers Board, consisting of commissioners from Dakota and Scott Counties, makes appointments to the Watershed Planning Commission. Qualified applicants must reside in the watershed (residency will be verified upon receipt of this application) and may be elected officials. Employees of local governments located in the watershed are not eligible for appointment.

- 1. Are you an elected official?
 Yes No If yes, for what government entity?
- 2. Do you have personal or employment experience in a field related to watershed management?
 Yes No If yes, please specify relevant experience:

THANK YOU!

Return completed form to:

Sr. Administrative Coordinator to the Board
Administration Center
1590 Highway 55
Hastings, MN 55033

Email: board@co.dakota.mn.us

Office Use Only

Date Received: _____
Date Entered: _____
Appointed: Yes No
Committee: _____

Appointment Date: _____
Term Ended Date: _____
Retention Date: _____

9b. Authorization to Execute a Grant Agreement with the Minnesota Board of Water and Soil Resources for FY25 Clean Water Fund Grant for Phase 2 of the Alimagnet Lake Alum Treatment Project

Meeting Date: 1/23/2025
Item Type: Regular-Action
Contact: Kelly Perrine
Telephone: 952-891-7002
Prepared by: Kelly Perrine



PURPOSE/ACTION REQUESTED

- Authorization to execute a grant agreement with the Minnesota Board of Water and Soil Resources (BWSR) for the FY25 Clean Water Fund (CWF) Grant for Phase 2 of the Alimagnet Lake Alum Treatment Project

SUMMARY

Vermillion River Watershed Joint Powers Organization (VRWJPO) staff are requesting the Vermillion River Watershed Joint Powers Board (VRWJPB) authorize the execution of a Grant agreement with the BWSR for Phase 2 of the aluminum sulfate (alum) treatment in Alimagnet Lake in the cities of Burnsville and Apple Valley.

Alimagnet Lake is included on the U.S. Environmental Protection Agency’s 303(d) Impaired Waters List due to excess nutrients (phosphorus). Previous restoration efforts by the City of Apple Valley, the City of Burnsville, and the VRWJPO have addressed the lake’s external loading allocations (defined within the Vermillion River Watershed Total Maximum Daily Load report). In 2023, a feasibility study (Study) estimated that a split-dose whole-lake alum treatment within Alimagnet Lake (Project) would address internal phosphorus loading enough for the lake to be removed from the Impaired Waters List. In December of 2023, VRWJPO staff received a FY24 BWSR CWF grant award of \$287,000 for the Project, with \$30,000 in match required to go towards Project engineering.

The 2023 Study provided an Engineer’s Estimate of \$262,055.20 to complete the 2024 and 2026 split dose alum treatments. Following a Request for Bids process, a singular bid of \$314,233.70 was submitted by Solitude Lake Management, which was \$52,178.50 higher than the Engineer’s Estimate. Review of the Engineer’s Estimate discrepancy found that the primary factor in the higher-than-estimated bid was due to unforeseen market fluctuations in the cost of alum and sodium aluminate (an alum buffering agent). As a result, the first dose of alum was applied in fall 2024 as adequate budget existed to complete this activity.

As a result of this budget shortfall to complete both alum treatment doses, staff applied for a FY25 BWSR CWF grant to have adequate budget for the second alum dose. In December 2024, VRWJPO staff were notified of a FY25 BWSR CWF grant award of \$70,000 to allow for continuation of Phase 2 of the Project. The second dose of alum will take place in 2026.

RECOMMENDATION

Staff recommend the VRWJPB authorize the Board Chair to execute a Grant agreement with the BWSR for the FY25 CWF Grant for phase 2 of the Alimagnet Lake Alum Treatment Project.

EXPLANATION OF FISCAL/FTE IMPACT

The Grant will provide the VRWJPO up to \$70,000 toward Phase 2 of the Alimagnet Lake alum treatment. Local match will provide up to \$7,000 to meet grant match requirements and make up for remaining estimated project costs.

Supporting Documents:

Previous Board Action(s):

Res. No. VRW 24-03

Res. No. VRW 24-41

RESOLUTION

9b. Authorization to Execute a Grant Agreement with the Minnesota Board of Water and Soil Resources for FY25 Clean Water Fund Grant for Phase 2 of the Alimagnet Lake Alum Treatment Project

WHEREAS, Alimagnet Lake is included on the U.S. Environmental Protection Agency’s 303(d) List of Impaired Waters due to excess nutrients (phosphorus);

WHEREAS, restoration efforts by Apple Valley, Burnsville, and the Vermillion River Watershed Joint Powers Organization (VRWJPO) have addressed all external loading waste load allocations identified within the Vermillion River Watershed’s Total Maximum Daily Load report for Alimagnet Lake; and

WHEREAS, a feasibility study completed in 2023 identified a split-dose aluminum sulfate (alum) treatment in Alimagnet Lake as a means to reduce internal loading phosphorus concentrations to the extent that the waterbody would be eligible for removal from the Impaired Waters List; and

WHEREAS, due to the findings of the feasibility study, VRWJPO staff applied for and received a BWSR FY24 CWF Alimagnet Lake Alum Treatment Project grant (Grant) for the alum treatment; and

WHEREAS, the feasibility study included an Engineer’s Estimate of \$262,055.20 to complete the 2024 and 2026 split dosing alum treatments; and

WHEREAS, a singular bid of \$314,233.70 was submitted by Solitude Lake Management for the Project which was \$52,178.50 higher than the Engineer’s Estimate; and

WHEREAS, review of the Engineer’s Estimate discrepancy found that the primary factor in the higher-than- estimated bid was due to unforeseen market fluctuations in the cost of alum and sodium aluminate; and

WHEREAS, the Vermillion River watershed Joint Powers Board authorized execution of a contract with Solitude Lake Management and had the first dose of alum treatment applied in fall 2024 as adequate budget existed to complete that ask while funding was sought for the second dose; and

WHEREAS, VRWJPO staff applied for and were awarded a FY25 BWSR CWF grant in the amount of \$70,000 to cover the overage and allow for the second dose of alum to be applied in 2026.

NOW, THEREFORE, BE IT RESOLVED, that the Vermillion River Watershed Joint Powers Board hereby authorizes its Chair to execute a Grant Agreement with BWSR for phase 2 of the Alimagnet Lake alum treatment not to exceed \$70,000 as presented to the Vermillion River Watershed Joint Powers Board at its meeting on January 23, 2025; subject to approval by the Dakota County Attorney’s Office as to form.

9c. Authorization to Execute Grant Agreements with the Minnesota Department of Natural Resources for the North Creek Channel Improvement Projects in Empire and Farmington

Meeting Date: 1/23/2025
Item Type: Regular-Action
Contact: Jeff Dunn
Telephone: 952-891-7140
Prepared by: Jeff Dunn



PURPOSE/ACTION REQUESTED

- Authorization to execute grant agreements with the Minnesota Department of Natural Resources (DNR) for the North Creek Channel Improvement Projects in Empire and Farmington

SUMMARY

The Vermillion River Watershed Joint Powers Organization (VRWJPO) staff requests execution of two Conservation Partners Legacy (CPL) grant agreements with the Minnesota DNR for creek crossings and channel improvements along North Creek in the cities of Empire and Farmington.

Previous VRWJPO assessments and monitoring of the North Creek channel indicated problematic conditions. These problematic conditions include field access roads with perched and undersized culverts, overly high creek velocities for aquatic organisms in the undersized culverts, over-widened channels, lack of natural channel meandering, poor in-stream habitats and habitat connection, and very low quantities of fish near 195th St indicating a possible barrier to fish and aquatic organism migration.

In 2024, VRWJPO staff applied for CPL grant funding for two channel improvement projects in North Creek between Highway 3 and 195th Street West, including removal and replacement of undersized and perched culverts at field access roads with appropriately sized box culverts with cobbled bottoms that will reduce flow velocities, allow for better floodplain connection, and reconnect the currently disconnected stream channel to enhance fish and aquatic organism passage; narrowing of over-widened creek channel; promotion of natural channel meandering, and stabilization of creek banks.

The CPL grants for the awarded activities provide up to \$864,155 in restoration funding; one grant for \$500,000 (Empire) and one for \$364,155 (Farmington). Each CPL grant requires a minimum 10 percent local match, which will be provided by the VRWJPO. The VRWJPO proposes to provide up to \$204,550 in cash match for project designs, construction administration/oversight, environmental permitting fees, and grant administration. The remaining design work and environmental permitting will occur in 2025 with construction of the improvement projects occurring in 2026.

VRWJPO staff recommend executing two grant agreements with the DNR for the North Creek Culvert Improvement Projects in an amount not to exceed \$864,155.

EXPLANATION OF FISCAL/FTE IMPACT

The VRWJPO will receive \$864,155 in grant revenues from the Minnesota DNR from the CPL Program. The VRWJPO proposes to provide up to \$204,550 in cash match for project designs, construction administration/oversight, environmental permitting fees, and grant administration.

RESOLUTION

9c. Authorization to Execute Grant Agreements with the Minnesota Department of Natural Resources for the North Creek Culvert Improvement Projects North in Empire and Farmington

WHEREAS, in 2024, the Vermillion River Watershed Joint Powers Organization (VRWJPO) applied for two Conservation Partners Legacy (CPL) grant funding for channel improvement projects along North Creek between Highway 3 and 195th Street W; and

WHEREAS, previous VRWJPO assessments and monitoring of the North Creek channel indicated problematic conditions including field access roads with perched and undersized culverts, overly high creek velocities for aquatic organisms in the undersized culverts, over-widened channels, lack of natural channel meandering, poor in-stream habitats and habitat connection, and very low quantities of fish near 195th St indicating a possible barrier to fish and aquatic organism migration.

WHEREAS, the VRWJPO was awarded two CPL grants for two channel improvement projects along North Creek, including removal and replacement of undersized and perched culverts at field access roads with appropriately sized box culverts with cobbled bottoms that will reduce flow velocities, allow for better floodplain connection, and reconnect the currently disconnected stream channel to enhance fish and aquatic organism passage; narrowing of over-widened creek channel; promotion of natural channel meandering, and stabilization of creek banks.

WHEREAS, the resulting CPL grant awards provide up to \$864,155 for channel improvement activities; and

WHEREAS, each CPL grant requires a minimum 10 percent local match, which will be provided by the VRWJPO; and

WHEREAS, the VRWJPO proposes to provide \$204,550 in cash match for project designs, construction administration/oversight, environmental permitting fees, and grant administration; and

WHEREAS, the remaining design work and environment permitting activities are planned to be implemented in 2025 with construction of the improvement projects in 2026; and

WHEREAS, the improvement efforts will create or reconnect habitats for fish and other aquatic organisms in the Vermillion River Watershed that will result in improved habitat and water quality conditions in North Creek.

NOW, THEREFORE, BE IT RESOLVED, that the Vermillion River Watershed Joint Powers Board authorizes its chair to execute two Conservation Partners Legacy Grant agreements with the Minnesota Department of Natural Resources in an amount not to exceed \$864,155 for the North Creek Channel Improvement Projects; subject to approval as to form by the Dakota County Attorney's Office.