

Regular Meeting
South Washington Watershed District
Tuesday, September 13, 2022
6:00 p.m.
Zoom Video Conferencing

1. Call to Order and Setting of Agenda

Manager Johnson called the meeting to order at 6:00 p.m. A motion was made by Manager Madigan to add the Cottage Grove Middle School Cost Share application to the Consent Agenda and move item #12-Seasons Park Vegetation Management Contract with Landbridge Ecological, item#13-St. Croix Bluff Park Stabilization Task Order 2022-002 with Houston Engineering, item #14-Carpenter Nature Center Education Programming Agreement Fall 2022, and item #15-Minnesota Stormwater Research Council 2022 Funding Request to the Consent Agenda. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

Roll Call:

- Brian Johnson, President
- Sharon Doucette, Vice President
- Cole Williams, Vice President
- Mike Madigan, Secretary

Staff:

- Matt Moore, Administrator
- John Loomis, Program Manager
- Melissa Imse, Operations Manager
- Tony Randazzo, Watershed Restoration Specialist

Others: Jack Clinton, SWWD Attorney

2. Public Open Forum None

3. Consent Agenda

Items on the Consent Agenda include: August 8, 2022 Regular Board meeting minutes, August Treasurer's Report: accounts payable \$167,454.12, accounts receivable \$29,785.04, 4M fund balance \$15,371,821.18, JM Hauling Pay Request 2 and Final Payment \$32,470.15, Calendar of Events, Development Reviews, Wetland Conservation Act, Cost Share Program, Miscellaneous Correspondence, and the Cottage Grove Middle School Cost Share application, item #12-Seasons Park Vegetation Management Contract with Landbridge Ecological, item#13-St. Croix Bluff Park Stabilization Task Order 2022-002 with Houston Engineering, item #14-Carpenter Nature Center Education Programming Agreement Fall 2022, and item #15-Minnesota Stormwater Research Council 2022 Funding Request. A motion was made by Manager Williams to approve the consent agenda. Manager Madigan seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea

- Secretary Madigan-Yea
- Motion carried unanimously.

4. **Manager's Report**

Manager Johnson –Manager Johnson reported that he attended the SWWD project tour.

Manager Doucette –None.

Manager Williams –Manager Williams reported that she attended the SWWD project tour and the Crestview planting event.

Manager Madigan –Manager Madigan reported that he attended the SWWD project tour.

5. **Administrator Report**

SWWD Project Updates. Included in the board packet are project updates on: Trout Brook, Glacial Valley Park and Open space, Campus Greening, Newport ROWs, Seasons Park Stormwater Filter, Wilmes alum facility, Hasenbank Woods/Powers Lake BMP, 16th and Cedar Underground BMP, East Mississippi Modeling and Retrofit Analysis, Markgrafs Lake Retrofit Analysis, Northern Watershed/CDSF/East Ravine, Cottage Grove Ravine Park, 65th and Geneva, 2022 Planning and Rules, Enhanced Street Sweeping, and In-Lake AIS Management.

November Board Meeting Date. Due to the general election on Tuesday November 8th, the November Board meeting date will have to be re scheduled. The managers will have the November Board meeting on Monday, November 7th.

6. **SWWD Watershed Management Plan Minor Plan Amendment Public Hearing.**

Manager Johnson suspended the regular meeting and opened the SWWD Watershed Management Plan Amendment Public Hearing. No public was present. SWWD received three review comments. MN Department of Ag responded with no comments. Met Council responded with no formal comment on the proposed amendment and said that they were impressed by the scope and quality of the new guidance documents. Mr. Dan Belka, SWWD resident from the City of Woodbury responded with 3 comments:

1. Mr. Belka identified inaccuracies in City's listed as residencies for Board Managers. Inaccuracies will be corrected prior to final distribution. Corrections or updates of general information do not require a WMP amendment and can be made as needed.
2. Mr. Belka said that the long range workplan includes a number of projects that were not previously included and should be subject to further review and stakeholder input. This is an incorrect understanding of the long range workplan. The long range workplan includes several District program areas, including its Watershed Restoration, Reconstruction, and Resiliency program. That programs includes funding to implement projects identified within SWWD guidance documents. Guidance documents are developed with input from City staff and District consultants as appropriate and are intended to address issues already identified in the WMP. Further, Mr. Belka identifies that the District's 4M fund includes a current balance of \$15,712,021.88 and that those funds are limited to in their use. That is correct, and reflects the District's actions. The 4M fund includes funds collected through stormwater utility across three different taxing districts and the general fund levy. SWWD collected and uses those funds as described in the WMP and within program areas established in the WMP and long range work plan. Funding within each of those taxing districts and programs is discussed annually as part of SWWD's budget process. Mr. Belka has previously submitted comments as part of SWWD's budget process. SWWD responded in detail to Mr. Belka's budgeting concerns on September 8, 2021.
3. Mr. Belka comments that a \$2,800,000 expenditure for a learning center is inappropriate for SWWD and inconsistent with SWWD's mission – "To manage water

related resources of the District in cooperation with our citizens and communities”. However, SWWD and its partners have determined otherwise and previously included the learning center in the existing WMP. The proposed learning center is being developed in partnership with Woodbury, Cottage Grove, Washington County, and the East Metro Water Resources Education Partnership and will support the District’s Information and Education program which is one of the program areas required in the WMP under MN Rule 8410. A motion was made by Manager Doucette to close the SWWD Watershed Management Plan Minor Plan Amendment Public Hearing and reconvene the regular board meeting. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

BWSR Determination:

Per MN Rules 8410.0140 Subp.2 regarding minor plan amendments, BWSR has 5 days following the close of the public review period to determine if the agency agrees that the proposed amendment is minor. BWSR has agreed that SWWD’s proposed amendment is minor. After holding a public meeting to explain the amendment, SWWD can adopt the amended WMP.

Resolution 2022-002, Adopting the SWWD Minor Watershed Management Plan Amendment. A motion was made by Manager Doucette to approve Resolution 2022-002, Adopting the SWWD Watershed Management Plan Amendment. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

7. **SWWD Rules Update-Response to Comments and Adoption.** At the July 12, 2022 Board meeting, the SWWD Board authorized staff to submit SWWD’s rule update for 45-day agency review as required by MN Statute 103D.341. The 45-day review period closed on August 31, 2022. SWWD received comments from the Washington Conservation District and Washington County. Comments primarily concerned recommendations to clarify information, remove redundancies, or correct errors. Additionally, Washington County recommended increasing drawdown time for BMPs discharging to Trout Streams from 24 hours to 48 hours. SWWD staff recommends accepting changes and corrections as recommended by Washington Conservation District and Washington County with the exception of the drawdown time for BMPs discharging to Trout Streams. The State NPDES permit requires a drawdown time of 24 hours for BMPs discharging to Trout Streams. SWWD’s proposed rule is consistent with that requirement. BMPs not discharging to Trout Streams or other special waters may continue to be designed with a 48 hour drawdown time.

Resolution 2022-003, Adoption of SWWD Rules. After discussion, a motion was made by Manager Williams to accept the changes and corrections from the comments received, and to approve Resolution 2022-003, Adopting the SWWD Rules. Manager Madigan seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

8. 2023 Budget: Preliminary Levy Certification and Stormwater Utility Fee

Certification. The managers reviewed an overview of the draft 2023 budget and the three proposed options for the 2023 Preliminary Levy. After discussion, a motion was made by Manager Madigan to approve the 2023 Preliminary Levy Certification of \$1,372,647 to Washington County. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

Resolution 2022-004, 2023 Stormwater Utility Fee Certification. The 2023 budget will continue to focus on restoration and resiliency projects and programs as identified in the Watershed Management Plan. After discussion, a motion was made by Manager Williams to approve Resolution 2022-004, the 2023 Stormwater Utility Fee Certification for \$2,834,500. Manager Madigan seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

9. SWWD Staffing. Program Manager-BMP Project Specialist. Staff has prepared a draft Position Description for the Board to consider. Staff is requesting authorization for the position and to post the description to begin the recruiting process. The position is included in the budget. In addition, staff has consulted with Gallagher, SWWD salary and human resources consultant on salary level and review of the description. After discussion, a motion was made by Manager Williams to authorize the Program Manager BMP Project Specialist position and approve the BMP Project Specialist job description and to begin the recruitment process, and Gallagher's proposal for up to \$750. Manager Doucette seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

10. Southwest Woodbury Analysis and Improvements Agreement with the City of Woodbury. Following high water and inter-community flow concerns at La and Ria lakes in 2019 and 2020, SWWD and Woodbury staff performed some initial hydrology analysis that identified additional concerns downstream of the lakes in both Woodbury and Newport. Subsequently, SWWD approved a cost share agreement to fund additional study and construction of a controlled outlet at La Lake. The City never approved the agreement. City staff is now pursuing additional study of the area with an expanded scope. The City is requesting SWWD funding participation in the study and implementation of identified improvements. The City's request is for 50% cost share, not to exceed \$65,000 for professional services. The City also proposes to equally split construction costs although that cost is not currently known. The City will submit the construction bid to SWWD for approval before proceeding. After discussion, a motion was made by Manager Madigan to approve the Southwest Woodbury Analysis

and Improvements Agreement with the City of Woodbury. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

- 11. Enhanced Street Sweeping Agreement with the City of Woodbury.** SWWD and Woodbury staff worked with District consultants to develop an Enhanced Street Sweeping Plan for the City of Woodbury. That plan will be adopted as a guidance document through the pending minor Watershed Plan amendment. Staff proposes to begin implementation of the enhanced sweeping plan this fall and continuing through 2023 by operating the City's two existing sweepers full time during the growing season. Under the agreement, SWWD will reimburse the City for the additional cost of implementing the program on top of what they would typically do. Expected cost to begin implementation is not to exceed \$300,000. Following operation through 2023, SWWD and the City will review the program and consider adding additional sweepers. After discussion, a motion was made by Manager Doucette to approve the Enhanced Street Sweeping Agreement with the City of Woodbury. Manager Williams seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

- 12. Seasons Park Vegetation Management Contract, Landbridge Ecological.** This item was approved under the Consent Agenda.

- 13. St. Croix Bluff Park Stabilization Task Order 2022-002, Houston Engineering.** This item was approved under the Consent Agenda.

- 14. Carpenter Nature Center Education Programming Agreement Fall 2022.** This item was approved under the Consent Agenda.

- 15. Minnesota Stormwater Research Council 2022 Funding Request.** This item was approved under the Consent Agenda.

- 16. Colby, Markgrafs, and Ravine Lakes AIS Control.** Staff has worked with District consultants to begin forming a program to control aquatic invasive species in District Lakes. Colby, Markgrafs, and Ravine Lakes were identified for an initial application. Permitting (DNR) is in process. After soliciting quotes from multiple qualified contractors, SWWD received one quote from PLM Lake and Land Management. Work will begin this fall and continue into 2023. After discussion, a motion was made by Manager Williams to approve the quote from PLM Lake and Land Management for herbicide treatment of Colby, Markgrafs, and Ravine Lakes for up to \$15,675.62. Manager Madigan seconded. A roll-call vote was done for the motion:

- President Johnson-Yea
- Vice President Doucette-Yea
- Vice President Williams-Yea
- Secretary Madigan-Yea

Motion carried unanimously.

17. Adjourn

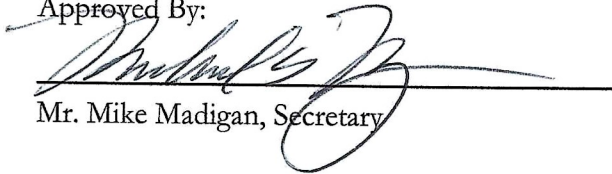
The next regular Board Meeting will be held on Tuesday, October 11th at 6:00 pm. A motion was made by Manager Madigan to adjourn at 7:11 p.m. Manager Doucette seconded. Motion carried unanimously.

Respectfully submitted,



Melissa Imse, Operations Manager

Approved By:


Mr. Mike Madigan, Secretary

10-11-2022

Date

17. Adjourn

The next regular Board Meeting will be held on Tuesday, October 11th at 6:00 pm. A motion was made by Manager Madigan to adjourn at 7:11 p.m. Manager Doucette seconded. Motion carried unanimously.

Respectfully submitted,



Melissa Imse, Operations Manager

Approved By:

Mr. Mike Madigan, Secretary

Date