

LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION

MAY 19, 2022

CALL TO ORDER

Chairman Debra Musgrove called the meeting to order at 8:00 a.m. in the Committee Room of Anoka City Hall.

ROLL CALL

Voting members present were: Debra Musgrove, Ramsey; Jeff Weaver, Anoka; and Valerie Holthus, Andover.

Voting members absent were: None.

Also present were: Deputy Treasurer Lori Yager, Ramsey Civil Engineer IV Leonard Linton, Anoka Engineering Technician Ben Nelson, Bob Obermeyer of Barr Engineering, Andover Natural Resources Technician Kameron Kytonen, Anoka Director of Public Services Mark Anderson, Anoka and Andover City Attorney Scott Baumgartner, Jamie Schurbon of Anoka Conservation District, Becky Wozney of Anoka Conservation District, and Colleen Werdien of Anoka Conservation District.

APPROVE AGENDA

Motion was made by Holthus, seconded by Weaver, to approve the May 19, 2022 agenda as presented.

Further discussion: Weaver requested to move Item M1 forward in order to address that item and allow the people present for that item to leave. The Board agreed to the friendly amendment.

Vote: 3 ayes, 0 nays. Motion carried.

OTHER BUSINESS

Rum River Partnership – Plan and JPA

Schurbon stated that the JPA and Watershed Plan have moved forward, noting that JPA is in the final format. He stated that a BWSR Subcommittee has recommended the Plan to the BWSR Board to review in the next few days. He stated that the decision before this group is now whether to join the JPA and accept the plan as a guiding document, or not. He stated that the Board could have discussion at this meeting, but a decision would need to be made at the next meeting.

Baumgartner stated that he met with Schurbon to review much of the information, and he appreciated that opportunity to come up to speed. He stated that he shared some of the questions he had with Schurbon at that time including the benefits to the LRRWMO for being a part of this, obligations the LRRWMO would have as being a part of the JPA, and whether there would be a financial obligation to be associated with the group. He stated that he reviewed the plan the previous day and focused on the DNR and language relative to the Anoka Dam as well as invasive

species versus open waterways. He stated that the version forward to BWSR includes the language that the LRRWMO objected to which addressed the feasibility of the Anoka Dam removal. He asked if this plan would be further implemented by bylaws. Schurbon confirmed that there are expected bylaws within the next two to three months as the group takes form.

Baumgartner stated that he has volunteered to be a part of that legal group that will draft the bylaws, as he anticipates the bylaws will be the document by which the plan is implemented. He stated that if the language relative to the dam is going to remain in the plan, he would have a concern that the LRRWMO would become one voice out of several. He would have concern that the LRRWMO could be outvoted on a project it does not want within its boundaries by the other entities within the organization. He stated that the plan is a template of the goals and what is hoped to be accomplished and therefore would think the bylaws would be the mechanism to provide local municipal veto authority for projects within local jurisdiction. He stated that he is concerned that a draft of the bylaws was not included with this version of the plan, as it is a missing piece of what will be able to be controlled. He recognized that any group could enter the JPA at any time and could also leave, but not until January 2024. He noted that by not joining the WMO could also preclude itself from the ability to assist in drafting the bylaws. He hoped that all entities involved in the plan share the same concern and would want to provide a local authority the ability to veto a project in its boundaries.

Schurbon commented that a feasibility study for the Anoka dam is not included in the plan and explained that it is a feasibility study for fish passage in other areas, excluding the dam. He stated that until the group forms, they cannot draft bylaws.

Baumgartner referenced language within the plan that includes the potential removal of the Anoka dam. Nelson noted that language has been changed. It was clarified that the version Baumgardner had read was the previous version and that language was revised. Schurbon confirmed the language in the version Nelson had to read, except the Anoka dam.

Baumgartner asked when the deadline is for the LRRWMO to adopt the plan. Schurbon replied that the deadline would be 60 days after BWSR approval, which would be in July. He noted that the group could join at a later time but would miss out on initial opportunities and discussion.

Weaver commented that he is still hesitant with the plan without knowing what the bylaws will say. He stated that he would prefer to delay action and allow Baumgardner to participate in the drafting of the bylaws to ensure the LRRWMO is protected. He commented that the LRRWMO is only a small piece of the puzzle in this larger group and having the ability to veto will be important as the WMO could easily be outvoted.

Baumgartner stated that his goal would be to meet with the group in June with the other attorneys to begin the bylaw discussions. He noted that once he has an idea of how the other attorneys feel about the ability to veto a project, it will allow him to provide that feedback to the LRRWMO before the July deadline to adopt the plan.

Musgrove commented that there have been a few technical groups and asked who would be delegated to create the bylaws. Schurbon replied that it currently tasked to staff members and assistance would be helpful from some of the attorneys that have been involved.

Baumgartner stated that in his discussions it seemed that they were looking for an attorney to begin the drafting of the bylaws pro bono and then shift towards being paid. He stated that it seems that the County Attorney's office may take the lead and noted that he would follow up this afternoon.

Schurbon provided clarification on the roles of different groups including work groups or committee and noted that the decisions will ultimately be made by the full group. He confirmed that the intention today was simply to have this discussion.

Musgrove noted that this item will remain on the agenda for the next meeting.

Baumgartner commented that the bylaws will identify how the plan is to be implemented and that is important as it will impact each entity. He asked to be added to the email list for the LRRWMO and for the JPA group to ensure he is receiving all the information.

RESIDENT'S FORUM

None.

APPROVE MINUTES

April 21, 2022 Regular Meeting

Motion was made by Holthus, seconded by Weaver, to approve the April 21, 2022 Regular Meeting minutes as presented. Vote: 3 ayes, 0 nays. Motion carried.

FINANCE MATTERS

Treasurer's Report

Yager presented the Treasurer's Report for the period ending April 30, 2022. Account balances for the period were: Checking, \$153,307.90; less permit account balance of (\$45,420.36); less 2018 4th Generation Plan Reserve balance of (\$35,635.33), for a total balance of \$72,252.21.

Yager noted that it has been determined that the US Bank checking account is tied to the City of Anoka, therefore, they are working to get the LRRWMO its own checking account. She stated that she is also interested to converting to QuickBooks, rather than using spreadsheets and handwriting checks. She noted that it would have a cost of about \$800 for licensing but is more efficient and professional. She stated that there may be an option for a reduced rate. She stated that she can research that more and come back to the Board with the information in June.

Musgrove stated that it would also be helpful to determine where that funding would come from for that purchase.

Motion was made by Weaver, seconded by Holthus, to accept the Treasurer's Report for the period ending April 30, 2022. Vote: 3 ayes, 0 nays. Motion carried.

Payment of Bills

Yager presented the payment of bills for TimeSaver in the amount of \$998.14 (April secretarial services), Barr Engineering in the amount of \$5,687.14 (February 26 - March 25 engineering), Barr Engineering in the amount of \$5,471.14 (March 26 – April 22 engineering), Kennedy and Graven in the amount of \$878.40 (March attorney services), and Hakanson Anderson in the amount of \$156 (refund permit #19-29).

Musgrove referenced the payment for the special meeting, noting that is included in the bills for TimeSaver but is not broken out separately. She asked how that would be billed to the developer. She noted that any expense for that meeting should be billed to the developer. Yager suggested that Musgrove follow up with TimeSaver to determine which costs should be billed to the developer for that meeting.

Linton commented that moving to QuickBooks will assist in tracking expenses for permits rather than keeping things in spreadsheets.

Motion was made by Weaver, seconded by Holthus, to authorize payment as presented and indicated above. Vote: 3 ayes, 0 nays. Motion carried.

NEW BUSINESS

LRRWMO Permit #2021-19 ~ Trott Brook Crossing ~ Ramsey

Linton reviewed the May 11, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO continue this item until a revised submittal is provided for review. He confirmed that there are two requests, one for the stormwater permit and the other related to the wetlands noting that both actions are to be continued.

Motion was made by Weaver, seconded by Holthus, to continue Permit #2021-19, Trott Brook Crossing, Ramsey, as detailed in the Barr Engineering memorandum dated May 11, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-01 ~ Anoka High School/Wetland Delineation ~ Anoka

Nelson reviewed the May 13, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve the wetland boundary and WCA no-loss determination that W-1 (Wetland 1) is an incidental wetland not regulated under the WCA as documented in the draft WCA Notice of Decision.

Motion was made by Holthus, seconded by Weaver, to approve the wetland boundary and WCA no-loss determination that W-1 (Wetland 1) is an incidental wetland not regulated under the WCA as documented in the WCA Notice of Decision for Permit #2022-01, Anoka High School/Wetland Delineation, Anoka, as detailed in the Barr Engineering memorandum dated May 13, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-05 ~ Viking Mold Building Addition ~ Ramsey

Linton reviewed the May 10, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to six conditions detailed in the memorandum.

Motion was made by Weaver, seconded by Holthus, to approve Permit #2022-05, Viking Mold Building Addition, Ramsey, subject to six (6) conditions as detailed in the Barr Engineering memorandum dated May 10, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-07 ~ 54 Tiger Street ~ Ramsey

Linton reviewed proposed project details and recommended that the LRRWMO continue the request until a memorandum is provided from Barr Engineering.

Motion was made by Weaver, seconded by Holthus, to continue Permit #2022-07, 54 Tiger Street, Ramsey.

Further discussion: Musgrove noted that typically the Board does not see all these application pages. She believed that could be reduced with a paragraph stating that it should be continued. Yager noted that she sent the application to TimeSaver. Wozney noted that she would follow up and they can determine which pages should be included.

Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-09 ~ Peterson Farms Phase 3 ~ Andover

Kytonen stated that this request is in process and there is no memorandum from Barr Engineering, therefore no action is needed.

LRRWMO Permit #2022-10 ~ CSAH 7 & 143rd Avenue Project ~ Andover

Kytonen reviewed the May 13, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to six conditions detailed in the memorandum.

Motion was made by Holthus, seconded by Weaver, to approve Permit #2022-10, CSAH 7 & 143rd Avenue Project, Andover, subject to six (6) conditions as detailed in the Barr Engineering memorandum dated May 13, 2022. Vote: 3 ayes, 0 nays. Motion carried.

CONSIDER COMMUNICATIONS ~ None

REPORT OF OFFICERS & WAC ADMINISTRATION REIMBURSEMENT ~ None

ACD QUARTERLY REPORT ~ None

OLD BUSINESS ~ None

OUTSTANDING ITEMS/TASK CHECKLIST

Wozney reviewed the outstanding items and task checklist.

Weaver asked for information on lake monitoring for Rogers and Sunfish. He stated that he would love to see information on the lake. Wozney stated that perhaps the size of the waterbody precludes the DNR from posting such information.

Weaver noted sharing that information could generate more activity on the lake and the more use, the more ownership people take of the waterbody.

Linton stated that Rogers Lake is not classified as a lake. He recognized that the City has a park that includes Sunfish Lake but noted that is also in the grey area as to whether it is officially classified as a lake.

OTHER BUSINESS (Continued)

Review Policy on File Access

Wozney stated that the IT department will not allow TimeSaver to make its own folders for the permits. She stated that she could not find a records and retention policy on file. She provided an example of a policy used by another WMO for record retention and provided an overview of the items that would need to be retained. She commented on the complexities and was unsure how to move forward.

Musgrove commented that the WMO looked at the retention policies of the cities to draft its policy. She stated that perhaps Wozney reach out to the WMO legal counsel to gain his opinion.

ADJOURNMENT

A motion was made by Weaver, seconded by Holthus, to adjourn the meeting. Vote: 3 ayes, 0 nays. Motion carried.

Time of adjournment: 9:08 a.m.

Respectfully submitted,

Amanda Staple
Administrative Secretary