

LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION

JULY 21, 2022

CALL TO ORDER

Chairman Debra Musgrove called the meeting to order at 8:02 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 City Engineer Bruce Westby, Anoka Engineering Technician Ben Nelson, Anoka Public Works Director Mark Anderson, Bob Obermeyer of Barr Engineering, Andover Natural Resources Technician Kameron Kytonen, 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 Weaver, seconded by Holthus, to approve the July 21, 2022 agenda as presented.

Further discussion: Musgrove asked if there were any proposed changes to the agenda. Weaver stated that the City Attorney for Anoka and Andover was not made aware of the meeting prior to today and therefore will not be attending. He stated that because he will not be in attendance, he would not support consideration of the JPA at this meeting.

Anderson noted that he just received a text from the City Attorney asking if he should be present. Musgrove stated that perhaps if the item is left at the end of the agenda that would provide enough time for him to arrive.

It was noted that Baumgartner should be added to the Board packet distribution list.

Vote: 3 ayes, 0 nays. Motion carried.

RESIDENT'S FORUM

None.

APPROVE MINUTES

June 16, 2022 Regular Meeting

Holthus noted under Finance Matters, it should state, "...the School District High School Activities Director uses QuickBooks."

Motion was made by Holthus, seconded by Weaver, to approve the June 16, 2022 Regular Meeting minutes with the noted change. Vote: 3 ayes, 0 nays. Motion carried.

FINANCE MATTERS

Treasurer's Report

Yager presented the Treasurer's Report for the period ending June 30, 2022. Account balances for the period were: Checking, \$142,569.16; less permit account balance of (\$43,330.19); less 2018 4th Generation Plan Reserve balance of (\$31,027.83), for a total balance of \$68,211.14.

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

Payment of Bills

Yager presented the payment of bills for TimeSaver in the amount of \$807.46 (June secretarial services), RTY Consulting in the amount of \$1,742.50 (2nd Quarter 2022), and Barr Engineering in the amount of \$4,052.46 (April 23 – May 20 engineering).

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

2023 Budget Adoption

Yager presented the proposed budget for 2023. She confirmed that the allocations from the cities was also updated appropriately using the formula.

Weaver referenced items in the proposed budget that are shown higher than what had been budgeted in 2022 and asked for clarification. Schurbon provided details on matching grant funds that have been included in the 2023 budget.

Weaver commented that the cities are still within their budgeting process and asked for details on the budgeting process. Schurbon provided additional details, noting that these amounts are sent to the cities, and this could be labeled as preliminary approval.

Musgrove asked when this should be adopted. Yager stated that the Board should adopt this today in order to send this to the cities for inclusion in their budgeting. She noted that this could be preliminarily adopted at this meeting and considered for final adoption at the August meeting by the Board if desired.

Musgrove commented that she would prefer that format in order to allow the cities to comment, recognizing that a static formula is used to determine the allocation of each city. She referenced the permit fees and noted that there are two different fees (\$100 and \$175) and asked for clarification and whether there would be interest in increasing the fees. Yager explained that those are the administrative fees to cover administrative costs.

Yager provided some historical data on previous increases to permit fees, noting that the current fees were put into place in 2014.

Musgrove suggested increasing the permit fees by \$25 each. Weaver asked if that would be enough to cover the inflation over the past eight years. He stated that it would be pretty easy for staff to do a review of what the actual costs have been in recent reviews to determine the appropriate cost.

Yager explained that all costs from Barr Engineering are reimbursed by the applicant, therefore the administrative cost would be the item in question.

Holthus asked if there should be a review of what is charged by other watersheds. Yager stated that she would recommend this be based on the actual charges the LRRWMO is incurring. She stated that she could look at the information and make a recommendation at the next meeting, noting that the budget could then be amended slightly if needed at the next meeting to account for any changes to the administrative permit fee.

Yager provided additional information on the \$10,000 shown for Wetland Conservation Act (WCA). She explained that historically those funds have been spent but have not been budgeted for, therefore this will better reflect what is occurring. Obermeyer stated that Barr Engineering answers many questions and pre-permit questions. He noted that staff attempts to assign those to the appropriate permit when it comes in, but sometimes a permit does not come in and the services are still charged to the LRRWMO because it is the LGU for the WCA.

Wozney stated that she answers as many of those questions as she can and does not charge the LRRWMO for that service, but sometimes the issue is more complicated and ends up at Barr Engineering.

Musgrove referenced the postage charges and believed that seemed high. Yager confirmed that she could review that figure. She asked for information on the Trott Brook water quality item. Schurbon provided additional details noting that the line item would cover the water monitoring aspect which would not be covered by the grant funds. He also explained the difference between the Trott Brook study compared to other typical water monitoring costs.

Weaver referenced an item reflected in the negative and noted that he would not want to see something continue to operate in a negative manner.

Musgrove referenced some permits that continue to have a balance owing. She asked if a condition to receive the permit could be that all fees be paid. Obermeyer commented that once approved by the LRRWMO, the cities would take over monitoring and enforcement and therefore perhaps that could be placed as a condition of approval from the cities, that all LRRWMO fees be paid prior to the City permit being paid.

Weaver stated that the LRRWMO should have a reserve based on a percentage of its operations and should not continually take from reserve funds to balance the budget.

Westby commented that Ramsey has started the practice of reviewing the outstanding LRRWMO fees and reaching out to those permit holders to remind them of their fees owed. Weaver stated

that perhaps a condition should be placed upon developments that all fees would need to be paid before the certificate of occupancy is issued.

Motion was made by Weaver, seconded by Holthus, to approve the preliminary 2023 budget. Vote: 3 ayes, 0 nays. Motion carried.

NEW BUSINESS

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

Westby reviewed the July 16, 2022 memo from Barr Engineering in which Barr Engineering states that they are continuing to work with the City of Ramsey, Wetland Conservation Act Technical Evaluation Panel, Minnesota Department of Natural Resources, and the applicant's consultants regarding the proposed storm sewer discharge to the rare natural communities of Wetland 5 associated with the proposed Trott Brook Crossing housing development. The applicant has not submitted a grading, stormwater management, or erosion/sediment control LRRWMO permit for review. Potential wetland impacts related to the stormwater outfall remain unresolved.

Musgrove asked for input on the option to table versus denial, noting the previous discussion of the Board. Wozney noted the existing extension goes through September. She stated that it seems the development is not proposed to begin until 2023 and the applicant is fine approving extensions.

Obermeyer stated that they are still at a stalemate, noting that the developer has proposed an outlet to a wetland that has high value vegetation so therefore there is concern with the impact stormwater could have on that high value. He stated that multiple options have been provided to the developer and the developer simply says that is not possible without providing engineering data to support that. He stated it would be helpful to have the city, developer, and Barr Engineering sit down in attempt to clear this up. He recommended continuance of this to allow staff to continue to work with the applicant. He agreed that a decision should be made in this 60-day extension period, whether that is to approve or deny.

Wozney agreed that the focus should be on gaining a meeting between those parties and the statement should be made at that meeting that if this cannot be resolved, the Board will deny this request.

Westby stated that the City of Ramsey had a meeting with the developer two weeks ago to review these issues and advise them that they needed to come up with a new plan. He noted that a revised plan has been provided that eliminates the discharge location in dispute. He provided a brief summary of the changes and noted that Ramsey staff is in the process of reviewing but believes that good progress is being made. He agreed there should be a meeting with Barr, Ramsey, and the developer to ensure everyone is on the same page.

Motion was made by Weaver, seconded by Holthus, to table Permit #2021-19, Trott Brook Crossing, Ramsey, as detailed in the Barr Engineering memorandum dated July 16, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2021-24 20 ~ Ramsey Elementary School ~ Ramsey

Musgrove referenced the permit number shown on the agenda and stated that in different information that is assigned to another project, noting that the permit number should be verified.

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

Obermeyer commented that he shows the permit number as #2021-20. He confirmed that this would complete a condition of a previously approved permit for the project at the Fred Moore location of the School District.

Musgrove asked if the work has already begun at this location. Westby confirmed that the contractor did begin work prior to obtaining the permit. He stated that once observed by staff, the project was stopped, and the contractor was made aware that they would need to wait for this permit.

Motion was made by Weaver, seconded by Holthus, to approve Permit #2021-20, Ramsey Elementary School, Ramsey, subject to seven (7) conditions as detailed in the Barr Engineering memorandum dated July 13, 2022. Vote: 3 ayes, 0 nays. Motion carried.

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

Westby reviewed the July 16, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO hold off on a WCA decision until a complete application is received.

Motion was made by Holthus, seconded by Weaver, to table Permit #2022-07, 54 Tiger Street, Ramsey, as detailed in the Barr Engineering memorandum dated July 16, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-11 ~ Rivenwick 4th Addition ~ Ramsey

Westby reviewed the July 14, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to eight conditions detailed in the memorandum.

Motion was made by Holthus, seconded by Weaver, to approve Permit #2022-11, Rivenwick 4th Addition, Ramsey subject to eight (8) conditions as detailed in the Barr Engineering memorandum dated July 14, 2022, noting that condition six must be satisfied before the permit would be issued. Vote: 3 ayes, 0 nays. Motion carried.

CONSIDER COMMUNICATIONS ~ None

REPORT OF OFFICERS & WAC ADMINISTRATION REIMBURSEMENT

2022 Second Quarter Report

Kytonen presented the Year 2022 Second Quarter Report for the City of Andover.

Nelson presented the Year 2022 Second Quarter Report for the City of Anoka.

Westby presented the Year 2022 Second Quarter Report for the City of Ramsey.

Motion was made by Weaver, seconded by Holthus, to approve the Year 2022 Second Quarter Report for the City of Andover, City of Anoka, and City of Ramsey as presented. Vote: 3 ayes, 0 nays. Motion carried.

ACD QUARTERLY REPORT

2022 Second Quarter Report

Wozney provided a brief review of the second quarter report from ACD.

OLD BUSINESS ~ None

OUTSTANDING ITEMS/TASK CHECKLIST

Wozney reviewed the outstanding items and task checklist.

OTHER BUSINESS

Consider Rum River Watershed Partnership Plan Adoption, JPA, and Bylaws

Schurbon provided a brief update on the activity that has taken place since the last meeting. He noted that the attorney group has completed its work on the bylaws and thus far, of the 20 entities, 12 have joined, 3 have declined, and the remainder are unknown. He stated that the first JPA entity meeting will take place the following week where election of officers and other start up duties will occur. He noted that this would be the last meeting to join in order to be a part of the start-up group but noted the WMO would still have the ability to join at any time in the future.

Werdien asked the three entities that declined joining. Schurbon replied that Crow Wing County, Hennepin County, and the Upper Rum River WMO have declined membership. He noted that Mille Lacs County will adopt the plan but will not join the JPA because of their ongoing litigation with the Mille Lacs Band of Ojibwe.

Weaver stated that his concern is with the DNR language which still exists. He stated that Anoka has requested bonding funds for the dam to be used as an invasive species barrier. He also provided details on the recreational value the dam provides to Anoka and on potential upgrades to the dam. He would like to wait to see what the DNR says about the improved features of the dam proposed. He stated that his decision to join the JPA would hinge upon the opinion of the DNR on the potential plans for the dam.

Schurbon asked if this item should then not occur on the agenda for a bit. Weaver stated that Anoka is meeting with members of the legislature on July 27, 2022, therefore he could support this remaining on the agenda for August.

Musgrove stated this is a lot of work and potentially all the funds could be spent upstream, which will still benefit the LRRWMO. Therefore, she was unsure there would be a need for the LRRWMO to join. She commented that the LRRWMO could always decide to join at a later date.

Weaver commented that the updates to the dam would make it more unique and provide benefit to Andover and Ramsey as well.

Motion was made by Weaver, seconded by Holthus, to postpone consideration of the Rum River Comprehensive Watershed Management Plan and related JPA until a time after the July 27, 2022 Anoka meeting with the legislature. Vote: 3 ayes, 0 nays. Motion carried.

Weaver left the meeting.

Update on Retention Policy and File Access

Wozney provided an update on the progress she has made since the last meeting. She expressed questions related to scanning and storage of documents. She stated that perhaps she could meet with Yager and Smith to further discuss the options of data storage.

Musgrove commented that this seems to be an update from the previous example policy and related list obtained from another watershed entity. She asked if the change in storage would apply going forward or whether the desire would be to go back and scan the old files as well.

Wozney commented that once the policy is updated, she believes the method would apply moving forward. She stated that she will follow up to determine the data storage needs, should this be implemented in order to provide more accurate cost estimates. Musgrove noted that the question would still need to be asked as to what would be done with the materials stored thus far.

ADJOURNMENT

A motion was made by Holthus, seconded by Musgrove, to adjourn the meeting. Vote: 2 ayes, 0 nays. Motion carried.

Time of adjournment: 9:33 a.m.

Respectfully submitted,



Amanda Staple
Administrative Secretary