

LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION

SEPTEMBER 15, 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; Phil Rice, Anoka Alternate; and Valerie Holthus, Andover.

Voting member absent was: Jeff Weaver, Anoka.

Also present were: Ramsey Civil Engineer IV Leonard Linton, Anoka Engineering Technician Ben Nelson, Anoka Public Works Director Mark Anderson, Bob Obermeyer of Barr Engineering, Jared Wagner of Anoka Conservation District, Andover Natural Resources Technician Kameron Kytonen, Becky Wozney of Anoka Conservation District, and Colleen Werdien of Anoka Conservation District.

APPROVE AGENDA

Motion was made by Holthus, seconded by Rice, to approve the September 15, 2022 agenda as presented.

Further discussion: Musgrove asked to change the order of the permits to consider #2022-12 as the first permit under that section. The Board agreed.

Vote: 3 ayes, 0 nays. Motion carried.

RESIDENT'S FORUM

None.

APPROVE MINUTES

August 18, 2022 Regular Meeting

Motion was made by Holthus, seconded by Musgrove, to approve the August 18, 2022 Regular Meeting minutes as presented. Vote: 3 ayes, 0 nays. Motion carried.

FINANCE MATTERS

Treasurer's Report

Musgrove stated that the Treasurer's Report was included in the packet for the period ending August 31, 2022. Account balances for the period were: Checking, \$124,919.36; less permit account balance of (\$41,744.81); less 2018 4th Generation Plan Reserve balance of (\$29,493.43), for a total balance of \$53,681.12.

Linton stated that he believed a revised assessment for the cities was going to be presented which would balance the budget to meet the concerns of Weaver. He stated that he did not see that in the packet. Musgrove stated that perhaps the revised version was approved at the last meeting. She stated that the Finance Director in Ramsey did receive the updated figures. Nelson noted that the City of Anoka received the updated information on August 15th.

Musgrove stated that she does have a question about the new permit for Trott Brook Crossing which was previously #2021-19. She was unsure if they were different permits, perhaps one for WCA and one for stormwater management. Linton replied that permit application #2022-14 was not signed by the City. He agreed that it would make sense to keep a wetland permit separate from a grading permit. He confirmed that the applicant is aware of the outstanding balance as the City meets with that developer weekly.

Motion was made by Holthus, seconded by Rice, to accept the Treasurer's Report for the period ending August 31, 2022. Vote: 3 ayes, 0 nays. Motion carried.

Payment of Bills

Musgrove presented the payment of bills for TimeSaver in the amount of \$895.75 (August secretarial services) and Barr Engineering in the amount of \$2,478.92 (July 16 – August 12, 2022).

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

NEW BUSINESS

LRRWMO Permit #2022-12 ~ PACT Charter School New Campus ~ Ramsey

Linton reviewed the September 12, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to nine conditions detailed in the memorandum. Linton stated that the purpose of the organization is to approve the water management plans and this Board does not address land use questions or appropriateness of land use.

Musgrove welcomed input from residents.

Jason Patrow, Ramsey resident, stated his concerns with how the water values were calculated as they are built off models and not as-built conditions. He referenced the culvert under Variolite and related slope which causes the water to be maintained for a longer period of time as the culvert cannot drain as intended. He stated that there has been additional housing built in the area that is lower than his home in elevation and he had concern that the water table would be increased.

Linton asked and received confirmation that the resident was using the most up to date plan set.

Patrow stated that he did verify that the elevation of his home was correct but noted that his neighbor's home is not shown on the plans, and it is not indicated as to the impact that would have. He stated that there are ordinances in place that specify the water table cannot be increased and the current plan increases the water table by 3.6 inches. He stated that this is a concern as properties are already close to flooding. He stated that because the Variolite culvert was installed incorrectly it does not allow proper drainage. He expressed concern about the water runoff from the church property and PACT property, noting that the retention pond cuts through the utility easement which is not allowed. He stated that the PACT property would drain into the easement and into the retention pond which was not designed for that purpose. He believed a number of items in the plan were being overlooked.

Linton referenced the memorandum from Barr Engineering noting that the difference in the modeling elevations are within the degree of engineering accuracy. He stated that the report is

based on engineering modeling to the best of their knowledge as a field survey of everything was not completed. He stated that he reviewed the plans as did Barr Engineering and they concur that the conclusions drawn are acceptable. He stated that the three inches of bounce is acceptable. He stated that if there are concerns with specific houses, there would need to be an as-built survey of those properties provided. He stated that the opinion of the City and Barr Engineering is that the project complies and can move forward.

Patrow provided details on the ordinance he believed were in violation. He expressed concern with the animals that habitat in that area and the impact that polluted runoff could have.

Obermeyer stated his understand that Blandings turtle protection would be triggered if a wetland were being disturbed and noted that this project does not propose disturbance to the wetland. He noted that his memorandum did include information on the Blandings turtle to ensure the contractor is aware of that situation. He stated that the habitat is not being altered as part of the wetland and therefore the DNR has indicated that their jurisdiction over that would not apply. He stated that currently that area drains directly to the wetland without any treatment and this project would improve that as the ponding basin would meet the required elements of water quality prior to discharge into the wetland. He noted that in terms of the home mentioned, the City regulates the floodplain, and he is in agreement with the comments of calculation of Linton. He stated that the numbers are within the degree of engineering accuracy.

Musgrove stated that the Board has the information based on the calculations as it typically uses and accepts for development. She stated this project would remove phosphorus and information was included on Blandings turtles, similar to the information included for other projects.

Linton stated that it would be difficult to prepare as-builts before the project is in the ground and therefore modeling is used based on the standards. He stated that the wetland Patrow referenced is not included in the modeled as that is part of County Ditch 66.

Patrow asked if the elevation of the culvert was considered when making these calculations. Linton confirmed that was taken into consideration.

Patrow provided input on his experience with the water issues and culvert when that was installed. He stated the water pushed towards his home faster than was able to flow. He was concerned with the potential for flooding of his basement. He asked what pushed the City to agree that this increase in the water table would be safe for residents. He did not believe 3.6 inches is an acceptable increase. He asked if there are other projects that have a retention pond elevated above wetlands and residential property. Linton was unsure that he could say anything that would please the residents and offered to take the discussion offline to further discuss their concerns with the project.

Patrow asked if there is concern from the Board on the easement or the drainage and utility easement that the pond will cover. Linton stated that this Board does not deal with land development issues and the issue of the easement falls to the City Council.

Patrow referenced the Blandings turtle guidelines which mentions that the buffer zone cannot be disturbed but noted that the retention pond sits within that area and vegetation would be removed along the southern side of the wetland. Linton stated that the plans will need to be updated to reflect the comments from Barr Engineering.

Holthus stated that there were different criteria that need to be met if the permit is approved. She asked if one of those conditions is to ensure a 50-foot buffer related to turtle habitat. Linton reviewed the condition that addresses that item.

Motion was made by Holthus, seconded by Rice, to approve Permit #2022-12, PACT Charter School New Campus, Ramsey, subject to nine (9) conditions as detailed in the Barr Engineering memorandum dated September 12, 2022. Vote: 3 ayes, 0 nays. Motion carried.

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

Linton reviewed the September 9, 2022 memo from Barr Engineering in which Barr Engineering indicated that the application is still incomplete.

Musgrove asked for direction on tabling versus placing the item on the wait list. She noted that sometimes applications continue to come forward that are not ready for review and she does not want to continue to review applications that are not ready for review. She was unsure that action would even be needed as the application is incomplete and asked if this could be placed on a wait list. Nelson noted that the item could go on the pending list which would not require Board action until the city requests it to come back.

Linton stated he understands that, but it is incumbent on the applicant to move speedily to getting the information in. He noted it is the expense of the applicant to have a memorandum prepared each month. He provided background information noting Connexus had to replan their route. He suggested giving the applicant another month for the review before moving it to the pending list.

Wozney stated that the WCA application has been extended for 60 days and if the applicant is not prepared prior to that deadline, she could follow up with the applicant and determine if they would like to pull their request.

Motion was made by Holthus, seconded by Rice, to table Permit #2022-07, 54 Tiger Street, Ramsey, as detailed in the Barr Engineering memorandum dated September 9, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-13 ~ Dutch Investment Summergate ~ Ramsey

Linton reviewed the September 9, 2022 memo from Barr Engineering in which Barr Engineering states that because of late submittals, the Technical Evaluation Plan site review is scheduled for September 29, 2022 and a recommendation will be provided to the Board after the end of the comment period on October 7, 2022.

Motion was made by Rice, seconded by Holthus, to table Permit #2022-13, Dutch Investment Summergate, Ramsey, as detailed in the Barr Engineering memorandum dated September 9, 2022. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-14 ~ Trott Brook Crossing ~ Ramsey

Linton reviewed the September 12, 2022 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to ten conditions detailed in the memorandum.

Tracey Rust was present via telephone on behalf of the applicant to answer any questions.

Musgrove asked how the ponds would be constructed in conjunction with the phasing of the project. Linton stated that in his opinion, the ponds would need to be in place downstream of the grading proposed. He stated that they have only seen high level schematics of the phasing. He believed the developer would only like to complete grading for the phasing being completed, but the City and WMO would require the ponding in place downstream to support that phase.

Rust stated that there are five phases for the overall development, but grading would not be completed in five phases. She stated that grading would be completed in two to three phases. She acknowledged that the land would be vulnerable once opened and they would have the correct ponding in place to support the phase one development while the ponds for the later phases would come at a later date. She stated that they would like to begin phase one grading and the creation of the ponds this fall.

Motion was made by Holthus, seconded by Rice, to approve Permit #2022-14, Trott Brook Crossing, Ramsey, subject to ten (10) conditions as detailed in the Barr Engineering memorandum dated September 12, 2022. Vote: 3 ayes, 0 nays. Motion carried.

Cost Share Request for Riverbank Stabilization in Anoka

Wagner clarified that although the agenda states cost-share request, this is not a request of new funds as these funds have been budgeted. He reviewed the September 7, 2022 memo from ACD in which ACD provides details on the proposed streambank stabilization projects and asks that the LRRWMO endorse the proposed use of the cost share funds up to \$1,000 on each of the project sites. He noted that one of the project sites is Rice's property for disclosure. He was unsure that a motion would be needed but requested the endorsement of the Board for the use of the funds.

Musgrove thanked Wagner for sharing the information even though it was not required. She stated it is great news that the funds can be used for the purpose allocated.

Rice stated that he would abstain from the discussion.

Wozney noted this was just informational as the funds were already allocated for this purpose. She stated that if any of the Board members would like to see the work in action, ACD would be willing to facilitate that.

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.

OTHER BUSINESS

Rum River Watershed Plan

Wozney stated the work plan is currently being reviewed and that Board will be voting in September. She stated that ACD does not plan to request funds from that bigger watershed pot and will make a request from the metro pot of funds.

Update on Retention Policy and File Access

Wozney stated that she was able to open a Gmail account with a password and email. She noted the account would be open to the Board and staff. She provided a copy of the records retention policy and schedule and noted that she and TimeSaver would begin that process and moving the files to the Gmail account.

Memo for LRRWMO Support for Legislative Action on Anoka Dam

Wozney presented the final draft of the letter from the City of Anoka for the bonding session, whether that is a special session or next session. She stated that at the previous meeting Weaver had asked that the Board support this process and therefore she drafted a potential motion for consideration of the Board.

Motion was made by Holthus, seconded by Rice, to support the proposed legislation being pursued by the City of Anoka and area State Legislators to improve the safety and functionality of the City of Anoka Dam on the Rum River. Vote: 3 ayes, 0 nays. Motion carried.

ADJOURNMENT

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

Time of adjournment: 9:09 a.m.

Respectfully submitted,



Amanda Staple
Administrative Secretary