

LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION

APRIL 20, 2023

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, Stephanie Johnson of Barr Engineering, Andover Natural Resources Technician Kameron Kytonen, John Enstrom of Enstrom Organic Dirt, Becky Wozney of Anoka Conservation District, Colleen Werdien of Anoka Conservation District, Shawn Mars, Ben Hodapp of Anderson Engineering, and Jared Wagner.

APPROVE AGENDA

Wozney requested to add an item under New Business to discuss a potential project for Rum River Bank Stabilization.

Motion was made by Holthus, seconded by Weaver, to approve the April 20, 2023 agenda as amended. Vote: 3 ayes, 0 nays. Motion carried.

RESIDENT'S FORUM

Shawn Mars stated that he purchased a lot in Andover in 2013 and there was already a submitted permit for a driveway. He stated that he had received a letter stating that a wetland replacement plan would be necessary, noting that the credits needed would be about \$12,000 to \$13,000. He stated that once he saved those funds, he found out there were new requirements and regulations. He stated that he has been working with an engineering company and every time he thinks he is ready he is made aware of different regulations. He stated that he is just trying to put a driveway in and has also received a bill from the LRRWMO for \$700. He stated that he did not agree to be billed for anything on top of all these other costs. He hoped that they could work together so there was cohesive direction forward and direction on what will be needed so that he does not have to continue to pay engineering fees only to discover more things are needed. He commented that he is a teacher, and this is unreasonable as he will most likely have spent \$50,000 just to get permission to build the driveway.

Ben Hodapp stated that a wetland delineation was completed in 2016 but the wetland replacement plan was incomplete. He stated that he first wanted to get a sense of where things stood from the previous application process and was informed of outstanding fees. He stated that they are trying

to find the path forward. Wozney commented that there was confusion because the old permit was 2016 and noted that they did not charge the new owner for the actions of the previous owner, only for the work that has been done on this current application.

Mars commented that he was not made aware that he would be billed to speak with someone. Wozney stated that she did speak with Barr Engineering and in the future, she can work with Hodapp directly as she would be able to assist to some degree without charging. She stated that this is unique as today a lot would not be able to be sold without access, that should have been dealt with by the developer. She agreed that the process of wetland mitigation is not user friendly for the average person. She stated that she can work with the other members of the TEP to help move this forward but noted that the fees will need to be paid in order for the Board to move forward. She suggested that a preapplication meeting be the first step to fully understand the process and cost.

Musgrove commented that it has been helpful to learn this information as the permit has been on the pending list for a long time. She agreed that the best path forward would be for Wozney to work with the applicant as discussed.

Hodapp commented that originally the driveway was proposed at a width of 15 feet and when they began again, they were told the driveway would need to be 21 feet wide. He asked whether the LRRWMO would support a variance request to the City of Andover as a narrower driveway width would have less wetland impacts. Kytonen stated that he will speak with the appropriate staff at Andover to determine if that would be an option. Wozney commented that she would suggest a city staff member from Andover be part of their preapplication meeting.

Mars provided payment for the outstanding fees.

APPROVE MINUTES

March 16, 2022 Regular Meeting

Motion was made by Holthus, seconded by Weaver, to approve the March 16, 2023 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 March 31, 2023. Account balances for the period were: Checking, \$97,703.08; less permit account balance of (\$46,825.78); less 2018 4th Generation Plan Reserve balance of (\$29,496.43), for a total balance of \$21,383.87. She noted a check that she would be reissuing.

Musgrove asked for clarification on the School District, as there is an outstanding debt but a new permit as well. Yager stated that she is unsure about how those bills are processed but noted that she did find a contact person for the School District that will handle the billing.

Motion was made by Weaver, seconded by Holthus, to accept the Treasurer's Report for the period ending March 31, 2023. Vote: 3 ayes, 0 nays. Motion carried.

Payment of Bills

Yager presented the payment of bills for Barr Engineering in the amount of \$1,795 (Jan 28- Feb 24, 2023 engineering services), TimeSaver in the amount of \$755.27 (March secretarial services), RTY Consulting in the amount of \$3,968 (1st quarter 2023 accounting services), and RTY Consulting in the amount of \$178.50 (1st quarter 2023 Intuit software services).

Musgrove noted the increase in administrative charges but acknowledged that there are more permits coming in as well. Yager noted that they have also been working on the audit.

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

2022 Year End Financial Report

Yager stated that the 2022 Year End Financial Report was provided in the packet and provided a brief overview, welcoming any questions.

Wozney asked that the acknowledgement of receipt from the Auditor's office be forwarded to her to include in the Annual Report.

Musgrove asked if the permit fee was increased during 2022. Yager clarified that the permit fees were increased in 2023.

Motion was made by Weaver, seconded by Holthus, to accept the 2022 Year End Financial Report. Vote: 3 ayes, 0 nays. Motion carried.

NEW BUSINESS

LRRWMO Permit #2022-09R ~ Legacy at Petersen Farms ~ Andover

Kytonen reviewed the April 17, 2023 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO issue another 60-day extension to the permit to extend the review timeline to July 14th.

Johnson stated that permission was provided from the applicant to grant another extension.

Wozney asked if the applicant will figure this out or whether there are other issues. Kytonen stated that the applicant has had multiple conversations with the Andover City Council, and it sounds like it is doable and in the process.

Weaver asked the anticipated timeline. Wozney stated that if the applicant is not going to make the deadline for the June meeting, they should be asked in May to waive the 1599 rule or withdraw their application until they are ready. She explained that staff does not want to continue to spend time on this if the applicant is not ready, and they also do not want to miss a deadline for extensions.

Johnson stated that she did speak to the applicant and explained that fees are being incurred with each extension. She stated that she reviewed the different options, and the applicant chose extension at this time. She agreed that if they get to the next meeting and the applicant has not made progress, perhaps they consider one of the other options.

Holthus asked if the problem with the driveway is because of the curves on the County road and whether there has been discussion of removing the curves on the County road. Kytonen stated that he is not fully informed on this process and the issues because it is a complicated site with a lot of issues.

Musgrove commented that they can grant the extension today and if the applicant is not ready in May, they could discuss the other options. She asked that communication be provided to the applicant as well. Wozney clarified that the decision would need to be made at the June meeting and agreed that they should have a better idea of the progress at the May meeting.

Motion was made by Holthus, seconded by Weaver, to grant another 60-day extension for Permit #2022-09R, Legacy at Petersen Farms, Andover, as detailed in the Barr Engineering memorandum dated April 17, 2023. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-02A ~ Graco Anoka Building Addition ~ Anoka

Nelson reviewed the April 13, 2023 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.

Johnson clarified that the permit number is actually #2022-22A.

Motion was made by Weaver, seconded by Holthus, to approve Permit #2022-22A, Graco Anoka Building Addition, Anoka, subject to nine (9) conditions as detailed in the Barr Engineering memorandum dated April 13, 2023. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2022-23 ~ Anoka Retail ~ Anoka

Nelson reviewed the April 13, 2023 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.

Motion was made by Weaver, seconded by Holthus, to approve Permit #2022-23, Anoka Retail, Anoka, subject to nine (9) conditions as detailed in the Barr Engineering memorandum dated April 13, 2023. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2023-02 ~ Ramsey Water Treatment Plant ~ Ramsey

Linton reviewed the April 13, 2023 memo from Barr Engineering in which Barr Engineering recommends that the LRRWMO approve of the permit for this project subject to 12 conditions detailed in the memorandum.

Musgrove referenced condition one and asked for clarification as that is not a typical condition. Johnson noted that is a minor note associated with technical components of the survey.

Motion was made by Holthus, seconded by Weaver, to approve Permit #2023-02, Ramsey Water Treatment Plant, Ramsey, subject to twelve (12) conditions as detailed in the Barr Engineering memorandum dated April 13, 2023. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2023-04 ~ 161st Avenue Reconstruction ~ Ramsey

Linton reviewed the April 7, 2023 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.

Wozney asked if there would be any wetland impacts and it was confirmed that there were none.

Johnson stated that linear projects that do not create more than one acre of disturbance do not trigger stormwater improvements, which is why the Barr memorandum does not address those stormwater elements.

Musgrove noted boxes that were not checked on the application and asked for clarification. Linton stated that the Barr review did not look at stormwater calculations because that threshold was not triggered. He stated that he could check the boxes for inclusion in the permit record if desired. He stated that the stormwater review was done internally by the City of Ramsey.

Motion was made by Holthus, seconded by Weaver, to approve Permit #2023-04, 161st Avenue Reconstruction, Ramsey, subject to six (6) conditions as detailed in the Barr Engineering memorandum dated April 7, 2023. Vote: 3 ayes, 0 nays. Motion carried.

LRRWMO Permit #2023-05 ~ Franklin Elementary ~ Anoka

Nelson reviewed the April 13, 2023 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.

Johnson noted that there was an existing rain garden onsite which was able to provide some credit.

Motion was made by Holthus, seconded by Weaver, to approve Permit #2023-05, Franklin Elementary, Anoka, subject to ten (10) conditions as detailed in the Barr Engineering memorandum dated April 13, 2023. Vote: 3 ayes, 0 nays. Motion carried.

Potential Project – Rum River Bank Stabilization

Jared Wagner stated that there was a call from a Ramsey property owner last year for the property at 15645 Juniper Ridge Drive. He stated that the property has a tall riverbank, about 44 feet in height, and had a massive slump of that bank. He commented that the house is at risk if the bank continues to fail. He provided details on the different grant funds that ACD pursues and the different requirements of those grants noting that they do not fit this project. He stated that perhaps the Board would be interested in using some of the riverbank dollars it has available for this type of project.

Wozney clarified that this is meant for discussion as the project would not occur until 2024. She asked if this is a type of project that the Board would be interested in. She believed that this type of issue will come about more because of the flashing conditions.

Weaver asked what the neighboring properties are doing. Wagner stated that the neighbor immediately downstream had a similar failure of the riverbank but was due to an error from a well company, therefore the well company had to fix the issue. He commented that because of the high water levels in the spring, he is confident that this issue will continue.

Weaver commented that if someone armors their bank, there will be issues for neighboring properties. He stated that when he armored his bank, he did not receive assistance. He asked if the resident would be participating in the cost or expecting the government to pay the cost. He asked and received confirmation that previous riverbank stabilization projects did have contributions from property owners.

Holthus agreed that she would not want to set that type of precedent.

Weaver commented that it is important to know the conditions upstream, as issues will continue for the property if those issues are not also addressed.

Musgrove stated that perhaps there is proactive education that can be done to inform residents along the river of these types of issues.

Weaver noted how the warm water discharge upstream on the Mississippi has caused new issues. He asked if the landowner has a rough cost of armoring that bank. Wagner confirmed that there are different options that could be considered with different costs.

Musgrove confirmed that the Board would want additional details.

It was confirmed that this will continue to be an issue for river property owners, and this was brought forward as a discussion item that can continue into the budgeting discussions.

CONSIDER COMMUNICATIONS

REPORT OF OFFICERS & WAC ADMINISTRATION REIMBURSEMENT 2023 First Quarterly Report

Kytonen presented the Year 2023 First Quarter Report for the City of Andover.

Nelson presented the Year 2023 First Quarter Report for the City of Anoka.

Linton presented the Year 2023 First Quarter Report for the City of Ramsey.

Motion was made by Weaver, seconded by Holthus, to approve the Year 2023 First Quarter Report for the City of Andover City of Anoka, and City of Ramsey, as presented and to authorize release of unused escrow for Permit #2019-09, #2019-2022 #2021-01, #2021-04, #2022-22. Vote: 3 ayes, 0 nays. Motion carried.

ACD QUARTERLY REPORT 2023 First Quarterly Report

Wozney provided a brief overview of the report.

Weaver commented that it would be fun to have students provide a presentation to the Board.

OLD BUSINESS

OUTSTANDING ITEMS/TASK CHECKLIST

Wozney reviewed the outstanding items and task checklist.

OTHER BUSINESS

JPA Review ~ Pages 1-4

Musgrove requested to postpone this item to the next meeting because of lack of time.

Motion was made by Musgrove, seconded by Weaver, to postpone this item to the next meeting. Vote: 3 ayes, 0 nays. Motion carried.

ADJOURNMENT

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

Time of adjournment: 9:34 a.m.

Respectfully submitted,



Amanda Staple
Administrative Secretary