

Capitol Region Watershed District



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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, December 15, 2010, 6:35 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

I. Called to Order at 6:35 p.m. (President, Bob Piram)

A) Attendance

Robert Piram
Joe Collins
Seitu Jones
Mike Thienes
Mary Texer

Others Present

Mark Doneux, CRWD
Bob Fossum, CRWD
Dawn Nelson, CRWD
Anna Eleria, CRWD
Forrest Kelley, CRWD

Ed Matthiesen,
Wenck Associates

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the agenda. Administrator Doneux added Unfinished Business VI. E) Phase 1 permit.

The Board adopted the Agenda as amended by consensus.

II. Public Comment – For Items not on the Agenda

There were no public comments.

III. Permit Applications

A) Permit # 08-027 Carleton Lofts (Kelley)

Mr. Fossum reviewed CRWD Permit #08-027, Carleton Place Lofts Phase II. Mr. Fossum reminded the Board that the Applicant is the University Carleton Development Phase II, LLC and the Engineer is Kimley-Horn and Associates. The project was construction of phase II of Carleton Place Lofts apartment building, underground parking and courtyard. The project is located on the northwest corner of University Avenue and Hampden Avenue. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Fossum said this project has 1.99 acres of disturbed area, 1.44 acres of total impervious surface and the proposed stormwater management is an underground infiltration system. Mr. Fossum said the stormwater standards for rate, water quality and volume control are met. Mr. Fossum said the flooding and erosion control standards are also met. Mr. Fossum said the Board approved the permit with one condition in November 2008.

Mr. Fossum said the permitted activity for 08-027 Carleton Lofts has been completed and is ready to be closed out. A final inspection was conducted for the project. All soils have been stabilized and proper installation of permanent BMPs verified with as-built plans. A maintenance agreement for the onsite stormwater management practices was submitted and has been forwarded to the Ramsey County Attorney's office for recording. Mr. Fossum said the staff request the Board approve the Certificate of Completion and authorize return of \$7,200 surety for Permit 08-027.

Motion 10-12-09: *Approve the Certificate of Completion and authorize return of \$7,200 surety for Permit 08-027.*

1. *Receipt of \$7,200 surety and maintenance agreement.*

Jones/Collins

Unanimously approved

B) Permit # 10-033 William Street Pond (Kelley)

Mr. Fossum reviewed CRWD Permit #10-033 William Street Pond. Mr. Fossum stated that the Applicant is Capitol Region Watershed District and the Engineer is Wenck Associates. The project is sediment excavation and iron-enhanced sand filtration system installation and will begin early next year. The project is located on William and Elmer Street in Roseville. The applicable rules are Wetland Management (Rule E) and Erosion Control (Rule F). Mr. Fossum said the proposed stormwater management is pond retrofit. Mr. Fossum said the staff recommendation is to approve with no conditions. Discussion occurred.

Motion 10-12-10: *Approve permit # 10-033 William Street Pond with no conditions.*

Thienes/Texer

Unanimously approved

C) Permit Programs/Rules Update – (Kelley)

There was no permit programs/rules update.

IV. Special Reports

Volume Reduction Rule Comparison (Doneux)

Administrator Doneux said stormwater management has evolved substantially over the past 20 years. Historically, the goal was to move water off the landscape quickly and reduce flooding concerns. Now we are focusing on keeping the raindrop where it falls and mimicking natural hydrology in order to minimize the amount of pollution reaching our lakes, rivers and streams, and to recharge groundwater.

Administrator Doneux said in order to successfully do so, standards are needed to create consistency in design and performance. In response to this need, and advanced by a diverse group of partners, the Minnesota Legislature allocated funds to “develop performance standards, design standards or other tools to enable and promote the implementation of low impact development and other stormwater management techniques.” (Minnesota Statutes 2009, section 115.03, subdivision 5c).

Administrator Doneux explained that Minimal Impact Design Standards (MIDS) represents a state-wide effort for stormwater management and contains three main elements that address current challenges; A higher clean water performance goal for new development and redevelopment that will provide enhanced protection for Minnesota’s water resources; New modeling methods and credit calculations that will standardize the use of a range of “innovative” structural and nonstructural stormwater techniques; and a credits system and ordinance package that will allow for increased flexibility and a streamlined approach to regulatory programs for developers and communities.

Administrator Doneux said the development of Minimal Impact Design Standards is based on low impact development (LID) — an approach to storm water management that mimics a site’s natural hydrology as the landscape is developed. Using the low impact development approach, storm water is managed on site and the rate and volume of predevelopment storm water reaching receiving waters is unchanged. The calculation of predevelopment hydrology is based on native soil and vegetation. (Minnesota Statutes 2009, section 115.03, subdivision 5c).

Administrator Doneux explained that the purpose of this update is to show the comparison between native hydrology, the CRWD Rule and other volume reduction rules.

V. Action Items

Consent Agenda

Manager Piram asked for a motion to approve the December 15, 2010 consent agenda as presented.

Motion 10-12-11:

- A) **Approve Minutes of the December 1, 2010 Regular Meeting**
- B) **Approve Accounts Payables for \$285,455.16 and the Accounts Receivable for \$816,161.12 for the month of November 2010 and direct Board President and Treasurer to endorse and disperse these checks for payment.**
Collins/Jones
Unanimously approved

Discussion

C) **Appoint 2011 Citizen's Advisory Committee (Doneux)**

Administrator Doneux said at the December 8th CAC meeting committee members reviewed and discussed attendance for 2010. It was noted that regular attendance is a requirement of being a member of the Citizen's Advisory Committee as well as that under state statute the Board of managers must annually appoint the Citizen's Advisory Committee. Administrator Doneux said the Board of Managers must annually appoint the Citizen Advisory Committee members. In order to maintain an orderly CAC roster and fully comply with state statute the Citizen's Advisory Committee submitted a recommended roster to the Board of Managers.

Motion 10-12-12: *Reappoint the recommended Citizen Advisory Committee Members for 2011.*

Thienes/Jones
Unanimously approved

D) **Adopt Final 2011 Budget and Levy (Doneux)**

Administrator Doneux explained to the Managers that they are required to adopt the final 2011 Budget and Levy and certify the Levy with Ramsey County no later than December 30, 2010. Administrator Doneux noted that it is the same amount that was approved for the preliminary levy in September. Administrator Doneux explained that the total tax levy would be \$2,338,080, which is a 31.9 percent higher than 2010. The Final 2011 Budget would be \$3,448,080.

Motion 10-12-13: **2011 Final Budget and Levy**

WHEREAS, At the June 16, 2010 Board meeting, the draft 2011 Work Plan was reviewed, and

WHEREAS, A Board workshop was held July 14, 2010 to review a preliminary budget and levy along with a draft capital improvement program was reviewed and discussed, and

WHEREAS, A Board workshop was held July 26, 2010 to review the 2011 Budget and Levy, and

WHEREAS, at the CRWD Board of Managers meeting on August 4, 2010 the Preliminary 2011 Budget and Levy was reviewed, amended and approved for distribution for Public Review and Comment, and

WHEREAS, on August 11, 2010 the Citizens' Advisory Committee reviewed and recommended adoption of the budget and levy as presented; and

WHEREAS, a duly noticed Public Hearing was held on August 18, 2010 at 6:00 PM at the office of the Capitol Region Watershed District with comments provided by the Citizens Advisory Committee on the budget, and

WHEREAS, the Board of Managers adopted and certified a preliminary budget and levy with an Operations Budget of \$1,914,380 and a Capital Improvement Budget of \$1,533,700 for a total budget of \$3,448,080 and Certified Levy of \$2,338,080 for 2011 at the September 1, 2010 meeting, and

THEREFORE BE IT RESOLVED, that the CRWD Board of Managers approve and adopt the Final Operations Budget of \$1,914,380 and a Capital Improvement Budget of \$1,533,700 for a total budget of \$3,448,080 and Certified Levy of \$2,338,080 for 2011.

Thienes/Collins

Unanimously approved

E) Williams Street Pond Retrofit Project (Fossum)

Mr. Fossum said at the April 1, 2009 Board meeting the Managers adopted McCarrons Subwatershed 4 Study. All projects contained in the study have been included in the capital improvement section of the District's 2010 Watershed Management Plan. Mr. Fossum said the District was approached by Ramsey Conservation District regarding grant funding that is available in 2010 for BMP construction projects in Ramsey County. These projects would need to be completed the end of 2010. At the June 2, 2010 Board meeting the Managers approved the scope and budget with Wenck Associates for the William St. Pond Retrofit Project for an amount not to exceed \$25,000.

Mr. Fossum continued to say at the October 20, 2010 Board meeting, the Managers authorized the William Street Pond Project, approved the project financing plan and directed staff to develop cooperative agreements with Roseville and Ramsey Conservation District. The Managers also approved Contract Amendment #1 with Wenck Associates for the William Street Pond Retrofit Project for an amount not to exceed \$19,000 and a total contract amount of \$44,000.

Mr. Fossum said at the November 3, 2010 Board meeting, the Managers authorized bidding for the William Street Pond Retrofit Project, approved a Cooperative Construction Agreement with the City of Roseville for an amount not to exceed \$25,000 and approved a Conservation Cost-Share Contract with Ramsey Conservation District for an amount not to exceed \$25,000.

Mr. Fossum noted seven bids were received and opened on Monday, November 29, 2010. Sunram Construction was the low bidder with a base bid of \$91,646. The Engineer's Estimate for this project was \$68,688. Mr. Fossum discussed the reasons for the difference in bids received from the estimate that was provided by the Engineer.

Staff was able to negotiate an amended cost share agreement for an additional \$5,000 from the City of Roseville to address the increase in cost for this project.

Motion 10-12-14: Authorize Board President and Administrator to execute an amended cooperative construction agreement for the William Street Pond Retrofit Project with the City of Roseville.

Thienes/Collins

Unanimously approved

Motion 10-12-15: Award the contract to the lowest responsible bidder, Sunram Construction, Inc., for a total base bid amount of \$91,646.00 subject to the approval of the Ramsey County Attorney.

Thienes/Collins

Unanimously approved

Motion 10-12-16: Authorize the Administrator to approve change orders up to \$15,000 singularly or in aggregate of the contract amount for the Williams Street Pond Retrofit Project subject to the following conditions:

- 1) Staff authorization is only for change orders that need approval prior to the next Board meeting to keep the project on schedule.
- 2) The Administrator shall report any change orders at the next meeting of the Board of Managers.
Thienes/Collins
Unanimously approved

F) Special Grant Solicitation (Fossum)

Mr. Fossum noted that for the past several years the District has budgeted and levied funds for budget fund 440 Special Projects and Grants. In 2009, the District budgeted \$220,000 and approved two grants: City of St. Paul's Fire Station Green Roof and Outdoor Classroom and the City of Falcon Height's City Hall pervious pavement parking lot.

Mr. Fossum said in late 2009, the Managers did not authorize sending the solicitation letter for the 2010 Special Grants to reserve the funding for CCLRT BMP funding opportunities. Mr. Fossum said the preliminary 2011 budget provides \$150,000 in budget fund 440 - Special Projects. Mr. Fossum explained that per the previously adopted process for special grants, staff has drafted a solicitation letter to be sent to the Districts' partners requesting applications for potential special projects. Mr. Fossum reviewed a list of recipients for the solicitation letter. Manager Texer noted that Hamline University is missing from the list.

Motion 10-12-17: *Authorize distribution of the solicitation letter for the 2011 Special Grants to all District partners.*

Collins/Jones
Unanimously approved

G) North Trout Brook Subwatershed Study (Eleria)

Anna Eleria said a local flooding problem exists near the intersection of Center Street and Rice Street along the city boundary of Roseville and Maplewood, which may likely be due to undersized storm sewer infrastructure, low hydraulic gradient and high pollutant loading in the downstream ditch and wetlands. In 2005, CRWD met with the Cities of Roseville and Maplewood, Ramsey County who own and maintain Rice Street and the Saint Paul Regional Water Services, an adjacent landowner, to discuss the flooding issue and the next steps for addressing it. Ms. Eleria said it was agreed upon that CRWD would conduct a survey of the storm sewer infrastructure and downstream ditch. Ms. Eleria noted that CRWD has not conducted this work to date.

Ms. Eleria continued to say that because five years has passed since the initial meeting, CRWD reconvened the stakeholders in early October 2010 to determine if the flooding issue still exists and if so, discuss a draft scope of work for a study to address flooding as well as improve water quality in the subwatershed. The stakeholders confirmed that the issue remains and there is a desire for a study.

Ms. Eleria said Barr Engineering has prepared a draft study scope of work and provided cost estimates for different approaches to accomplishing this study. Ms. Eleria discussed the three approaches and their costs: 1) study by new consultant - \$48,455; 2) study amended to Barr's existing TBI modeling project - \$39,025; and 3) flooding issue only study - \$22,030. Ms. Eleria said staff recommends approach #2 which expands Barr's existing scope of work for the TBI modeling project. Adding this subwatershed study now will better coordinate with Barr's current work on the larger modeling project and offers efficiency in labor. Ms. Eleria noted that the District's projected 2011 budget for TBI modeling and subwatershed work is \$49,800. CRWD staff has approached the Cities of Roseville and Maplewood, Ramsey County and Saint Paul Regional Water

Services for financial assistance or in-kind services on the project. To date, CRWD has only heard from the City of Maplewood who currently cannot commit to funds or in-kind support until their 2011 budget development process is completed. While CRWD staff will continue to pursue cost-sharing of the study with our project partners, CRWD would like to maintain progress on the TBI modeling work and include this subwatershed study.

Motion 10-12-18: *Approve Amendment No. 2 for TBI Work Order No. 2 with Barr Engineering with a total budget not to exceed \$109,925, subject to the approval of the Ramsey County Attorney.*

Thienes/Collins

Unanimously approved

H) Personnel Committee Recommendations (Piram/Collins)

Manager Piram explained that the personnel committee has a few recommendations for the Board to consider.

Personnel Committee

A salary structure base pay was distributed to the Board. Manager Piram said based on the economy presently the Personnel Committee recommends placing a cap on the performance salary based increases for 2011. Manager Piram said the District should be consistent with the other government units who are limiting their salary increases to 3 percent.

Motion 10-12-19: *To limit salary increases in 2011 to a maximum of 3 percent for all District employees.*

Collins/Piram

Unanimously Approved

Manager Piram reported that the Board members provided their evaluations and the District Administrator performance review has been conducted. Manager Piram said with the scale used by the Committee, Administrator Doneux received a score of 95%. Manager Piram said that the Personnel Committee is recommending that the Administrator's salary be increased by 3 percent.

Motion 10-12-20: *To increase the Administrators salary 3 percent effective January 1, 2011.*

Texer/Collins

Unanimously Approved

VI. Unfinished Business

A) Lake McCarrons Aquatic Vegetation Management Plan (Fossum)

Mr. Fossum said a rule revision of the Minnesota aquatic plant management (APM) rules in 2009 mandated that the Minnesota DNR develop a lake vegetation management plan (LVMP) for 9 water bodies identified in MR 6280.0450 sub 4B, one of which is Lake McCarrons. These water bodies have been commonly referred to as the "Grandfather Lakes". The timeline indicates that the LVMP's for the "Grandfather Lakes" have to be finished by April 15, 2014. The Department of Natural Resources will be developing a lake vegetation management plan (LVMP) for Lake McCarrons in 2010. They are asking the District to partner with DNR in the drafting of the LVMP. The District received a letter from the DNR which includes a timeline resulting in an approved LVMP by April 2011.

Mr. Fossum said District staff were recently invited to a public meeting to review a draft LVMP for Lake McCarrons. Staff and Manager Thienes attended the meeting which was on December 9, 2010. Mr. Fossum reviewed the draft Lake Vegetation Management Plan for Lake McCarrons with the Managers. Mr. Fossum noted that a few changes will be made to the current draft and then DNR will send it out again for a 30 day

comment period. Manager Thienes noted that the Plan was not very comprehensive and only affected the number and area of permits for aquatic plant control.

B) Crosby Lake Management Plan Update (Eleria)

Ms. Eleria said the second CAC meeting was held last week with 20 people in attendance. The focus was to get input, ideas and concerns on water quality issues from the citizens. Ms. Eleria said the meeting went really well and received great feedback. Ms. Eleria noted that the second TAC meeting is December 21st at 10:30 am here at the office.

C) Education and Outreach Update (Beckman)

Administrator Doneux noted an Education and Outreach Program Activity Report was included in the Board packet for December 2010.

D) Partner Grant Review Committee (Beckman)

Administrator Doneux said partner grant submittals are due Friday December 17th. Staff will mail the grants to the review Committee who will meet and then make recommendations to the Board at the January 5th meeting. Administrator Doneux noted that the Partner Grant Committee is Elizabeth Beckman, CRWD Staff, Administrator Doneux, David Arbeit, CAC member and Managers Seitj Jones and Mike Thienes. The committee will meet Monday December 27th at 4pm at the District office.

E) Phase 1 permit (Eleria)

Ms. Eleria said staff will meet with MPCA tomorrow to discuss the NPDES Phase I permit update.

VII. General Information

A) CAC Update

Manager Thienes said the committee made recommendations to approve their 2011 meeting calendar and a list of committee members to be reappointed. The staff asked for a Partner Grant Review volunteer which was David Arbeit. Manager Thienes said Administrator Doneux provided a 2010 Subwatershed Studies Update.

B) Administrators Report

Administrator Doneux gave the Administrators Report and noted the following events and announcements: Administrator Doneux said Watershed Partners presented staff an award and gift recognition in appreciation of hosting their meetings. Administrator Doneux said the SOQ's are due December 17th but staff will hold off until after the 1st of the year to schedule a review meeting. Administrator Doneux said there was a company at MAWD that provided a presentation on floating islands that will present at the January CAC meeting. Administrator Doneux said the same presentation will be a Brown bag lunch for staff that same day. Manager Piram asked that a reminder be sent out to the Board so they may attend if they can.

VIII. Wednesday, January 5, 2011 Regular Meeting Agenda Review

IX. Adjournment – 8:16 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson