

Capitol Region Watershed District



1410 Energy Park Dr., Suite 4 St. Paul, MN 55108
Phone: (651) 644-8888 Fax: (651) 644-8894 www.capitolregionwd.org

Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, March 4, 2009, 6:00 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

I. Call to Order at 6:00 p.m. (President, Robert Piram)

A) Attendance

Robert Piram
Joe Collins
Seitu Jones (Absent w/notice)
Mike Thienes
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Bob Fossum, CRWD
Dawn Nelson, CRWD
Anna Eleria, CRWD
Elizabeth Storey, CRWD
Eric Lamott, Concordia University
Jim Orchard, Concordia University
Ben Ford, Rehder and Associates

Dave Callister,
Ehlers & Associates, Inc.
Jim Herbert, Barr Engineering
Joel Swenson, Barr Engineering
David MacMillan,
Ramsey County Attorney
Pam Massaro,
Wenck & Associates

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the Agenda. There were no additions or changes to the Agenda

The Board adopted the Agenda as presented by consensus.

II. Public Comment – For items not on the Agenda.

Jerry Wagner, Citizen’s Advisory Committee member was unable to attend tonight’s Board meeting so he delivered a written statement with his concerns. Mr. Wagner said in the past decade he has admired the effort the Board and staff have put into the water quality of the District. Mr. Wagner stated that in his opinion, the reclassification of Loeb Lake as a recharge lake is a mistake. Mr. Wagner stated that both a state and a county hydrogeologist are on record describing Loeb Lake as a groundwater and a flow-through groundwater lake respectively. Mr. Wagner said the recent consultant report he reviewed did not reflect the fact of sufficient groundwater input to retain its groundwater lake status is inaccurate in his opinion. Mr. Wagner will continue to seek information based on a hydrologic model and keep the Board and Staff informed of his findings.

Motion 09-03-01: *To accept Jerry Wagner’s concern and comments on the Loeb Lake and Willow Reserve Management Plan.*

Deneen/Collins
Unanimously Approved

III. Permit Applications

A) Permit # 09-001 Sea Foam Stadium (Kelley)

Forrest Kelley reviewed CRWD Permit # 09-001 Sea Foam Stadium. Mr. Kelley said the project is construction of an athletic stadium, parking lot and utilities. Mr. Kelley said this project has 7.7 acres of

disturbed area, 3.72 acres of proposed impervious surface and the proposed stormwater management is filtration pipes and a combined surface/subsurface infiltration basin. Mr. Kelley said the stormwater standards for rate, water quality and volume control are met. Mr. Kelley said the erosion control standard is also met. Mr. Kelley said the staff recommendation is to approve the permit with one condition.

Motion 09-03-02: *Approve Permit # 09-001 Sea Foam Stadium with one condition.*

1. *Receipt of \$18,500 surety and maintenance agreement.*

Deneen/Collins

Unanimously Approved

B) Permit # 09-003 Cretin-Goodrich Residential Street Vitality Program (RSVP) (Kelley)

Forrest Kelley reviewed CRWD Permit # 09-003 Cretin-Goodrich RSVP. Mr. Kelley said the applicant is St. Paul Public Works. Mr. Kelley said the project is reconstruction of residential Streets and utilities. Mr. Kelley said this project has 8.45 acres of disturbed area, 8.45 acres of proposed impervious surface and the proposed stormwater management is two infiltration trenches beneath Finn Street and Cost Cap calculations. Mr. Kelley noted alternative compliance sequencing has been requested. Mr. Kelley said the applicant did partially comply with the volume retention standard. Manager Piram asked if the applicant could install more trenches. Mr. Kelley said the applicant could not install more trenches due to funding. Mr. Kelley said the standards are all met. Mr. Kelley said the staff recommendation is to approve the permit with four conditions.

Motion 09-03-03: *Approve Permit # 09-003 Cretin-Goodrich RSVP with four conditions.*

1. *Specify that clean or washed angular rock is proposed for aggregate of infiltration trench storage.*
2. *Recalculate (reduce) the Total BMP Volume of Infiltration Trench #1 to 5,653-cubic feet. The replaced storm sewer (21-inch RCP from MH 453 to MH 118) is not perforated and therefore can not be counted as Volume Retention.*
3. *Show inlet and overflow pipe connection details between MH 452, MH 453, and the existing 21 inch storm sewer main.*
4. *Confirm tributary drainage areas for Trench #1 and Trench #2.*
 - a. *Confirm runoff from St. Clair Ave tributary area (0.733-acres) is directed to Trench #1 (no pipe shown between MH 151 and MH 453 and uncertain elevation of 6-linear feet of 21-inch RCP between MH 453 to MH 452).*
 - b. *Clarify if runoff from Princeton Ave tributary area (1.005-acres and 1.171-acres) is directed to Trench #2 (uncertain if 15-inch pipe between MH 422 and MH 74 could be connected between MH 422 and 459).*

Collins/Thienes

Unanimously Approved

C) Permit # 09-004 East 6th Street (Kelley)

Forrest Kelley reviewed CRWD Permit # 09-004 East 6th Street. Mr. Kelley said the project is reconstruction of East 6th Street and utilities. Mr. Kelley said this project has 1.85 acres of disturbed area, 1.85 acres of proposed impervious surface and the proposed stormwater management is sump catch basins with hoods. The applicant did requests a volume bank deferral. Mr. Kelley said the standards are not met. Mr. Kelley said the staff recommendation is to table the permit with two conditions. Administrator Doneux asked Mr. Kelley if he knew of new street projects for 2009. Mr. Kelley said there were four projects scheduled, two were RSVP projects that may or may not happen. Administrator Doneux suggested the City provide the Board an update of the Study and where they are in the process of identifying Stormwater bank sites. The Board agreed that was a good idea. Discussion occurred.

Motion 09-03-04: *Table Permit # 09-004 East 6th Street with two conditions.*

1. *Update Erosion and Sediment Control to be consistent with Estimated Quantities line items 2573.530 & 2573.602.*
2. *Satisfy the CRWD volume retention standard, or address CRWD alternative compliance sequencing.*
 - c. *Document volume reduction practices considered by the City to meet the CRWD 1-inch volume retention standard.*
 - d. *Revise cost cap calculation to exclude sump catch basin construction. Construction costs for catch basin modifications (construct 2-foot sump in existing structure) do not qualify for cost cap consideration. Costs associated with catch basin tees and hoods qualify for cost cap consideration.*
 - e. *Provide a list of anticipated 2009-2010 projects and corresponding estimated bankable volume retention if the City desires the CRWD Board to consider future projects in lieu of providing volume retention on this project.*

Thienes/Collins

Unanimously Approved

Permit Program/Rules Update (Kelley)

Mr. Kelley said there was a permit submittal from the State Department of Administration for a project on Jackson Street. The applicant said they submitted the application without a signature because they had some issues with the Permit application. Mr. MacMillan said there is State Statute that says the state is not bound by District Rules. Administrative Doneux added that the Statute does require MNDOT to apply for District Permits. Manager Piram asked what the project entails. Mr. Kelley said the project tearing down a church and replacing it with a parking lot.

IV. Special Reports

A) CIP Financing, Dave Callister, Ehlers & Associates, Inc.

Administrator Doneux said during the 2009 Budget process a number of fiscal policies were reviewed and discussed. One specific topic identified for further discussion was the inadequacy of the Capital Improvement Program (CIP) Levy to fund future projects. The Watershed Management Plan is underway and by this summer the District will need to have an identified implementation plan, including CIP Financing, for the next ten years. The Board must start determining the future Capital Improvement Program funding expectations and the sources of revenue. As was discussed at the July 9, 2008 Budget workshop, the CIP levy is inadequate to fund future projects for the CRWD. The CIP Levy was \$140,000 in 2008 and \$170,000 in 2009. The CIP Fund Balance as projected in the 2009 CIP Plan would continue to decrease under the current project expenditures. Another important consideration is the fact that Met Council funding is no longer available for future Trout Brook Stormsewer improvements or major capital repair work and city budgets are also undergoing significant reductions for the next several years. Manager Deneen asked Administrator Doneux to add Willow Reserve to the Capital Projects for 2009. Administrator Doneux introduced Dave Callister of Ehlers & Associates, Inc. to discuss the District's long term financial planning. Mr. Callister said Ehlers & Associates, Inc. have been working with the District to update the CRWD's long-range financial model that includes both operating and capital budgets. The financial model that was created uses the following general assumptions; minimum year-end capital fund cash balance of \$2 million, annual tax base inflation at 0% for 2010 and 2% thereafter, annual operating expenses increase 3% per year and non-property taxes revenues increase 2% per year, no grants or other outside sources of revenue are pledged towards capital projects and new capital projects begin in 2011 at \$250,000 and increase \$250,000 each year thereafter for a total 10-year CIP of \$13.7 million as discussed. Mr. Callister described the fund balance and levy as an option that finances all future capital projects by using the property tax levy for 100% of the project costs. The immediate financial impact is minimized by drawing down the capital fund balance down to a \$2 million balance as per Board policy. Once the fund balance drawdown has been used to reach \$2 million, the annual property tax levy is used for 100% of the CIP needs. This option has a higher annual cost

because you are paying for projects up front rather than spreading them over time by using debt or other types of financing. Mr. Callister described the debt and tax levy method as a combination of two revenue sources. Utilizing debt for some of the future projects reduces the immediate impact of using the property tax levy for all of the CIP needs. All of the CIP debt is calculated using 5% interest for a 20 year term. Financing a portion of the CIP with debt will reduce the annual tax levy because the District is paying for the projects over time rather than up front and you are spreading the cost to future tax payers who will benefit from the improvements over time. Mr. Callister emphasized that this model is a tool to be used to help the Board plan for future CIP Financing. The examples used in the materials discussed were to illustrate how to use the model. Ultimately the Board will determine the methods and amounts for Capital Improvement Costs. The Board thanked Mr. Callister for his presentation.

**B) Trout Brook Interceptor – Maryland Ave Repairs, Jim Herbert and Joel Swenson
Barr Engineering Company**

Mr. Herbert presented a summary presentation of the completed repair project beginning with the construction schedule. Mr. Herbert explained the different repairs that were made. Minger Construction, Inc. replaced a 200-foot section of TBI under L’Orient Street Bridge, stabilized the foundation of a 260-foot TBI section under Maryland Avenue, and conducted inside concrete repairs. In addition, the supplementary repairs approved by the Board of Managers in early February 2009, which were external repairs to TBI located under I-35E and additional internal concrete repairs, have been finished. The only remaining work items are installation of the L’Orient Street Bridge concrete aprons and restoration of the construction sites, which will occur in early April. Ms. Eleria discussed the project budget including the engineering and construction expenses to date and remaining anticipated expenses. The Board thanked Jim Herbert and Joel Swenson for their work on the project.

V. Action Items

Consent Agenda

Manager Piram asked for a motion to approve the March 4, 2009, Consent Agenda.

Motion 09-03-05:

A) Approve Minutes of the February 18, 2009 Regular Meeting as presented.

Thienes/Collins

Unanimously approved

B) Approve Education and Outreach Plan for Review and Comment (Storey)

Ms. Storey noted at the February 4th Board Meeting, the managers authorized limited distribution for comment of the draft Education and Outreach Plan and requested program cost estimates and more detailed program descriptions. Ms. Storey said revisions made to the Education and Outreach Plan since the last meeting include budget estimates, program descriptions, and minor narrative edits. Ms. Storey said due to the number and nature of revisions made to the plan since the last meeting, staff requests re-authorization to distribute the plan in its current form to members of the Citizen’s Advisory Committee, city officials, and other partners. Manager Deneen said she wants the Education Plan to explain to residents how much their help is needed to make this happen. Manager Piram said it could be written in the introduction of the Plan. Administrator Doneux said the way to have residents learn is through the programs that will be available to them. Manager Piram said Ms. Storey and Sara Stai did a great job on the Education Plan.

Motion 09-03-06: *Authorize distribution of the Education and Outreach Plan to the Citizen’s Advisory Council, city officials, and other partners for review and comment.*

Thienes/Collins

Unanimously approved

C) Adopt Salary Administration Plan Update (Doneux)

Administrator Doneux said a draft of the Salary Administration was provided to the Personnel Committee in October and reviewed in December. The Board reviewed a draft Salary Administration policy at the January 7th Board meeting and asked the Personnel Committee to meet with Sarah Noah to review and discuss questions raised at the Board meeting. The Personnel Committee met on January 22nd and reviewed possible changes to the Salary Administration Policy that would address Board questions raised at the January 7th meeting. Administrator Doneux said during the January 7th Board meeting the major issue raised was Board oversight of the Salary Administration Policy. The first step to address this concern was to amend the policy to include the requirement that the Board of Managers must approve of grade changes either up or down for employees. Movement across the three salary zones within a grade would still be at the discretion of the Administrator. The other change in the policy included the annual reporting of staff salaries to the Board in advance of the budgeting process. Administrator Doneux said in addition to adopting the Administration Policy, it was decided to amend each of the existing Position Descriptions to include the new Grade, Job Classification and adjusted overall Salary Range. It was the consensus that ideally all, current and future, Position Descriptions would be established at this time but in the interest of moving forward with the new policy for current staff only existing Position Descriptions would be amended at this time. Administrator Doneux said the Personnel Committee with staff input could fully update existing Position Descriptions and establish new descriptions for future possible positions during 2009. Manager Piram asked that the Policy be dated and have page numbers.

Motion 09-03-07: *Adopt Salary Administrative Policy and amend existing Position Descriptions consistent with the new Policy as discussed.*

Collins/Deneen

Unanimously Approved

VI. Unfinished Business

A) 2010 Watershed Management Plan Update (Fossum)

Mr. Fossum said at the February 12th board meeting the Managers reviewed and commented on the draft Issues, Goals, and Policies section of the 2010 WMP. The Board authorized distribution, with the recommended changes, to the advisory groups. Mr. Fossum said staff made the changes to the draft Issues, Goals, and Policies section that were requested at the meeting. Mr. Fossum discussed a list of 4 advisory group meetings that are schedule for the draft Issues, Goals, and Policies section. Manager Deneen said she would attend the March 10th meeting. Manager Collins said he would attend the March 12th meeting.

B) CCLRT Stormwater Workshop Update (Doneux)

Administrator Doneux said he spoke with Simon Cooper and he is interested and able to attend the workshop. Mr. Cooper will work out the details with Met Council staff. Manager Piram asked who is going to facilitate the workshop. Administrator Doneux said that has not been determined yet and the workshop will likely be held in April.

VII. General Information

A) Metro MAWD Update (Managers Thienes)

Manager Thienes reported that Cliff Aichinger gave a presentation on the State Stormwater Road Map. Steve Woods provided a BWSR update. Ray Bohn provided a MAWD update. Manager Thienes said the next meeting is the first Tuesday of May.

B) Administrator's Report (Doneux)

Administrator Doneux gave the Administrators Report and noted the following events and announcements:

- 1) Matt Loyas was hired as the Water Resource Technician.

Matt has a Bachelors of Science degree in Natural Resources from the University of Wisconsin-Madison and completing his Master Degree in Sustainable Community Development at UW-Rivers Falls. Matt began working for CRWD last year as our Seasonal Water Resource Technician. Matt spends his spare time serving on the Board of the Lower St. Croix Watershed Management Organization representing Cottage Grove, is a volunteer conducting Wetland Health Evaluations for the MPCA and is a firearms safety instructor. Please join me in welcoming Matt Loyas to the Capitol Region Watershed District.

- 2) City of Saint Paul staff retirements and staff changes

Gary Erickson, Manager of the City of Saint Paul's Street Maintenance Division has retired effective February 27th. He will be replaced by long-time bridge engineer Kevin Nelson. Larry Soderholm, from PED also retired on February 27th. PED has assigned Josh Williams to work on environmental and water issues.

- 3) Metro MAWD

Metro Chapter of the Minnesota Association of Watershed Districts met on Tuesday, March 3rd at the Capitol Region Watershed District offices from 7:00-9:00 PM. .

- 4) MAWD Legislative Update

- a. The MAWD Annual Legislative Breakfast & Day at the Capitol on March 19th. The legislative briefing is on Wednesday evening, March 18th at 7 p.m. to update all attendees on pending legislative efforts.
- b. County Approval of Watershed District Budgets. During last years legislative session, a bill was introduced that would require Watershed Districts to obtain County approval of their annual budget. This legislation was reintroduced this session. Ray Bohn, on behalf of MAWD, has recently responded in opposition this to this legislation.

- 5.) Loeb Lake and Willow Reserve Management Plan

Administrator Doneux said the Loeb Lake and Willow Reserve Management Plan has been printed and is available for the Board.

VIII. Wednesday, March 18, 2009 Regular Meeting Agenda Review

IX. Adjournment – 8:25 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson

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