

MINUTES OF THE BOARD OF DIRECTORS
OF THE
VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION
VLAWMO

800 East County Road E, Vadnais Heights, MN 55127; 651.204-6070; office@vlawmo.org

May 24, 2007

ATTENDING:

Paul Emeott, Chair	Gem Lake
Donna Carlson	Lino Lakes
George Rux, Treasurer	North Oaks
Marc Johannsen	Vadnais Heights
Darryl LeMire, Vice Chair	White Bear Lake
Bill Mample	White Bear Township

Also Attending: Joel Schilling, Schilling Consulting, Neil Franey, Technical Commission (TC), White Bear Lake, Paul Peterson, TC, White Bear Township
Paul Emeott, Chair called the meeting to order at 7:04.

Agenda A motion was made by Marc Johannsen, Darryl LeMire to approve the agenda as printed. Vote: all aye. Motion passed.

Minutes. A motion was made by Johannsen/, seconded by LeMire to approve the minutes as printed. Vote: all aye. Motion passed.

Treasurer Report A motion was made by Donna Carlson, seconded by LeMire to accept the the Year to Date Treasurer's Report. The new format was easier to find needed information.

Revenue generation – Joel Schilling. Joel highlighted the draft amendments to the Joint Powers Agreement from Charles LeFevre, Kennedy, Graven Chartered. Stormsewer utility (SWU) is the reference in Statute as a municipal authority. The amendment to the JPA would allow VLAWMO to use this authority for the watershed. A Capital Improvement Project (CIP) cap in the SWU amendment language would allow the member communities review authority if a proposed budget exceeds an established limit. The question of a Consumer Price Index adjustment to the established cap was discussed. Mample felt the Township would like to have lower cap to establish track record of fiscal responsibility. George Rux and Darryl LeMire also recommended a lower cap or limit be in place at this time. Johannsen and Carlson recommended no automatic CPI as the municipalities did not operate with one. Paul Emeott asked where the communities stood on a SWU in general. Carlson said Lino Lakes is looking for more detailed information. They are ready to go ahead with study but not ready to authorize the utility. Lino Lakes still wants to a resolution to the BWSR JPA concerns. They would be in better position to review and approve all of the JPA amendments at that time. Johannsen felt there was

probably a consensus on the Vadnais Heights City Council that they would support the SWU. Rux said that by & large North Oaks is supportive of SWU. They understand and want resolved the double taxation issue faced by the other communities in the watershed. He recommended that CIP projects be funded at least partially by subwatershed. For example, those most affected by a project in subwatershed A, could be assessed for 50% of the project costs with the remaining 50% coming from the whole watershed. Other percentage could also be considered. Darryl LeMire has not gone to the White Bear Lake City Council but will do so at an upcoming meeting. Bill Mample said there was concern about the specifics of what the JPA amendments would involve, however they considered the SWU a fairer distribution of costs.

While there are still unanswered questions on the specifics of the SWU, Chair Emeott recommended the Board support proceeding with the SWU study on a parallel track with the JPA and the Water Plan. Emeott indicated that he would support moving the VLAWMO contribution out of the Gem Lake city budget.

A motion was made by Johannsen, seconded by Mample to recommend the draft JPA language a provided in the memo of May 18, 2007 by Joel Schilling and Charles LeFevere with the following changes: the Total Maximum Utility Charges (cap) that may be charged that may be charged for 2007 will be \$400,000; the Consumer Price Index language will be deleted and the term “Commission” in parts 1 and 6 of Subdivision 24. Stormwater Utility will be changed to Board. Vote: all aye. **Motion passed.**

Joel Schilling discussed the scope of work which was revised with the completion of draft SWU and CIP tax levy language. Technical Assistance (Task 1) and (Task 2) will take about two months. Detailed policy decisions are the responsibility of the Board. September 15th as the day municipalities must certify their budgets to the counties is important to the SWU establishment. If the members include a VLAWMO budget contribution in their budgets at that time, it was with the understanding that it could be removed when the SWU is in place.

A **motion** was made by Johannsen, seconded by Mample authorize proceeding with the Feasibility study for a VLAWMO Stormwater Utility to be funded from 2007 budget as directed by staff. Rux request staff explore the possibility of some savings by doing some of the study in-house. Schilling suggested that their were possibilities with SWU educational brochures. The Board requested weekly updates. Joel identified this as a deliverable added to Task Four. First deliverable product will go to the Tech Commission in June. Information can be sent to all City Halls / Town hall. All aye except Donna Carlson voting nay. **Motion passed.**

Joint Powers Agreement- The MN Board of Water & Soil Resources (BWSR) has expressed concern over a possible inconsistency in JPA. BWSR does not approve the VLAWMO JPA, but it will be asked to approve of the draft Water Plan later this spring. BWSR staff has indicated that a JPA they find inconsistent with State Statute or unable to adequately fund the Implementation of the Water Plan *could* be grounds for Not approving the new Water Plan. A meeting will be scheduled early in June to meet with VLAWMO legal counsel and BWSR staff to review options and come to consensus. June 6 and 21 were identified as meeting dates.

Project update. Staff reported on Lambert creek project status, the water monitoring program and the Birch Lake efforts.

Directors reports

George Rux, NO asked how we will answer property owners who feel they have no runoff but are still be asked to pay a SWU fee.

Donna Carlson, LL seconded that question as important in Lino Lakes too.

Marc Johannsen, VH invited everyone to the Taste of Vadnais Heights on June 7th.

Vadnais Heights is 50 years old.

Darryl LeMire, WBL discussed Lake Ave reconstruction approval process.

Bill Mample, WBT said they were redoing Whitaker Ave. adjacent to the Whitaker Pond.

There was a Motion to adjourn made by LeMire, seconded by Mample. Vote all Aye. Motion passed.

The meeting Adjourned at 9:30 OM.

Submitted by Stephanie McNamara for the Secretary.