



MINUTES OF THE BOARD OF DIRECTORS

August 27, 2014

ATTENDING:

Bob Uzpen	Gem Lake
Rob Rafferty	Lino Lakes
John Schaaf	North Oaks
Marc Johannsen	Vadnais Heights
Dan Jones	White Bear Lake
Bill Mample	White Bear Township

Stephanie McNamara	VLAWMO Administrator
Kristine Jenson	VLAWMO Project Coordinator
Brian Corcoran	VLAWMO Technician
Vanessa Strong	VLAWMO Education & Outreach Coordinator

Also in attendance: Paul Peterson, Technical Commission Chair; Bob Larson, North Oaks Natural Resources Committee

**I. Call to Order**

The meeting was called to order at 7:00 pm by Chair Johannsen.

**II. Introduction of new Board Member**

Director Schaaf was introduced to the Board.

**III. Approval of Agenda**

Stephanie noted that there is a Resolution to act on for Item VI. D. – Data Practices Policy. This was not listed on the agenda. Additionally, Stephanie requested an item under Administration Report – VIII. A. – Ramsey County League of Local Governments membership – Resolution 08-2014.

A motion was made by Schaaf and seconded by Uzpen to approve the agenda as amended. Vote: all ayes. Motion passed.

**IV. Approval of Minutes from June 25, 2014**

A motion was made by Jones and seconded by Uzpen to approve the minutes from the June 25, 2014 Board of Directors Meeting. Vote: 2 ayes, 3 abstain (Rafferty, Schaaf, Johannsen) Motion passed.

**V. Technical Commission (TEC) Report to the Board**

**A. Activity Summary**

Paul Peterson representing the TEC presented the TEC Report. Items mentioned include:

- The final TMDL draft implementation plan has been approved.
- The Cost Share program has used up most of the money for this year.
- Monitoring has been in full swing.
- VLAWMO hosted a MS4 workshop for PCA
- Some monitoring equipment needed repair this summer.

**B. August financial report**

Stephanie presented the August Financial Report.

**VI. New Business**

**A. Minor Amendment to the VLAWMO Water Management Plan – Res. 05-2014**

As you know, in June the Board approved the Strategic Work Plan 2014-2016 (SWP). At the advice and direction of BWSR the SWP and the recommendation of the TEC and staff as a minor amendment to the comprehensive VLAWMO Water Management Plan. Basically the amendment adds the SWP to Water Management Plan as a new Appendix G and changes some language on page 134 to reference this new appendix.

Recommendation: The Board conditionally approves the Strategic Work Plan Amendment to the VLAWMO Water Management Plan at its August 27<sup>th</sup> meeting. **Resolution 05-2014** is attached. The process for a minor plan amendment as articulated by BWSR staff August 1, 2014.

- BWSR advises VLAWMO of the need to amend the VLAWMO Water Management Plan with the adoption of the SWP. (email 7-16-18)
- Staff requests minor amendment process rather than general amendment process. This shortens the amendment procedure from 6 months (& multiple requests for comment) to 2 months (1 request for comment) (email 7-18-14).
- BWSR staff gives preliminary approval to follow minor amendment process (email 7-25-14)
- VLAWMO provides Notice to Metro Plan review agencies, interested stakeholders and in the legal publication (published in Press Publications 8/12 & 8/19). Agencies and other local partners received the proposed Plan Amendment by email 7/29/14.
- VLAWMO has been advised by BWSR (8/1/14) that it should allow a 45 day comment period. 45 days from the notice would be September 12. *The VLAWMO Board may approve the minor Plan Amendment at its regular August 27<sup>th</sup> meeting conditional on no substantive comments being received by September 12<sup>th</sup>.*

If substantive comments are received that require changes to amendment, it will be referred to the Policy & Personnel committee for direction and possible action at the October meeting. It should be noted that there are grant application windows BWSR, MPCA & MDH grants that will close by the end of September. Having the projects in the SWP as a part of our Water Plan strengthens their standing in some scoring processes.

**Discussion:** Uzpen asked for clarification of why this is a “conditional” approval. Stephanie explained this is because you as a Board are considering the amendment tonight but it is before the end date for receiving comments from the stakeholders.

#### **RESOLUTION 05-2014**

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

**August 27, 2014**

The Board of Directors of the Vadnais Lake Area Water Management Organization met in a regular meeting at the Vadnais Heights City Hall on Wednesday, the 27th day of August, 2014 at 7:00 o'clock p.m.

The following members were present:

Directors Johannsen, Jones, Schaaf, Rafferty, and Uzpen

The following members were absent:

Director Mample

Resolution 05-2014 was moved by Director Jones and seconded by Director Rafferty:

**RESOLUTION NO. 05-2014**

**A RESOLUTION APPROVING THE MINOR PLAN AMENDMENT APPENDING THE STRATEGIC WORK PLAN 2014-2016 TO THE VLAWMO WATER MANAGEMENT PLAN CONDITIONAL ON NO SUBSTANTIVE COMMENTS BEING RECEIVED BY SEPTEMBER 12, 2014.**

WHEREAS, VLAWMO has gone through a Performance Review and Assessment Plan from the MN Board of Soil and Water Resources which recommended the development of a Strategic Plan for the final quarter of the VLAWMO Water Management Plan, and

WHEREAS, VLAWMO engaged it's Board, Technical Commission, local partners and state agencies in a Strategic Planning process during the spring of 2014, and

WHEREAS, the VLAWMO Board approved the Strategic Work Plan 2014-2016 at its June 25, 2014 meeting, and

WHEREAS, the VLAWMO Water Management Plan provides direction for watershed activity, and

WHEREAS, the Board of Water & Soil Resources has advised VLAWMO that it would consider this change to the VLAWMO Water Management Plan to be a minor amendment as cited in Minnesota Rules Ch. 8410.0140.

THEREFORE, BE IT RESOLVED, the VLAWMO Board of Directors does hereby amend the Water Management Plan of the Vadnais Lake Area Water Management Organization to append the Strategic Work Plan as Appendix G and add language referencing that new Appendix to page 134 as seen in the attachment to this Resolution.

The resolution was declared passed and adopted.

Vote: all aye

**B. Consideration of auditing proposal for 2014-2015 from Abdo, Eick & Meyers, LLP**

VLAWMO, like other Water Management Organizations, is required to have an annual audit of its financial books and its adherence to government accounting practices. Abdo Eick & Meyer have been doing the VLAWMO audits for the last several years at a competitive rate. VLAWMO is required to keep its contracts for professional services to 2 years or less. It is useful to have an auditor that understands small local government and watersheds in particular. There are a very limited number of firms that have done this type of auditing service.

**Recommendation:** Approval of the Memo of Agreement to have Abdo Eick & Meyers LLP provide standard auditing services for fiscal years 2014 and 2015 for the costs listed.

**Discussion:** Jones said there are recommendations that governments change the consultants they work with and therefore we should strongly consider going out for bid again once this contract expires.

A motion was made by Uzpen and seconded by Rafferty to approve the Memo of Agreement from Abdo, Eick, and Meyers LLP to provide standard auditing services for fiscal years 2014 and 2015 for the costs listed. Vote: all aye. Motion passed.

**C. Approval of the 2015 Storm Sewer Utility Rates – Res. 06-2014**

The annual SSU rates are based on the budget approved by the Board each June for the following year. The Storm Sewer Utility is based on the amount of impervious surface generally associated with different land use types and provides the major financial support for watershed activities.

Both the VLAWMO budget and of course the SSU fees remained flat for several years. Projects and the scope of work being done by VLAWMO professionals has increased substantially.

Grants have helped defray some of the costs and allowed VLAWMO to do more than is reflected in annual budget. But they are an unreliable source of income. The 2015 budget was increased to help support the approved Strategic Work Plan 2014-2016.

The proposed 2015 SSU annual rate is \$28.20 /unit or \$40.80 /acre. This is an increase of 7.3% which includes a 0.8% buffer to account for subsequent changes in the 11,357 parcels in two counties. In broad strokes this means that 88.42% of VLAWMO parcels or the single family residential (1-3 units) that have a flat rate of \$28.20 (an increase of \$1.92) for 2015.

**Recommendation:** Approval of Resolution 06-2014 setting the Storm Sewer Utility Rates for 2015.

**Discussion:** Jones asked what our rates have been over the last few years. Stephanie said our rate was about \$26 when this way of funding started in 2007. It went down slightly and stayed flat for a few years and the last couple of years it has gone up. Johannsen stated the increase is \$0.16/month.

**RESOLUTION 06-2014**

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

**August 27, 2014**

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The following members were present:

Directors Johannsen, Jones, Schaaf, Rafferty, Mample, and Uzpen

The following members were absent:

Resolution 06-2014 was moved by Director Jones and seconded by Director Uzpen :

**RESOLUTION NO. 06-2014**

**A RESOLUTION APPROVING THE STORMSEWER UTILITY RATES FOR 2015.**

WHEREAS, the 2015 Budget of the Vadnais Lake Area Water Management Organization (VLAWMO) has been approved by the VLAWMO Board of Directors and

WHEREAS, Storm Sewer Utility (SSU) Rule of the Vadnais Lake Area Water Management Organization, has been applied to the properties within the boundary,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION, The SSU Rates for 2012 will be as follows:

Classification	Total Amount	R.E.F.	Rate
Residential 1- 3 units	\$283,551.00	1.00	\$28.20 / Unit
Residential 4 or more	\$15,665.63	2.72	\$40.80 / Acre

Commercial	\$94,576.96	4.23	\$40.80 / Acre
Industrial	\$46,475.97	3.30	\$40.80 / Acre
Institutional	\$36,228.02	3.30	\$40.80 / Acre
Golf courses	\$6,276.36	0.74	\$40.80 / Acre
Agricultural	\$4,850.20	0.25	\$40.80 / Acre
Vacant/Road/RR/Water	\$0	Exempt	\$0.00

The resolution was declared passed and adopted.

Vote: all aye

**D. Data Practices Policy – Res. 07-2014**

At the direction of the Policy and Personnel committee the VLAWMO attorney was requested to draft a Data Practices Policy for VLAWMO. That has been done and the draft Policy was included in your packet. This Data Practices Procedure does include a recent State Law change (August 1, 2014) that outlines who has access and how non-public information may be accessed.

**Recommendation:** Approval of Resolution 07-2014 adopting the VLAWMO Data Practices Procedures.

**Discussion:** Schaaf recommended that the Data Practice Policy be shared with the Cities.

**RESOLUTION 07-2014**

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

**August 27, 2014**

The Board of Directors of the Vadnais Lake Area Water Management Organization met in a regular meeting at the Vadnais Heights City Hall on Wednesday, the 27th day of August, 2014 at 7:00 o'clock p.m.

The following members were present:

Directors Johannsen, Jones, Mample, Schaaf, Rafferty, and Uzpen

The following members were absent:

Resolution 07-2014 was moved by Director Mample and seconded by Director Jones:

**RESOLUTION NO. 07-2014**

**A RESOLUTION APPROVING THE VLAWMO DATA PRACTICES PROCEDURES**

WHEREAS, the Vadnais Lake Area Water Management Organization (VLAWMO) is required to adopt a Data Practices policy consistent with Minnesota Statutes Chapter 13, and

WHEREAS, the VLAWMO legal counsel with input from the VLAWMO administrator has developed the VLAWMO Dated Practices Procedures, Dated August 27, 2014 to be compliant with State Law and functional for VLAWMO staff,

THEREFORE BE IT RESOLVED, that the Vadnais Lake Area Water Management Organization Data Practices Procedures, August 27, 2014 is hereby adopted by the VLAWMO Board of Directors.

The resolution was declared passed and adopted.

**E. Grant Requests Authorization**

While your staff has understood that VLAWMO should explore and apply for appropriate grant funds for watershed projects, we are seeking a more robust communication with the Board and TEC in this effort. This will allow the Board and TEC to know which projects are being actively pursued for grants and how the grant(s) may affect the budgets for those projects. Of course, applying for a grant does not ensure that it will be received. Requests for Clean Water Funds have become very competitive. And applying for grants takes staff time, so we want to focus our effort where it is the most likely to help these projects and programs.

Following are the grants we would like to apply for:

- Sucker Lake channel restoration: MN Dept. of Health, \$10,000 & possible partnership with Ramsey County Parks (Parks & Trails grants) & Ramsey Conservation District. While we do not have updated estimates on the cost as of this memo, we would like permission to pursue the competitive BWSR grants (Legacy money) if costs come in significantly higher.
- Deep Lake channel restoration: MN Dept. of Health \$10,000, and possible partnership with NOHOA.
- Stormwater education equipment for new preschool building at Tamarack: Outdoor Heritage Fund.
- Charlie –Pleasant Retrofit study: partnership grant (50/50) with RCD as part of their Natural Resources block grant.

**Recommendation:** The VLAWMO Board directs staff to pursue the above mentioned grants as needed and indicated.

The Board agreed that staff should pursue grant funding that is deemed appropriate for the projects.

**F. Election of Secretary/Treasurer**

Tabled

**VI. Report from the Chair**

Johannsen stated that he is appreciative of the efforts of all the Board members for the important work done for the watershed. Schaaf and Mample will be leaving the Board this year because they are not running for re-election this fall. Johannsen is running for office again and his ability to serve on the Board will be contingent of the election outcome.

**VII. Administrator's Report**

**A. Membership in Ramsey County League of Local Governments (RCLLG) – Res 08-2014**

VLAWMO is stronger and more effective in carrying out its mission when it actively engages in partnerships. The Ramsey County League of Local Governments (RCLLG) has invited VLAWMO to join RCLLG, perhaps in part because water resources have become area of increasing interest to local government. If VLAWMO accepts that invitation, we would become the first water management organization to become a member. Watersheds are specifically referenced as eligible for RCLLG membership under their charter.

There are potential advantages to joining RCLLG both parties. VLAWMO would have access to a variety of local governments to promote its programs and projects. The MS4 stormwater training VLAWMO cosponsored last week attended by 60 local government officials or our Community Blue projects are examples. Opportunities to pursue grant funds for projects with partners could be developed. VLAWMO would have access to RCLLG programs and resources

such as the Forum on Groundwater planned next month, September 25 with speakers from the DNR, USGS, U of M and Met. Council. In turn VLAWMO can provide technical knowledge and a heightened profile of the importance of water resources among RCLLG members. Input from VLAWMO could be fairly minimal at this point. Dues are \$200/year. This year, if VLAWMO joins would be prorated. Two representatives must be appointed, the Board member could be one of our elected officials that potentially is already appointed to RCLLG. The alternate could be the VLAWMO Administrator.

**Recommendation:** Approval of Resolution 08-2014 Membership in RCLLG and the appointment of representatives.

**Discussion:** Mample stated that it could be an advantage to be a part of this group because many of the things they are involved with could be a benefit for VLAWMO and well worth the annual \$200 fee. Mample stated he would represent VLAWMO but he is leaving office. Jones said he would not attend the meetings because he feels it is more of a networking thing which could be beneficial but he won't take the time to go. Jones said they can put his name on any form that needs a VLAWMO Board designee but he won't show up for the meetings. Schaaf said he is surprised VLAWMO is not part of this group and that Stephanie should be the main person who attends these meetings and he feels that the meetings are very valuable and can learn a lot.

#### **RESOLUTION 08-2014**

Of the Vadnais Lake Area Water Management Organization (VLAWMO)

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The following members were present:

Directors Johannsen, Jones, Mample, Schaaf, Rafferty and Uzpen

The following members were absent:

Resolution 08-2014 was moved by Director Mample and seconded by Director Rafferty :

#### **RESOLUTION NO. 08-2014**

##### **A RESOLUTION APPROVING MEMBERSHIP IN THE RAMSEY COUNTY LEAGUE OF LOCAL GOVERNMENTS (RCLLG) AND APPOINTMENT OF REPRESENTATIVES.**

WHEREAS, VLAWMO is largely with Ramsey County and through its Joint Powers Agreement and State law considered a unit of local government, and

WHEREAS, VLAWMO seeks to promote its mission of water resource protection and management efficiently and effectively,

THEREFORE BE IT RESOLVED, the VLAWMO Board of Directors authorizes membership in RCLLG and will duly appoint a Board member and Alternate to represent VLAWMO at RCLLG meetings.

The resolution was declared passed and adopted.

## **VIII. Director's Report**

Mample invited everyone to White Bear Township Days on September 6.  
Jones stated that the Strategic Work Plan was very well written.

**IX. Next Meeting – October 22, 2014**

**X. Public Comment**

**XI. Adjourn**

A motion was made by Rafferty and seconded by Mample to adjourn at 7:37pm. Vote: all ayes. Motion passed.

Minutes compiled and submitted by Kristine Jenson.

DRAFT