



MINUTES OF THE BOARD OF DIRECTORS – August 23, 2023 REGULAR BOARD MEETING

Attendance		Present	Absent
Jim Lindner, Chair	City of Gem Lake	x	
John Shuman	City of North Oaks	x	
Rob Rafferty	City of Lino Lakes	X	
Ed Prudhon	White Bear Township	x	
Dan Jones, Vice Chair	City of White Bear Lake	X	
Katherine Doll Kanne	City of Vadnais Heights	x	
Phil Belfiori	Administrator	x	
Brian Corcoran	Water Resources Mgr.	x	
Dawn Tanner	Program Development Coord.	x	
Nick Voss	Education & Outreach Coord.	x	
Lauren Sampedro	Watershed Tech & Program Coord.	x	

*= with prior notice

Others in attendance: Connie Taillon (City of White Bear Lake), Adam Nies (HEI Engineering), Terry Huntrods (VLAWMO TEC/City of White Bear Lake), Nick Arnt, Dona Arnt (Arnt Construction), Lauren Grouws (North Oaks Company)

I. Call to Order

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

II. Approval of Agenda

The agenda for the August 23rd, 2023 Board meeting was presented for approval.

A motion was made by Director Rafferty and seconded by Director Doll Kanne to approve the August Board meeting agenda. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

III. Approval of Minutes

The minutes from the June 28, 2023 Board meeting were placed on the agenda for approval, as presented. No comments from the Directors.

A motion was made by Director Shuman and seconded by Director Doll Kanne to approve the June 28th meeting minutes. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: abstain, Jones: aye. Motion passed.

IV. Visitors and Presentations

A. TEC Report to the Board and June Finance Report

Terry Huntrods presented the August TEC report to Board as included in the August Board packet. Highlights included the Oak Knoll spent lime project that started as of 8/23/23, Wilkinson project bids have been received, and approximately 10,000 lbs of carp have been

removed from Pleasant Lake in 2023. A new VLAWMO website is also being assembled for a Fall 2023 release. New grant projects have been presented and the Board is invited to the August 24th 40th anniversary event.

Discussion: None

B. Public Visitors

None

V. Consent Agenda 

Chair Lindner asked if any Board members wished to speak on any of the consent agenda items, no requests were made from directors.

Consent agenda items on the agenda and included in the August Board packet were as follows:

- A. Consider Landscape Level 1 Grant Applications: 1) LL1 2023-04 ; 2) LL1 2023-05
- B. Consider RCD 13 agreement to transfer responsibility of Ditch maintenance to City of WBL
- C. Consider Carp revised scope of work
- D. Consider 2024-26 office lease with City of Vadnais Heights
- E. Consider biannual solicitation for auditing services
- F. Update on Spent Lime contact for construction /project communication
- G. Update on Aug 24th - 40th anniversary celebration event – Steph’s recognition
- H. Website Update
- I. CLP grant application for seed for wood wetland VH

Discussion: None

A motion was made by Director Jones and seconded by Director Rafferty to approve the consent agenda. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

VI. Business

A. Projects and Studies

1. Consider construction contract for Wilkinson Deep Water Wetland Project – Resolution 05-2023 

Dawn Tanner presented and introduced Lauren Grouws from North Oaks Company. Lauren Grouws provided a statement expressing the Company’s investment in the project, highlighting their additional contributions through independent consultants, and their ongoing partnership and facilitation with the Minnesota Land Trust.

Adam Nies from Houston Engineering was introduced. Tanner provided thanks for guests Adam, Nick Arnt, and Lauren Grouws.

Tanner presented the proposal to sign the contract and issue a notice to proceed. Tanner summarized the bid process from the summer of 2023 starting at the June Board approval

for authorization of the bid package. The pre-bid meeting took place on July 26th. 13 bids were received, and Arnt Construction company was the low bidder. HEI reviewed the bid quotes and provided a recommendation on August 11th. HEI also provided a 20-50% expanded footprint to maximize use of available project funds. The expanded footprint also increases the total phosphorus removal, benefiting the impact on Wilkinson Lake downstream. Tanner displayed a comparison of the original footprint and the expanded footprint as included in the August Board packet.

Tanner discussed the key current project steps including: issuing the notice of award, completing the contract, considering a change order for the possible project expansion following completion of the contract, construction mobilization to be completed by March 1, 2024, and vegetation establishment by July 1, 2024. Staff recommended approval of proposed board action as outlined in Resolution 05-2023.

Discussion:

Director Doll Kanne inquired about the grant amount and what it means for a 50% contingency. Tanner provided that the additional funds available are \$328,000 and with the proposed expansion, the project would still be below that.

A motion was made by Director Shuman and seconded by Director Jones to approve Resolution 05-2023. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: abstain, Jones: aye. Motion passed.

**RESOLUTION NO. 05-2023
Of the Vadnais Lake Area Water Management Organization (VLAWMO)**

A RESOLUTION APPROVING THE FOLLOWING FOR THE WILKINSON LAKE DEEP WATER WETLAND RESTORATION PROJECT (Project): ACCEPTING HOUSTON ENGINEERING, INC. (HEI) RECOMMENDATION FROM BID PROCESS FOR CONTRACTOR, AUTHORIZE HEI TO ISSUE NOTICE OF AWARD FOR THE PROJECT, AUTHORIZE BOARD TO SIGN CONTRACT, AND AUTHORIZE HEI TO ISSUE THE NOTICE TO PROCEED ONCE ALL CONTRACT ITEMS AND ASSOCIATED DOCUMENTATION IS COMPLETE

Resolution 05-2023 was moved by Director Shuman and seconded by Director Jones.

WHEREAS, in 2013, VLAWMO led coordination of the MS4 entities in development of the Vadnais Lake Area WMO Total Maximum Daily Load (TMDL) and Protection Study, and 2014 Implementation Plan that included Wilkinson Lake;

WHEREAS, load reductions required to meet the TMDL are high and regional multipurpose projects are necessary to meet water-quality goals and improve Wilkinson Lake;

WHEREAS, Wilkinson Lake BMPs are identified within the implementation section of the of the approved VLAWMO Watershed Management Plan (2017-2026), funding has been planned for these years, and load reductions in Wilkinson Lake remain a high priority;

WHEREAS, priority locations for BMPs have been identified from multiple feasibility studies leading toward development of the current project and identified the current proposed, which is strategically located to treat the maximum area of upstream watershed before discharge into Wilkinson Lake, including receiving stormwater from five of the seven TMDL identified responsible parties for MS4 reductions (White Bear Township, City of White Bear Lake, North Oaks, Ramsey County, and MnDOT);

WHEREAS, in 2019, the VLAWMO Board of Directors (“Board”) participated in the in-person interview as part of the MPCA selection process for the 319/small priority watershed grant program and authorized approval of VLAWMO’s selection as a small priority watershed for 319 grant funding;

WHEREAS, in 2020/2021, the Board authorized submission to MPCA/EPA following final approval by MPCA of the Nine Key Element document (NKE) which was prepared by VLAWMO staff with coordination from MPCA;

WHEREAS, in 2021, the Board authorized the Memorandum of Understanding (MOU) and Maintenance Agreement with North Oaks Company/North Oaks Farms (NOC/NOF) for the Wilkinson BMP Project and location in North Oaks that is property of NOF;

WHEREAS, in 2021, the Board authorized the partner grant that St. Paul Regional Water Services (SPRWS) authored with VLAWMO staff to the Minnesota Department of Health to match funds in VLAWMO’s Wilkinson subwatershed budget for a total cost of \$20,000 (\$10,000 in grant funds and \$10,000 in cash match) to continue preparation for the Wilkinson BMP Project, and VLAWMO has used those funds to develop and secure an easement, including engineering support, legal guidance, and property boundary survey for the Project;

WHEREAS, in 2021, the Board authorized the Project Workplan and Budget for the current grant round of funding, understanding that the total project budget is \$534,510 (\$320,706 in grant funds and \$213,804 in cash match);

WHEREAS, the Minnesota Land Trust, NOC/NOF, and VLAWMO signed the proposed project easement (February 2022), which was reviewed by VLAWMO legal counsel for access to the project site for construction and maintenance;

WHEREAS, the MPCA and VLAWMO signed the project grant agreement, which contractually binds VLAWMO to implementation of the Project utilizing funding from 60% grant funds and 40% local cash match (February 2022);

WHEREAS, the Board authorized the RFP for engineering and hired Houston Engineering, Inc. (HEI), to design, complete permitting, go out for bid, and supervise construction in June 2022;

WHEREAS, HEI has worked with VLAWMO, MLT, and NOC to complete design, permitting, public engagement, and produced a final design with bid package as submitted to the Board in June 2023;

WHEREAS, the Board has reviewed the plans and specifications for the Project;

WHEREAS, the Supplemental Agreement, which has been review and approved by NOC/NOF, serves as the cooperative agreement contemplated in the previous MOU for construction of the Project;

WHEREAS, the Board authorized HEI to conduct the bid process through Quest CDN at the regular meeting on June 28, 2023;

WHEREAS, HEI advertised the bid through Quest CDN, a mandatory pre-bid meeting was held on July 26, 2023, attended by 17 contractors;

WHEREAS, the bid opening was held through Quest CDN on August 3, 2023;

WHEREAS, 13 bids were received, evaluated and references were checked by HEI, and HEI has provided a recommendation for Arnt Construction Company, Inc., at a project cost of \$151,026.25;

WHEREAS, HEI furthers recommend that an additional 20% of the contract (\$30,205.25) be budgeted as a contingency for potential change orders resulting from unforeseen conditions or omissions discovered as the project progresses;

WHEREAS, HEI also recommends authorizing VLAWMO staff working with HEI to negotiate with the contractor for an expanded excavation footprint. That additional footprint would entail an additional 20% – 50% of the contract (\$30,205.25 – \$75,513.13) for the expanded option. The resulting total potential project cost is \$211,436.75 – \$256,744.63 with both the contingency and the expanded footprint accounted for. The expanded footprint option may be accomplished through a change order once the contract is in place and is dependent on successful negotiations with the contractor regarding price and timeline.

NOW, THEREFORE, BE IT RESOLVED, by the Vadnais Lake Area Watershed Management Organization Board of Directors as follows. The Board:

1. Accepts the recommendation provided by HEI to approve awarding the contract for the Wilkinson Deep-Water Wetland Project to Arnt Construction Company, Inc., at a project cost of \$151,026.25
2. Authorizes the Board Chair to sign and HEI to transmit the Notice of Award, and the Board Chair to sign the construction contract when advised by HEI
3. Authorizes the VLAWMO Administrator to sign and HEI to issue the Notice to Proceed to Arnt Construction Company, Inc. once all contract items and associated documentation is complete,
4. Authorizes VLAWMO staff to work through HEI to attempt to negotiate and finalize the expanded footprint option through a change order once the contract is in place and authorizes VLAWMO staff to manage the expanded footprint project with an additional 20% - 50% of project cost (\$30,205.25 - \$75,513.13)
5. Authorizes an additional 20% of the contract (\$30,205.25) as contingency per HEI recommendation for other potential change orders (not including expanded footprint) from unforeseen conditions or omissions.

Adopted this 23rd day of August 2023 on a vote of 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Dan Jones	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Prudhon	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Rafferty	<input type="checkbox"/>	<input type="checkbox"/>	Abstain
John Shuman	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>
Katherine Doll Kanne	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Lindner	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>

BY THE VLAWMO BOARD

Chairperson

Attest: _____
Administrator

2. Consider contract with SRF for development of the East Vadnais Lake Subwatershed Resiliency Study – Resolution 06-2023 

Sampedro introduced the agenda item as presented in the August Board packet. Four proposals were received for the East Vadnais Lake Subwatershed Resiliency Study and all project partners participated in the scoring process. The top score was for SRF Consulting Group’s proposal and staff recommended their proposal. The proposal utilized their knowledge from the Ramsey County flood feasibility study and went above and beyond the request for services with the identification of six potential BMP opportunities.

Staff recommend adoption of Resolution 06-2023.

Discussion:

Chair Lindner asked about whether there’s been any recent troubles at this intersection this year. Sampedro confirmed that this year hasn’t seen any significant problems but they did occur in 2022.

A motion was made by Director Prudhon and seconded by Director Doll Kanne to adopt Resolution 06-2023. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

**RESOLUTION NO. 06-2023
of the Vadnais Lake Area Water Management Organization (VLAWMO)**

A RESOLUTION APPROVING SELECTION OF SRF CONSULTING GROUP FOR DEVELOPMENT OF THE EAST VADNAIS LAKE SUBWATERSHED RESILIENCY STUDY; AUTHORIZING PROFESSIONAL ENGINEERING SERVICES AGREEMENT, APPROVING TASK ORDER 1 IN THE AMOUNT OF \$69,722, AND AUTHORIZING STUDY CONTINGENCY

Resolution 06-2023 was moved by Director Prudhon and seconded by Director Doll Kanne.

WHEREAS, East Vadnais Lake is used as a primary reservoir for the Saint Paul Regional Water Services (SPRWS) and serves as the drinking water source for approximately 450,000 people;

WHEREAS, the East Vadnais Lake subwatershed experiences chronic flooding during intense precipitation events that may be exacerbated with projected climate change impacts;

WHEREAS, the VLAWMO Board authorized participation in the development of a resiliency study for the East Vadnais Lake subwatershed in partnership with the City of Vadnais Heights, Ramsey County, and SPRWS on April 26, 2023;

WHEREAS, a resiliency study would evaluate opportunities in the East Vadnais Lake subwatershed to reduce flooding and stormwater volume, improve water quality, and protect drinking water for a more resilient subwatershed, consistent with the goals of Minnesota’s Climate Action Framework;

WHEREAS, VLAWMO, the City of Vadnais Heights, Ramsey County, and SPRWS have signed a MOU to share the professional services costs associated with the development of a resiliency study;

WHEREAS, the VLAWMO Board authorized the release of a Request for Services to engineering consulting firms for the receipt of resiliency study proposals on June 28, 2023;

WHEREAS, VLAWMO received four East Vadnais Lake subwatershed resiliency study proposals on July 27, 2023;

WHEREAS, staff from VLAWMO, the City of Vadnais Heights, Ramsey County, and SPRWS scored the proposals received, and as an outcome of this scoring, the average proposal rankings recommended the selection of SRF Consulting Group’s proposal for the development of the East Vadnais Lake subwatershed resiliency study;

WHEREAS, SRF Consulting Group’s proposal identified a study cost estimate of \$65,500; WHEREAS, the SRF proposal also included an optional task of field survey work that staff would recommend adding to the scope of work that would increase the cost estimate to a total of \$69,722;

WHEREAS, VLAWMO staff also recommend approval of a 10% contingency to cover unforeseen conditions during the completion of the study, not to exceed \$6,972.

THEREFORE, BE IT RESOLVED, that the Vadnais Lake Area Watershed Management Organization Board of Directors hereby:

- 1) Approves execution of the attached Professional Engineering Services Agreement with SRF Consulting Group and authorize the Board Chair and Administrator to sign;
- 2) Approves execution of the attached Task Order 1 to select SRF Consulting Group and authorize the Board Chair and Administrator to sign for the total price of \$69,722; and

- 3) Authorizes Administrator to sign change orders increasing the task order price in an aggregate net amount not exceeding 10% (\$6,972).

Adopted this 23rd day of August 2023 on a vote of 6 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Dan Jones	<u>X</u>	<u> </u>	<u> </u>
Ed Prudhon	<u>X</u>	<u> </u>	<u> </u>
Rob Rafferty	<u>X</u>	<u> </u>	<u> </u>
John Shuman	<u>X</u>	<u> </u>	<u> </u>
Katherine Doll Kanne	<u>X</u>	<u> </u>	<u> </u>
Jim Lindner	<u>X</u>	<u> </u>	<u> </u>

BY THE VLAWMO BOARD

Chairperson

Attest: _____
Administrator

B. Administrative

1. Consider 2024 SSU rates – Resolution 07-2023 

Administrator Belfiori introduced the agenda item as included in the August Board packet. He noted that the proposed SSU rate is based on the budget that was approved at the June 2023 Board meeting. Certified for the 2024 SSU charge is a rate of \$64.56/unit. Administrator Belfiori displayed a visual of watershed storm water utility charges between VLAWMO and other nearby watershed districts in the Twin Cities metro, noting that VLAWMO’s rate is lower than other watersheds. He also noted that VLAWMO utilizes a charge while other watersheds utilize a property tax levy. The timeline for the SSU rates continues to the October Board meeting to approve the parcels to be certified. The parcels must be certified and submitted to Ramsey County by November 30th.

Discussion:

Chair Lindner asked about how the actions tonight connect to the next steps in certifying the SSU. Administrator Belfiori confirmed that the link provided in the packet for this agenda item lists the new developments that appeared since the last SSU charge. He noted that the charge is always based on how much runoff the property generates, and that each year all parcels are reviewed, noting whether land use classifications go from more dense to less dense or vice versa.

Director Rafferty asked about how churches and cemeteries fit in. Administrator Belfiori confirmed that churches are considered under the commercial classification. He noted that vacant land, railroad, and right of way public waters are exempt. Administrator Belfiori noted that he will investigate and follow-up with insight.

A motion was made by Director Jones and seconded by Director Rafferty to approve Resolution 07-2023. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

**RESOLUTION NO. 07-2023
Of the Vadnais Lake Area Water Management Organization (VLAWMO)**

A RESOLUTION APPROVING THE STORMSEWER UTILITY RATES FOR 2024.

Resolution 07-2023 was moved by Director Jones and second by Director Rafferty .

WHEREAS, the 2024 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 2024 will be as follows:

Classification	Total Amount	R. E. F.	Rate
Residential 1-3 Units	\$675,814.08	1.00	\$64.56/ Unit
Residential 4 or more Units	\$47,253.50	2.72	\$93.48/ Acre
Commercial	\$160,865.99	4.23	\$93.48/ Acre
Industrial	\$143,712.52	3.30	\$93.48/ Acre
Institutional	\$100,057.50	3.30	\$93.48/ Acre
Golf Courses	\$15,376.00	0.74	\$93.48/ Acre
Agricultural	\$9,357.26	0.25	\$93.48/ Acre
Vacant Land	\$0	Exempt	\$0.00
Road/Railroad ROW	\$0	Exempt	\$0.00
Wetland/Public Waters	\$0	Exempt	\$0.00
Other Exempt	\$0	Exempt	\$0.00
Totals	\$1,152,436.85		

The question was on the adoption of the resolution and there were 6 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
<i>Dan Jones</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Ed Prudhon</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Rob Rafferty</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>John Shuman</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Katherine Doll Kanne</i>	X	<input type="checkbox"/>	<input type="checkbox"/>
<i>Jim Lindner</i>	X	<input type="checkbox"/>	<input type="checkbox"/>

_____ Board Chair Date

_____ Attest Date

VII. Discussion and Administration Communication

1. August 24th VLAWMO 40th Anniversary Event

Voss thanked Chair Lindner, Administrator Belfiori, and previous Administrator Stephanie McNamara for being in the VLAWMO 40th anniversary reflection video. He also shared the 40th anniversary celebration webpage on the VLAWMO website. He discussed the schedule for the anniversary celebration event on August 24, 2023 and asked Directors to consider their thoughts or memories of Stephanie McNamara that they would like to share if in attendance for the event.

VIII. Adjourn

A motion was made by Director Rafferty and seconded by Director Jones to adjourn at 7:38 pm. Vote: Shuman: aye, Doll Kanne: aye, Lindner: aye, Prudhon: aye, Rafferty: aye, Jones: aye. Motion passed.

Minutes compiled and submitted by Nick Voss.