



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
December 11, 2019**

The Regular Meeting of December 11, 2019, was held at the District Office Board Room, 2665 Noel Drive, Little Canada, Minnesota, at 6:30 p.m.

PRESENT:

Marj Ebensteiner, President
Cliff Aichinger, Vice President
Dianne Ward, Treasurer
Lawrence Swope, Manager

ABSENT:

Dr. Pam Skinner, Secretary

ALSO PRESENT:

Tina Carstens, District Administrator
Laurann Kirschner, Attorney for District
Nicole Soderholm, Permit Inspector
Dave Vlasin, Water Quality Technician
Paige Ahlborg, Project Manager
Bill Bartodziej, Natural Resource Specialist
Brad Lindaman, Barr Engineering
Brandon Barnes, Barr Engineering

Steve LaBerge, Crestview Addition
Bruce Copley, Crestview Addition
Stan Martin, Twin Lake
Frank Frattalone, Twin Lake
Tim Freeman, Twin Lake
Kelly Bopray, Bopray Environmental
Mary Derosier, Window World
Burt Johnson, President Twin Lake Association
Terry Telega, Twin Lake
Matt Woodruff, Twin Lake

1. CALL TO ORDER

The meeting was called to order by President Ebensteiner at 6:30 p.m.

2. APPROVAL OF AGENDA

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve the agenda as presented.

Further discussion: Tina Carstens noted that the Board received a petition for drainage improvements, noting that will be discussed with the Twin Lake Flood Risk Mitigation Feasibility Study item on the agenda. She suggested considering that item 10A, to follow the Permit Program.

Manager Ward suggested the 10 Year Plan Update be added to the list of Programs and Projects. Tina noted that will be done in 2020 and is only included in the Project and Program Status reports when there is work completed.

Motion carried 4-0. (Skinner absent)

3. CONSENT AGENDA

A. Approval of Minutes from November 6, 2019

Manager Swope referenced the Visitor Presentation section, it should state, "...uniquely flat and slow drainage characteristics ~~characterization~~ of the area..."

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve the consent agenda as amended. Motion carried 4-0. (Skinner absent)

4. TREASURER'S REPORT AND BILL LIST

Motion: Dianne Ward moved, Lawrence Swope seconded, to approve the December 11, 2019 bill list as submitted. Motion carried 4-0. (Skinner absent)

5. VISITOR PRESENTATIONS

Bruce Copley, Crestview resident, provided comments related to the Twin Lake Study that will be discussed tonight. He stated that he does not oppose the proposed overflow modifications. He stated that option four would provide improved protection to property owners, but believed that only minor attention has been given to the primary source of the problem. He stated that the data is clear that no homes would have been sandbagged or at risk of flooding if the level of West Vadnais was kept under control. He stated that residents from Crestview have come to the Board requesting a lower elevation for West Vadnais for three years and have been told that no additional water could be put through the Owasso Basin. He stated that situation has been proven untrue by the results of the Twin Lake Study. He stated that the action that has been taken at Twin Lake is to prevent flooding of a home and reminded the Board of another landlocked lake, Snail Lake, which also has homes similarly at risk of flooding. He stated that Snail Lake has been above the OHW level for at least two years and further complicating the issue is that there is not a pond nearby for pumping water into as there is for Twin Lake. He stated that the Board has chosen not to do anything for the Snail Lake issue, which is inconsistent and irresponsible. He referenced the Beltline Study, noting the information shown by Barr Engineering which would eat up more public land and increase the flood risk for the homes in that area. He asked the District to get more water out of West Vadnais.

Frank Frattalone, resident, stated that his goal is to work together with the District to see relief of the water related issues in the area.

Burt Johnson, President of Twin Lake Association, stated that he reviewed the Twin Lake Flood Risk Reduction Study from Barr Engineering. He thanked staff for the increased communication through email. He stated that he understands the study to address the outflow issue, while the bigger problem is the flooding in from West Vadnais. He stated that in the last month or so, the water level has come up a few inches. He stated that they are concerned with issues that could occur in the spring. He stated that option four would put Twin Lake back to the historical elevation, or within the range, and urged the Board to move forward with that as soon as possible. He stated that they are also awaiting results of the Beltline Resiliency Study. He noted that there are also water quality and clarity concerns that have occurred because of the flooding that has occurred.

6. PERMIT PROGRAM

A. Applications

Permit #19-49: RWMWD 2020 CIP

Nicole Soderholm noted that this is a District led project, noting that this includes standard pond cleanouts.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve Permit #19-49. Motion carried 4-0. (Skinner absent)

Permit #19-50: Window World Expansion – North Saint Paul

Nicole Soderholm stated that there has been a lot of discussion with this project because of the unique characteristics of the property. She stated that normally this would not trigger a permit, but the Atlas 14 figures moved this building into the 100-year floodplain. She explained that there is an existing building within the floodplain and in order to do an expansion, the proposed addition would not meet the freeboard requirements.

She stated that staff would not recommend approval if this action would cause adverse impacts to the floodplain or adjacent properties. She stated that there is a statement included that the landowner is acknowledging any risk.

Motion: Cliff Aichinger moved, Dianne Ward seconded, to approve Permit #19-50.

Further discussion: Manager Aichinger asked the elevation of the building. Nicole stated that the existing first floor elevation is 940.4.

President Ebensteiner stated that in essence this request would be to build in the floodplain, which she does not think would be a good idea. She asked if there have been any modifications to the property to help in preventing flooding. Brandon Barnes stated that staff has been in discussions with the project engineer related to compensatory storage and whether the building would tie into the first floor.

Manager Aichinger clarified that it is the position of the applicant that the addition needs to tie into the floor level of the existing building to provide continuity of workspace. Mary Derosier confirmed that they would be extending the back half of the building to provide additional workspace and to raise the elevation higher would be problematic for the forklifts and storage.

Manager Aichinger confirmed that the existing building complies with the TP40 numbers. He stated that if the applicant is willing to absorb liability he would agree to the request.

Nicole stated that the parcel boundary on the west side is very close to the building and a berm would require more floodplain fill and could cause wetland impacts.

President Ebensteiner commented that the District should be very careful and look to the past at potential mistakes that have been made allowing people to build within floodplains. She cautioned the Board and suggested that remedial actions be reviewed to prevent building within the floodplain.

Manager Swope stated that when the building was constructed it was not in the floodplain. He stated that the addition would not be any different than the existing building. He stated that the applicant should be able to expand if they are willing to take on the liability.

President Ebensteiner stated that she would want to see a legal document stating that the applicant would absorb the liability. Staff confirmed that would be a condition of approval. Manager Ward stated that she would be willing to approve the request as long as there is a legal document showing that the applicant is absorbing the liability for building within the floodplain.

President Ebensteiner stated that she does not believe that this is complete enough to approve. She stated that she would like to see the other engineering options available for remediation.

Manager Swope stated that it would seem unusual to ask the applicant to embank an area where they are expanding on what already exists and there are other buildings in the area in the same situation as well.

Tina Carstens noted that additional information was presented to staff and not found feasible.

Manager Aichinger asked if there are other buildings in that area with the same elevation. Brandon Barnes replied that there are other buildings in the area at a similar elevation.

Motion carried 3-1. (Ebensteiner opposed, Skinner absent)

Permit #19-51: Margaret Street Downtown Improvements – North Saint Paul

Nicole Soderholm provided details on the street improvement project, noting the contaminated soils. She stated that the applicant would pay into the stormwater impact fund and this project will slightly decrease the impervious surface through landscaping. She confirmed that the sidewalk areas will also be replaced. She stated that the soils would preclude infiltration because of the contamination.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve Permit #19-51.

Further discussion: Manager Swope asked what would be done with the payment into the stormwater impact fund.

Tina Carstens explained how the funds are tracked and advised that the funds are then used for projects within the same subwatershed. She noted that she will be bringing forward additional information on the stormwater impact fund and its uses at an upcoming Board meeting.

Motion carried 4-0. (Skinner absent)

Permit #19-52: Bailey Road Reconstruction – North Saint Paul

Nicole Soderholm stated that most of this project is located in South Washington Watershed District and only a small strip of the road drains into this District. She stated that Washington County has provided volume reduction towards the treatment with the treatment being provided in South Washington Watershed District. She noted that the remaining volume reduction will be paid into the stormwater impact fund.

Motion: Dianne Ward moved, Lawrence Swope seconded, to approve Permit #19-52. Motion carried 4-0. (Skinner absent)

10. PROJECT AND PROGRAM STATUS REPORTS

A. Twin Lake Flood Risk Mitigation Feasibility Study

Brandon Barnes stated that this study looked at mitigating flood risk for the watershed within Twin Lake. He stated that the overview includes the history of County Ditch 16, discusses the design criteria and flood risk mitigation goals, different alternatives that were reviewed, and the recommended alternatives. He stated that, at the end, staff will be requesting input from the Managers on whether to proceed with final design of the recommended alternative, which is alternative four. He provided details on the design criteria, noting that staff had conversations with multiple other permitting agencies. He stated that flood risk mitigation goals were also discussed that go above the minimum criteria. He reviewed the different alternatives that were reviewed and the process that was used to review those options. He stated that alternative four includes grading providing a drainage swale/ditch to an inlet and pipe that would connect to Waldo Pond. He stated that there would be a gravity pipe through the embankment and described the pipes and manhole that would be used. He stated that the gate would be located outside of the right-of-way and the purpose of the gate would be to prevent water from Waldo Pond discharging into Twin Lake and would also prevent water from Twin Lake discharging into Waldo Pond in periods when there is potential for flooding downstream.

Manager Aichinger asked if the option was reviewed to install a pipe all the way through. Brandon Barnes confirmed that would be easier for maintenance, but noted that option was not reviewed because this area also accepts water from another area, and they wanted to minimize grading and impacts to the wetland. He stated that there would be a drainage easement and some form of access easement in order to operate and maintain. He noted that there would need to be some type of wetland mitigation and an operation plan that defines when the gate would be open and when it would need to be closed. He stated that the 30-year estimated cost would range between \$200,000 to \$400,000, which would include design, construction, operation, and maintenance over the 30-year period.

President Ebensteiner asked how much maintenance would be estimated annually. Brandon Barnes estimated about eight hours per year. He noted that the majority of that would be staff time opening and closing the gate when needed.

President Ebensteiner asked if the District would be responsible for operations. Tina Carstens stated that staff will discuss that with Little Canada, noting that perhaps it would make sense for the city to handle operations.

Manager Aichinger referenced the operation plan notes, specifically number four which specifies when the gate would be open.

Brandon provided additional input on the TP40 and Atlas 14 numbers for Waldo Pond and how the gate would be used under certain circumstances.

Manager Swope asked if an automated valve was reviewed rather than a manual valve. Brandon confirmed that this would be a good application of an automated valve but noted that the cost for that element falls into the range of uncertainty and would be reviewed during the final design stage. He confirmed that option could be retrofitted in the future if desired.

He stated that the estimated cost was based on the 30-year range described earlier. He asked whether the Board would authorize staff to proceed with final design for alternative four that would include coordination with MnDOT and the property owner as well as development of an operating plan.

Manager Ward referenced the variables that were mentioned during the presentation and asked if the details would come back before the Board. Tina confirmed that those variables would be worked out during the final design and those plans would come back before the Board for approval.

Manager Swope asked the risk downstream if the valve were open. He stated that it appears to be almost no risk to leaving the valve open because of the small numbers. Brandon stated that a hundredth of a foot would be above the floodplain for Gervais Lake and two homes are below that level.

Manager Swope asked if the valve could be managed using the sensors on Gervais Lake. He stated that, if Gervais Lake is at a lower level, water could be taken from Twin Lake.

Brandon explained that it would take multiple weeks for water to travel that path and the weather forecasts are not accurate that far ahead. He explained that there would then be a risk to leaving the valve open during those summer months. Brad Lindaman stated that they would do their best to articulate changes to the system based on different storm events that could occur. Manager Swope stated that he will be interested in hearing how this fits in with the resiliency plan.

Brandon explained the potential downstream system modifications on the Phalen Chain of Lakes that would affect how the gate is operated. He stated that this feasibility did not consider those options. He stated that the operating plan could be modified if changes are made downstream.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to authorize staff to proceed with preparation of design plans and alternatives for the Twin Lake outlet project, pursuing option four.

Further discussion: Brad asked and received confirmation that the motion would include working with Mr. Frattalone on necessary easements and also drafting of the operating plan.

Manager Swope asked how long this process would take. Brad Lindaman stated that this would most likely return to the Board at the February meeting with a preliminary design. However, easement acquisition and permit

approval may extend the process for several months. The information could be distributed before that time for review. He confirmed that a brief update could be provided at the January meeting. He confirmed that the project could potentially be ready for spring construction.

Motion carried 4-0. (Skinner absent)

Laurann Kirschner noted that the Board received a petition for the repair of County Ditch 16. She stated that at this time staff recommends that the item be placed on the agenda for the next meeting. President Ebensteiner asked for a brief outline on where the different responsibilities lie. Tina Carstens confirmed that staff will include that detail in the January packet.

Laurann noted that the mitigation being considered by the Board exceeds the scope of what would be available through County ditch law and therefore would provide a better result. She stated that the petition is requesting certain repairs and staff will review those and make a recommendation to the Board.

6. PERMIT PROGRAM (Continued)

B. Monthly Enforcement Report

During November, six notices were sent to address: install/maintain inlet protection (2), install/maintain perimeter control (1), stabilize exposed soils (2), and contain/dispose of liquid or solid waste (1).

7. STEWARDSHIP GRANT PROGRAM

A. Applications

Permit #19-11 CS: Reynen – Budget Adjustment Request

Paige Ahlborg stated that the project required additional soil work by the contractor.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve a budget adjustment for Permit #19-11 CS in the amount of \$1,897.20. Motion carried 4-0. (Skinner absent)

B. Budget Status Update

No comments.

C. 2019 Program Overview and 2020 Program Review and Approval

Paige Ahlborg provided a summary of the program. She stated that they are seeing less government projects and more residential projects. She stated that the majority of the funds for this year have been spent. She stated that the Snail Lake shoreline restoration project was about \$200,000. She advised that most of that work was not able to be completed this year and will be carried to the next year for completion. She stated that since the program began there has been a total of \$5,300,000 spent and 330 projects installed, which averages to \$16,000 per project. She commented that there have been some large projects over the years. She identified the amount of funds that have been spent per city, the number of projects per city, and the average project cost per city. She provided similar data shown by subwatershed. She provided a map of the targeted retrofits. She advised of the inspector intern that has been hired as a full-time inspector. She provided background on when inspections began and the improvement that has occurred on the BMPs since that time.

Manager Ward asked if that was a new position. Tina Carstens confirmed that was a new position that was included in the 2020 budget.

Paige provided information on the retrofit projects that occurred in 2019, noting that the Aldrich Arena project was the largest. She noted that site is highly visible to many different parties and educational signage will be posted to provide visitors with additional information. She provided additional details on the Snail Lake shoreline restoration project.

Manager Ward stated that she would like to see something for Owasso and Wabasso homeowners, as those property owners could benefit from similar projects.

Paige stated that the maintenance program is going well and provided an update on that program. She noted that there are three different contractors maintaining schools, churches and other sites. She advised that the maintenance grant began two years ago, and 23 applications have been received, resulting in 21 contractors hired.

Manager Aichinger stated that the CAC talked about completing rain garden maintenance in the next year and asked if the members would work with staff to identify potential areas. Paige confirmed that staff would work with the CAC to provide those details. She provided information on the Master Water Steward program, noting that there was one project this past year. She stated that from the beginning of the program in 2006, there were eight project completed. She noted the additional volunteerism that is gained through use of the Master Water Stewards. She highlighted proposed projects for 2020. She noted that the same priority watersheds would be proposed to continue for 2020 and advised that staff would propose to keep the funding for all the elements the same.

Motion: Lawrence Swope moved, Cliff Aichinger seconded, to approve the 2020 priority areas; approve 2020 coverage amounts as shown in Table 1; and approve staff to continue watershed maintenance, equity initiative, master water steward and aquatic plant harvesting grants. Motion carried 4-0. (Skinner absent)

8. ACTION ITEMS

A. 2020 CIP Maintenance and Repair Project Bid Review and Award

Brad Lindaman provided a summary table of the bids received. He reported that there were six bidders with a range in pricing. He reported that Fitzgerald was the low bidder. He provided background information on the history with that contractor and noted that since the meetings with staff, Fitzgerald has completed great work in a timelier manner. Dave Vlasin confirmed that he would have no problem working with Fitzgerald again this year. He commented that the work completed is high quality. Brad noted that Fitzgerald has met all requirements of the bidding process and was deemed the lowest responsible bidder.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to accept the bids and award the 2020 CIP Maintenance and Repair Project to Fitzgerald, and direct staff to prepare and mail the notice of award, prepare the draft agreements and review the required submittals.

Further discussion: Brad noted that there was language included in the bidding information that states the District can reduce the amount of work to match the budget of the cities. He stated that staff will help guide the pond work in each of the member cities.

Motion carried 4-0. (Skinner absent)

B. Capital Improvement Budget Fund Transfer – Resolution 19-03

Tina Carstens noted that this is a clean-up of funds. She explained that some projects have been completed for a year or more and there are five funds ready to be closed out with funds transferred. Manager Aichinger stated that the District reports its debt service on the books and levies for debt service, which are sometimes different amounts. Tina noted that a resolution is submitted to the County showing the difference and this resolution would be included.

Motion: Dianne Ward moved, Cliff Aichinger seconded, to approve Resolution 19-03. Motion carried 4-0. (Skinner absent)

C. 2020 Budget and Levy Final Approval – Resolution 19-04

Tina Carstens stated that because the funds were moved as approved in resolution 19-03, the proposed levy is less and the proposed increase is down to 0.6 percent.

Motion: Lawrence Swope moved, Cliff Aichinger seconded, to approve Resolution 19-04. Motion carried 4-0. (Skinner absent)

9. ADMINISTRATOR'S REPORT

A. Meetings Attended

Manager Aichinger asked if there are any big changes to the 2020 health insurance. Tina Carstens noted that there are no big changes and a minimal increase. She also provided an update on the other meetings that she attended.

B. Upcoming Meetings and Dates

Tina Carstens noted the upcoming holiday luncheon on Thursday, December 19th at 1:00 p.m.

C. MAWD Annual Meeting Discussion

Tina Carstens reported that the annual meeting took place the previous week, noting that it was probably one of the best programs.

Manager Swope stated that he found the MAWD meeting with resolution voting to be the most interesting part of the event. He stated that he was interested to learn that other areas experience similar problems but in a different way and with different ways to address the problem. He stated that the exhibitions were very interesting. He stated that at the awards banquet, awards of recognition were given out to watershed districts that had been in existence for 50 and 60 years.

President Ebensteiner agreed that it was a great event and noted that she also enjoyed the resolution committee.

D. Special Meeting for Beltline Resiliency Study

Tina Carstens stated that hard copies of the study were provided from Barr Engineering and noted that the meeting is scheduled for the following Tuesday from 6:00 to 8:00 p.m. She stated that after the Board hears the results of the study, there will be an opportunity for the public to submit written comments. She stated that staff would then draft written responses that could be reviewed by the Board at a future meeting.

Brad Lindaman noted that part of the reason for the meeting the following week is to provide the Board with an opportunity to provide input on the draft study.

Manager Aichinger suggested allowing written input from the public following the meeting, but staff should not respond as this is still in draft format.

Manager Swope stated that he also likes the idea of the Board having the opportunity to provide input, and allowing the public to submit written comments, but not providing responses to those comments at this time.

E. January Meeting Change and Annual Meeting Reminder

Tina Carstens reported that the January meeting has been rescheduled to January 8th because of the New Years holiday. She stated that the January meeting will also be the annual meeting and reviewed some of the activities that will take place.

10. PROJECT AND PROGRAM STATUS REPORTS (Continued)

B. Ongoing Project and Program Updates

- i. Twin Lake Emergency Response Management 2019
- ii. Beltline Resiliency Study
- iii. Twin Lake Flood Risk Mitigation Feasibility Study

- iv. FEMA Flood Mapping
- v. West Vadnais Lakes Outlet Permitting
- vi. 500-Year Atlas 14 Modeling
- vii. Hillcrest Golf Course
- viii. Wetland Restoration Site Search
- ix. Maplewood Mall Monitoring
- x. Wakefield Park/Frost Avenue Project
- xi. Targeted Retrofit Projects
- xii. Willow Pond CMAC
- xiii. Aldrich Arena
- xiv. Kohlman Lake Macrophyte Management
- xv. CIP Maintenance and Repair 2020 Project
- xvi. Natural Resources Program
- xvii. Education Program

11. INFORMATIONAL ITEMS - No comments.

12. REPORTS OF MANAGERS

Manager Swope asked if the Board wanted to open up the floor for additional public comments, as Bruce Copley previously suggested. President Ebensteiner provided an opportunity for residents to make additional comments.

Bruce Copley stated that his idea was that perhaps staff could be provided an opportunity to respond to the input received earlier in the night during the visitor presentation portion of the agenda.

The Board and staff did not have additional feedback. Manager Swope stated that perhaps it would be more productive to offer that opportunity after the visitor presentations. President Ebensteiner commented that opens the possibility of an unhealthy back and forth discussion. Manager Ward stated that perhaps it would make sense to hold the visitor presentation after the specific agenda item, using the Twin Lake report as an example.

Brad Lindaman stated that perhaps something is added to the sign in sheet which allows residents to state which item they would like to provide input on.

President Ebensteiner noted that continues to disrupt the agenda throughout the entire agenda. She commented that she has not seen an agenda setup in that format before.

Bruce Copley stated that as a frequent presenter it is unclear as to whether his concerns are being heard or have caused any additional discussion from staff or the Board.

Manager Ward commented that the Board and staff should think of a way to provide a response, in some manner, as that could actually help to shorten the length of future meetings if people's comments are addressed.

President Ebensteiner commented that the concerns are being heard. She noted that residents always have the opportunity to submit written comments as well.

Manager Aichinger stated that there are some comments that could easily be addressed by providing additional information to the resident. President Ebensteiner stated that perhaps staff would be the best option to provide that additional information. Bruce agreed that would be very helpful and would show that the Board and staff heard his concern and provided him with helpful information.

13. ADJOURN

Motion: Lawrence Swope moved, Cliff Aichinger seconded, to adjourn the meeting at 9:22 p.m. Motion carried 4-0 (Skinner absent).

Respectfully submitted,

Dr. Pam Skinner, Secretary