

Bassett Creek Watershed Management Commission

Minutes of the Meeting of February 16, 2012

1. CALL TO ORDER

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:32 a.m., on Thursday, February 16, 2012, at Golden Valley City Hall by Vice Chair Black. Ms. Herbert called roll.

ROLL CALL		Counsel	Charlie LeFevere
Crystal	<i>Not represented</i>	Engineer	Karen Chandler
Golden Valley	Commissioner Stacy Hoschka	Recorder	Amy Herbert
Medicine Lake	Commissioner Ted Hoshal		
Minneapolis	Commissioner Michael Welch		
Minnetonka	<i>Not represented</i>		
New Hope	Commissioner John Elder		
Plymouth	Commissioner Ginny Black		
Robbinsdale	Commissioner Wayne Sicora		
St. Louis Park	Commissioner Jim de Lambert		

Also present:

- Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park**
- Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth**
- Richard Brix, Golden Valley Resident**
- Jeannine Clancy, BCWMC Technical Advisory Committee, Golden Valley**
- Lois Eberhart, BCWMC Technical Advisory Committee, City of Minneapolis**
- Christopher Gise, Golden Valley Resident**
- Dave Hanson, Alternate Commissioner, City of Golden Valley**
- Gary Holter, AMLAC (Association of Medicine Lake Area Citizens)**
- Linda Loomis, Golden Valley Resident**
- Chris Long, BCWMC Technical Advisory Committee, City of New Hope**
- Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal**
- Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale**
- Jane McDonald Black, Golden Valley Resident**
- Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley**
- Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka**
- Liz Thornton, BCWMC Education Committee; Plymouth Resident**

2. ORGANIZATIONAL MEETING

Vice Chair Black called for nominations for BCWMC Chair. Commissioner Elder moved to nominate Commissioner Black as Chair. Vice Chair Black called for nominations two more times and then closed the nomination process. The Commission unanimously voted to appoint Commissioner Black as BCWMC Chair. [Cities of Crystal and Minnetonka absent from vote].

Chair Black called for nominations for BCWMC Vice Chair. Commissioner Welch nominated Commissioner de Lambert as Vice Chair. Chair Black called for nominations two more times and then closed the nomination process. The Commission unanimously voted to appoint Commissioner de Lambert as Vice Chair [Cities of Crystal and Minnetonka absent from vote].

Chair Black called for nominations for BCWMC Treasurer. Commissioner Welch nominated Commissioner Hoschka as Treasurer. Chair Black called for nominations two more times and then closed the nomination process. The Commission unanimously voted to appoint Commissioner Hoschka as Treasurer [Cities of Crystal and Minnetonka absent from vote].

Chair Black called for nominations for BCWMC Secretary. Commissioner de Lambert nominated Commissioner Hoshal as Secretary. Chair Black called for nominations two more times and then closed the nomination process. The Commission unanimously voted to appoint Commissioner Hoshal as Secretary [Cities of Crystal and Minnetonka absent from vote].

Chair Black moved to the next order of business: Committee appointments. Commissioner Hoshal volunteered to chair the Education Committee. Commissioner Elder nominated Commissioner Hoshal as the Education Committee Chair. Commissioner Hoshal noted that Liz Thornton and Bonnie Harper-Lore are interested in continuing as committee members. The Commission unanimously voted on the membership of the Education Committee as described [Cities of Crystal and Minnetonka absent from vote]. Commissioner Hoshal noted that Margie Vigoren also may be interested in continuing to serve on the Education Committee.

Chair Black stated that the BCWMC's Administrative Services Committee has previously comprised the four officers of the Commission. Commissioner Elder supported that structure. Chair Black nominated Commissioner Welch to the Committee in addition to the Commission's four officers. Chair Black asked Commissioner Sicora if he would like to serve on the Committee. Commissioner Welch asked Commissioner de Lambert if he would serve as the Committee chair. Commissioner Sicora agreed to serve on the Committee. Chair Black closed nominations. The Commission unanimously voted on the membership of the Administrative Services Committee as described [Cities of Crystal and Minnetonka absent from vote].

Commissioner Welch moved that the BCWMC officers serve as the BCWMC Executive Committee. Commissioner de Lambert seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

Chair Black said that the next order of business is appointing the Budget Committee. Commissioner Welch asked Linda Loomis if she would serve on the Budget Committee. Ms. Loomis agreed. Commissioner Elder moved for the Executive Committee plus Ms. Loomis to comprise the Budget Committee. Commissioner Hoshal seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

3. APPROVAL OF AGENDA AND CONSENT AGENDA

Commissioner Welch noted the length of the agenda and asked if anything could be deferred until next month. Chair Black said that item 7C – Cooperative Agreement for the Feasibility Study for the Pond Dredging Project in the Northwood Lake Watershed – could be deferred since bid numbers weren't coming in until today. Commissioner Welch moved to approve the agenda as amended. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

Commissioner Welch moved to approve the consent agenda. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

4. CITIZEN INPUT ON NON-AGENDA ITEMS

No citizen input on non-agenda items

5. ADMINISTRATION

5A. Presentation of January 19, 2012, Meeting Minutes. The meeting minutes were approved as part of the Consent Agenda.

5B. Presentation of Financial Statements. The BCWMC's February 2012 financial report was approved as part of the Consent Agenda.

The general and construction account balances reported in the February 2012 Financial Report are as follows:

Checking Account Balance	\$846,020.81
TOTAL GENERAL FUND BALANCE	\$846,020.81
TOTAL CONSTRUCTION CASH & INVESTMENTS	\$2,438,199.67
Revenue	\$0
Current Expenses	(\$0)
TOTAL ON-HAND CONSTRUCTION CASH & INVESTMENTS	\$2,438,199.67
CIP Projects Levied – Budget Remaining	(\$2,267,346.08)
Closed Projects Remaining Balance	\$170,853.59
Anticipated Closed Project Balance	\$182,429.14

5C. Presentation of Invoices for Payment Approval.

- i. Kennedy & Graven – Legal Services through December 31, 2011 – invoice for the amount of \$633.46.
- ii. Barr Engineering Company – Engineering Services through January 27, 2012 – invoice for the amount of \$33,401.28.
- iii. Amy Herbert – January Secretarial Services – invoice for the amount of \$2,303.73.
- iv. D’amico - ACE Catering – February BCWMC meeting catering – invoice for the amount of \$340.44.
- v. City of Golden Valley – Invoice for 2011 Financial Services – invoice for the amount of \$3,000.

Commissioner Hoshal moved to approve payment of all of the invoices. Commissioner Welch seconded the motion. By call of roll the motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

5D. Discuss Participation in the Metropolitan Council’s 2012 CAMP Program. The Commission discussed its 2011 participation in the program and listed the seven lakes it sponsored volunteer monitoring of during last year’s monitoring season. Commissioner Welch moved to have Commissioner Hoshal contact the volunteer monitor on Hidden Lake about interest in volunteering again and to work with Derek Asche to determine if Parkers Lake would have a volunteer willing to monitor. Commissioner Welch continued the motion to approve BCWMC participation in the Metropolitan Council’s 2012 CAMP program for volunteer monitoring of one site on Sweeney Lake – the south site, both sites on Medicine Lake, and also Northwood, Twin, and Westwood lakes, along with either Hidden Lake or Parkers Lake. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

5E. Review the BCWMC’s Closed Account Policy. Commissioner Welch moved to approve maintaining the BCWMC’s Closed Account Policy as is. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

5F. Discuss Preparation of the Annual Report of 2011 Activities. Commissioner Welch moved for Barr Engineering Company and Amy Herbert to work together to prepare the annual report and to review minutes from 2011 regarding any changes to the report Commission requested after reviewing last year’s annual report. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

5G. Review 2012 Budget. Ms. Chandler stated that the Commission Engineer is asking for Commission approval of the 2012 Engineering Budget as adopted last spring by the Commission and approval for the Engineer to perform the 2012 WOMP (watershed outlet monitoring program) tasks. Commissioner Welch moved to approve the Commission Engineer performing the work for the 2012 WOMP tasks and to affirm the BCWMC’s 2012 budget. Commissioner de Lambert seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Crystal and Minnetonka absent from vote].

5H. Administrative Services Committee Update on Administrator Discussion. Commissioner Welch summarized that the Commission had hired an administrator on a contract basis and that administrator ended the contract in September 2011. He discussed the recent Administrative Services Committee meeting and explained that the Committee reviewed the request for proposals (RFP) that it used to solicit proposals for the administrator position in 2010. The Committee revised the RFP by focusing and narrowing the

scope of the administrator's job. Commissioner Welch read the list of administrator tasks from the revised RFP. He reported that the Committee feels strongly that the Commission needs an Administrator.

Commissioner Welch informed the Commission that the Administrative Services Committee met with Doug Snyder, the Executive Director/ Administrator of the Mississippi Watershed Management Organization. Commissioner Welch said that the meeting was extremely useful and that Mr. Snyder had many helpful suggestions for the BCWMC. Commissioner Welch said that the discussion explored a couple of main ideas on ways the MWMO's staff could meet the administrator needs of the Commission. He said that the Committee will be pursuing a few ideas but a recommendation to the Commission is still a few months away.

Commissioner de Lambert noted that the discussion at the Committee meeting also brought up possible synergies between the MWMO and the BCWMC in the area of public education. Commissioner de Lambert said he thinks that being able to tap into that education resource would really benefit the BCWMC. Chair Black said that today the Committee is looking for any input from the Commission. Commissioner Sicora said that having an Administrator is essential and he also noted that the information presented today by the Committee is very interesting and this is the first that he has heard about any of this. Commissioner Elder commented that he needs time to ruminate on the idea but he does like it.

Chair Black asked if it would help the Commission if it could see a draft proposal from the MWMO. Commissioner Sicora said it would be helpful to see it and a work plan. Commissioner Elder said the information should also include costs. Ms. Chandler commented that she assumes the Commission will have a say in who is selected from the MWMO to work with the Commission. Commissioner Welch said that component is very important to him. Commissioner Welch said that Mr. Snyder had already been planning to get something in writing to the Administrative Services Committee, which can be passed on to the Commission.

Chair Black said it sounds like the Commission needs more details such as costs, job descriptions, and a work plan. She said that the revised RFP should go into the March meeting packet.

[Commissioner Elder departs the meeting.]

Chair Black asked if the Commission was interested in having Doug Snyder attend a Commission meeting. The Commission indicated interest. Commissioner Welch volunteered to invite Mr. Snyder to the March or April Commission meeting.

6. NEW BUSINESS

A. **Presentation by Dr. Keith Pilgrim, Barr Engineering, on the Feasibility Study on the Schaper Pond Improvement Project.** Dr. Pilgrim summarized and presented with a PowerPoint presentation the two viable and least costly methods for reducing phosphorous loads into Sweeney Lake. He explained that the two methods are dredging Schaper Pond and diverting water from the Highway 55 inlet to the northwest lobe of the pond. He said that based on the findings of the feasibility report and the goals of the TMDL (total maximum daily load) he recommends that the Commission construct the diversion structure and post-construction conduct one-year of monitoring to evaluate the phosphorous reduction.

Ms. Chandler said that the action in front of the Commission today is to accept the feasibility report and then the ball would be in the City of Golden Valley's court on whether it wants to ask the Commission to consider adding this project to its CIP (Capital Improvement Program). Ms. Clancy spoke up to say that the City of Golden Valley does want the Commission to consider adding the

project to the Commission's CIP. Ms. Chandler said that the request would be part of the Commission's annual CIP review.

Commissioner Welch said that he would like the Commission Engineer to look into getting Mn/DOT to fund some of this project. Ms. Eberhart asked if any part of the project would be located in Mn/DOT right-of-way. Mr. Oliver replied no. Commissioner Hoshal said that this project would be an opportunity to pursue Clean Water Legacy Grant funds. Ms. Chandler agreed. Chair Black said that she is hearing that the Commission accepts the feasibility report, wants to look into asking Mn/DOT to share in the cost of the project in light of the TMDL requirements, and to look into Clean Water Legacy Grant funding. The Commission agreed. Ms. Chandler said that the grant application process doesn't start until late summer.

The Commission discussed the project option that included the diversion with a walkway, which would provide public access to the pond for viewing. Ms. Chandler remarked that the Minnesota Board of Water and Soil Resources (BWSR) may choose to fund the walkway due to its educational component. Commissioner Hoschka stated that the City of Golden Valley doesn't have funding for the walkway.

- B. **Presentation by Keith Pilgrim, Barr Engineering, on Twin Lake Management Options.** Postponed to later in the meeting.
- C. **Golden Valley 2012 Pavement Management Plan.** Ms. Chandler summarized the project as detailed in the February 7, 2012, Engineer's Memo. She said that approximately 2.1 miles of residential streets will be reconstructed and the project will include curb and gutter, sewer repair, and water main replacement. Ms. Chandler said that 12.69 acres in the watershed will be disturbed as part of the project and the amount of impervious surface area will decrease from 6.07 acres to 5.33 acres. She also said that the project proposes nine sump manholes. Ms. Chandler explained the Commission Engineer's recommendations regarding the project including increasing the depth of the sump manholes to four feet, the manholes to be maintained and inspected at least twice a year, and that the City consider installing SAFL baffles at each sump, along with the recommendation about the extension of the outlet pipes from King Creek Road, and naming Golden Valley as the LGU and as such is the responsible party for reviewing the project for conformance to the Minnesota Wetland Conservation Act.

Mr. Oliver said that the City will be using SAFL baffles and also he noted that the project will reduce total phosphorous loading from the site by 1.4 pounds per year.

Commissioner Hoshal moved to approve the project with the Engineer recommendations as listed in the Engineer's memo. Commissioner Hoschka seconded the motion. The motion carried unanimously with six votes in favor [Cities of Crystal, Minnetonka, and New Hope absent from vote].

7. OLD BUSINESS

- A. **Discuss BCWMC Procedure of Review of Final Plans and Specs of CIP Projects.** Deferred to March.
- B. **Resolution 12-05 Approving the Cooperative Agreement for the Main Stem Restoration Project (Irving Avenue to Golden Valley Road).** Ms. Eberhart said that she had added language to the Cooperative Agreement and the language said, "It is the right of the City to contain costs within the reimbursable amount, adjusting the scope of work if necessary, with notice to the Commission." She explained why she added the language and said that if there are cost overruns then the City will have to scale back the project and she felt that this understanding should be captured in the agreement. Mr.

LeFevere said that if there are unforeseen circumstances that arise there can be dialog between the City and the Commission at that time. Commission Welch asked Ms. Eberhart if the City would agree to take that language out of the Agreement. Ms. Eberhart agreed.

Commissioner Welch moved to adopt Resolution 12-05 approving the Cooperative Agreement as revised by removing the language on page 3 that had been added in by the City of Minneapolis. Mr. LeFevere commented that the section of the Agreement about the signage should also be revised to add the requirement that project signage include the Clean Water Fund (CWF) logo and to indicate CWF grant funding as specified in the CWF grant agreement. Commissioner Welch made the friendly amendment to his motion that the Cooperative Agreement be revised to add language about the project signage and the CWF grant requirements for the project signage. Commissioner Hoshal seconded the motion. The motion carried unanimously with six votes in favor [Cities of Crystal, Minnetonka, and New Hope absent from vote].

- C. Update on and Cooperative Agreement for the Feasibility Study for the Pond Dredging Project in the Northwood Lake Watershed (on the BCWMC's CIP for 2013). Deferred to March.
- D. Bassett Creek Restoration Project: Wisconsin Avenue to Crystal border (20122 CR) – Item withdrawn from agenda prior to the BCWMC meeting.
- I. Resolution 12-06 Approving the Reimbursement to the BCWMC 2.5% of the 2011 Tax Levy Request to Hennepin County. Commissioner Welch moved to approve Resolution 12-06. Commissioner de Lambert seconded the motion. The motion carried unanimously with six votes in favor [Cities of Crystal, Minnetonka, and New Hope absent from vote].

6B. Presentation by Keith Pilgrim, Barr Engineering, on Twin Lake Management Options. Dr. Pilgrim provided background information on the 2010 water quality monitoring of Twin Lake and the results. He informed the Commission of the floating island management option. Dr. Pilgrim presented data on the performance of such floating wetlands, but also pointed out the limitations of the current data such as the tests were conducted primarily in high-phosphorous, flow-through environments, no tests have been done in a lake of a comparable size to Twin Lake, and the tests have been poorly documented. Dr. Pilgrim also presented the opinion of using alum to provide in-lake treatment. Chair Black asked about the effects plants could have regarding puncturing the alum skin. Dr. Pilgrim answered that alum floc does not stay in shallow areas but instead to move into the deepest area of the lake. Ms. Clancy recommended discussing this option with the Minneapolis Park and Recreation Board. Commissioner Welch stated that he would like to be part of any communications with the Minneapolis Park and Recreation Board.

[Commissioner Welch departs]

- E. Draft Work Plan for 2012 Grants. Ms. Chandler informed the Commission that the work plan is being worked on and will be submitted to BWSR by the deadline.
- F. AMLAC Request to Create a Document Regarding the Medicine Lake Dam and Lake Level. Deferred to March.
- G. Next Generation Watershed Management Plan. Ms. Chandler pointed out the compilation of identified issues, which was included in the meeting packet. She said she is looking for Commission direction to compile the responses from the fifth questionnaire, out of five, for TAC discussion at its

scheduled April meeting or a March TAC meeting if the Commission schedules one and puts this issue on the March TAC agenda. The Commission directed the Commission Engineer to do that work.

Commissioner Black said that the Commission needs to make some decisions about its process for the Plan revision such as whether the Commission will hold additional meetings. She suggested the Commission think over what it wants the process to look like and to review the compilation prepared by the Commission Engineer for discussion next month.

- H. **Status of TAC Discussions in Relation to Project Review Triggers, Changes to Policies Allowing Nutrient Loading Increases, and Water Quality Banking/ Trading Program.** The Commission discussed setting the agenda for the TAC. Chair Black said that she is hearing consensus that the Commission would like the TAC to conduct the CIP review in March and at the April TAC meeting the TAC should discuss the Next Generation Watershed Management Plan and project review triggers, changes to policies allowing nutrient loading increases, and a water quality banking/ trading program. The Commission agreed.
- I. **Resolution 12-06 Approving the Reimbursement to the BCWMC 2.5% of the 2011 Tax Levy Request to Hennepin County.** *[See discussion of 6I that immediately follows 6D]*
- J. **Update on Watershed-wide Modeling Work.** Ms. Chandler reported that the modeling efforts are in the data collection phase.

8. COMMUNICATIONS

Chair:

- 1. Chair Black welcomed Stacy Hoschka, the newly appointed Commissioner from Golden Valley.

Commissioners:

- 1. Commissioner Hoshal announced a workshop on P-8 modeling at the University of Minnesota on March 13th and 14th.

Committees:

- 1. Ms. Thornton announced that the BCWMC Education display would be part of the March 22nd Environmental Fair at Kimberly Lane Elementary and the April 13th and 14th Plymouth Yard and Garden Expo.
- 2. Ms. Clancy reported that the rain garden workshop being hosted by the City of Golden Valley has been set up and information about it will be forthcoming.

Counsel Communications: No Counsel Communications.

Engineer Communications:

- 1. Ms. Chandler reported on a University of Minnesota student's capstone project that reviewed the feasibility study for the 2012 Main Stem project. Ms. Clancy noted that the City often invites students to present their capstone projects to staff. Mr. Sicora recommended that the Commission invite the student to present the capstone project to the Commission as a brown bag presentation starting 30 minutes prior to one of the upcoming Commission meetings. Chair Black said that she will contact the student with the invitation if Ms. Chandler provides the contact information.

9. ADJOURNMENT

The meeting adjourned at 2:28 p.m.

Chair

Date

Amy Herbert, Recorder

Date

Secretary

Date